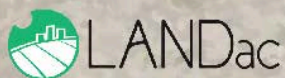
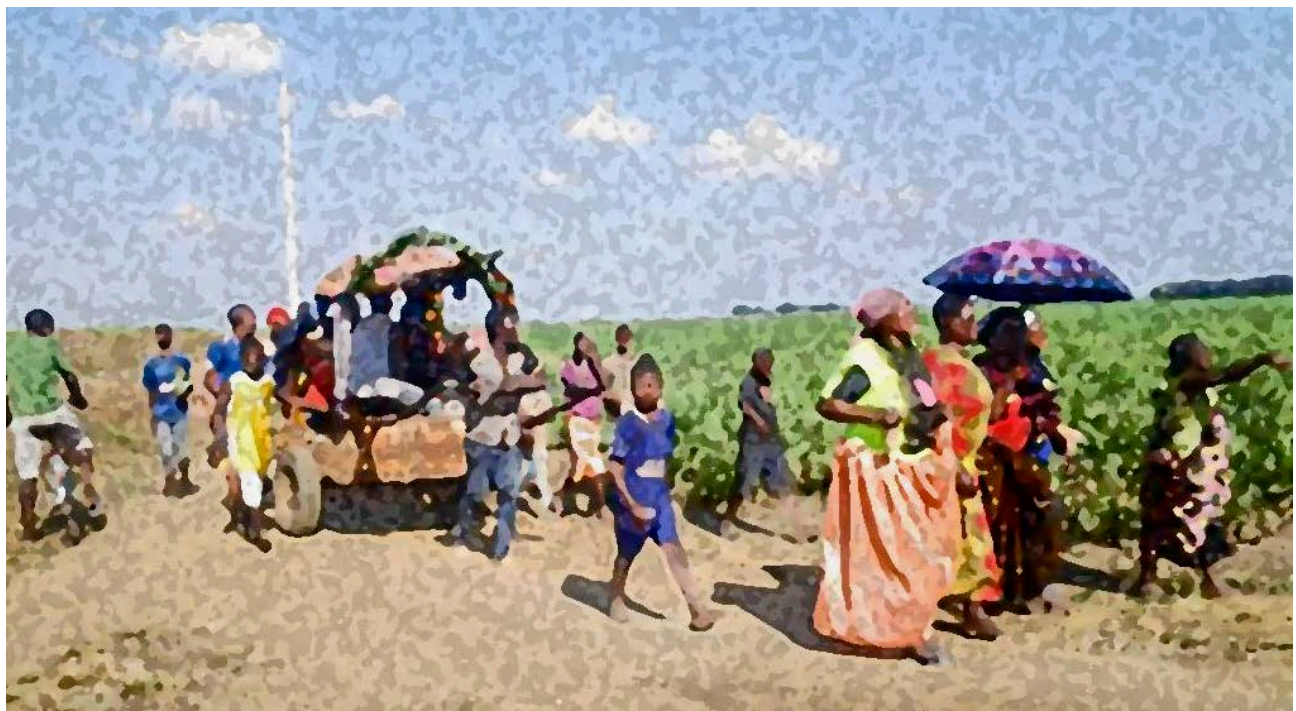


LANDac Annual International Conference 2018

Land governance and (im)mobility

June 28 – 29, Utrecht



LAND GOVERNANCE AND (IM)MOBILITY

Exploring the nexus between land acquisition, displacement and migration

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Book of Abstracts

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Digital Data Technologies and Land Administration

Panel: Shifting and demarcating boundaries: the role of digital data technologies

Christine Richter, Claudia Stöcker, Richard Sluizas, Jaap Zevenbergen (University of Twente, ITC Faculty, Department of Urban and Regional Planning and Geo-information management)

Abstract

Technologies have always played an important role in demarcating territory, surveying land and monitoring and governing the movement of people. More established technologies include analogue administrative archives, census technologies, and processes of analogue documentation of people and their often *mobile and elastic* relationships to land and built environment (Szreter & Breckenridge, 2012; Pritchard, Wolf, & Wolford, 2015). Nowadays, these more established technologies have been joined by digital data technologies for surveying land use and property boundaries, registering multiple land rights, and to monitor and guide urbanization and related migration dynamics (Koeva, et al, 2017; UNCTAD, 2012).

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Panel organization:

Each panel A & B will be organized as follows:

10 minute presentation for each abstract (total ~ 50 minutes) followed by panel discussion with the presenters and questions from audience (~ 30 minutes) – leaves 10 minutes flex time.

Part A - Shifting and demarcating boundaries: the role of digital data technologies

Christine Richter, Claudia Stöcker, Richard Sluizas, Jaap Zevenbergen (University of Twente, ITC Faculty, Department of Urban and Regional Planning and Geo-information management)

Abstracts:

- (31) Is “conventional” never innovative? An analysis of the discourses around land tenure documentation” by Zaid Abubakari, Fuseini Waah Salifu, Christine Richter, Jaap Zevenbergen
- (60) “UAV Technology: Opportunities and Limitations to support Land Administration” by Claudia Stöcker, Mila Koeva, Jaap Zevenbergen
- (30) “Utilizing Mobile Applications and an Open Platform for Documenting and Managing Land & Resource Rights” by Anne Girardin, Cadasta Foundation, France and Frank Pichel, Cadasta Foundation, Washington DC, USA

Part B - Shifting and demarcating boundaries: the role of digital data technologies

Christine Richter, Claudia Stöcker, Richard Sluizas, Jaap Zevenbergen (University of Twente, ITC Faculty, Department of Urban and Regional Planning and Geo-information management)

Abstracts:

Twente, ITC Faculty, Department of Urban and Regional Planning and Geo-information management)

- (38) “Big data in need of ethnography? The case of human mobility in the context of environmental change” by Ingrid Boas
- (149): “EMI’s use of digital data on land tenure and hazard exposure in risk assessments and risk reduction strategies” by Jose Mari Daclan (Technical Director of EMI: Earthquakes and Megacities Initiative)
- (93) Delocalization and Relocalization of Land Information: Is there a need to address increasing globalization of land information? By Christine Richter, Pranab R Choudhury

(31) Is “conventional” never innovative? An analysis of the discourses around land tenure documentation

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Globally, land administration practices are constantly evolving, all in the quest of seeking more adaptive methods and tools that work more efficiently in terms of time and cost in a given context. This quest arises for different reasons across the global north-south binary. In the global north, the quest is to improve existing methods to match up with the increasing complexity that emerges from the integration of land rights and the wider economy. In the global south where less land is registered, the quest for new approaches aims at mapping the existing complex land rights in order to increase the coverage of formal land registration system(s).

Ongoing discourses on new approaches to land registration have introduced new vocabulary such as “innovative approaches”, “innovative land tools”, “fit-for-purpose approaches”, “responsible approaches” etc. Scanning through the literature, an important binary pattern can be observed. The emerging approaches, in whatever form they are cast or whatever nomenclature used to describe them, are often compared to existing approaches, which are tagged as “conventional”. The so called “conventional approaches” have been criticized on the criteria of efficiency (cost and time) and applicability. Despite these criticisms and the quest for innovation, we still lack an understanding of; (1) what actually makes an approach conventional (2) at what point in time does an approach become conventional and (3) how conventional approaches bring forth their own innovation. There is thus a knowledge gap in appropriately defining and characterizing conventional approaches, and how their role and effects in land governance may be changing through time.

The appropriate definition of the so called conventional approaches would enable us to describe and evaluate existing land registration processes, going beyond simplified generalisations and ambiguity in the comparisons we make. Clarity in describing and defining different types and elements of land registration processes is key for both policy action and implementation.

To make a step in this direction this study looks at the discourses surrounding the notion of “conventional methods” to document land by systematically reviewing literature on emerging land registration approaches over a period of two decades. The time span covers the late 1990’s when the vocabulary (conventional vs. innovative) found its way into land administration discourses, until the present, 2018. Thus, the review will address the previously posed questions over the selected time frame.

Keywords: Innovative, conventional, land registration

(60) UAV Technology: Opportunities and Limitations to support Land Administration

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Sub Saharan African countries have an immense challenge to map millions of unrecognized land rights in the region. Land administration systems, the technologies and processes that maintain information about the relationship of people to land, are recognized as a crucial tool to achieve sustainable economies, environments, and social cohesion: land tenure recording helps to deliver tenure security, dispute reduction, investment opportunities, and contributes to good governance. Amongst others, Unmanned Aerial Vehicles (UAVs) are emerging as a tool for alternative land tenure recording. The advent of low cost, reliable and lightweight UAVs have created new opportunities for collecting timely, tailored and high-quality geospatial information. Even though UAVs appear a promising technology, it is not clear to what extent it can support existing land tenure recording workflows of communities and governments in the land sector. To address this questions, field data collection was carried out in early 2018 which encompassed numerous UAV flights and discussions with relevant stakeholders. Supported by preliminary results of use cases in Rwanda, Kenya and Tanzania, this conference contribution bridges technological capabilities and expressed stakeholder needs to ascertain opportunities and limitations of UAV technology to support land administration. The outline includes insights into data collection workflows, quality measures, and challenges to establish and use UAV technology in those African countries. Especially in areas with new land acquisition, ongoing development or rapid urbanization, UAVs appear to be an appropriate tool to provide up-to-date maps that represent the situation on the ground.

Keywords: Land Administration, UAV, aerial mapping, fit-for-purpose

(30) Utilizing Mobile Applications and an Open Platform for Documenting and Managing Land & Resource Rights

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An estimated 70 percent of people around the world lack opportunity and have diminished quality of life because they do not have social or legal rights to the land and resources they rely on. There is a strong correlation between secure formal property rights and higher income per capita, resulting in lower percentages of the population living below the poverty line. While there are many factors contributing to the costs of insecure tenure, the principal reason is that many governments fail to deliver the public good of equitable and affordable security of land and resource rights through effective land administration.

In this context, Cadasta supports neglected and marginalized populations not served by formal land systems to document their land rights. Cadasta offers a combination of free to use tools through its platform which allows users to collect and manage land and resource rights data. With the Cadasta Platform, communities, non-governmental organizations, local governments, small island states, and businesses, have access to affordable, open-access tools and technical assistance to improve their opportunities and quality of life.

The Cadasta platform is designed to be flexible and fit-for-purpose, while supporting the land administration domain model (LADM) so that both communities and governments have an opportunity to transparently document land use and rights. The data is hosted on a cloud-based server where it can be edited, managed, printed, and used to challenge external information such as existing registered rights, easement roads, risks zones, etc.

Through our paper and presentation, we will detail approaches and tools for data collection, as well as use case studies illustrating how the platform has been used by partners to ensure transparency, allow for data visualization and analysis, demonstrate different views, reduce conflict, increase traceability within supply chains, provide clarity over land acquisition, and incrementally secure the tenure of citizens.

(38) Big data in need of ethnography? The case of human mobility in the context of environmental change

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Big data analyses drawing on mobile technologies are increasingly used to detect human migration flows in the context of environmental changes. Even the UN has heralded the proliferation of both digital handheld devices and the profusion of satellite imagery for their potential to revolutionize our understanding of human adaptive responses to climate risk. However, this hunger for more data risks lacking proper interpretation of the human behaviour patterns observed. Whilst large-scale data sets often provide valuable snapshots of materials and people, it is frequently unclear what the wider meaning of these are, and therefore on its own insufficiently rich to draw hard conclusions from. Combining insights from large-scale data sets with in-depth qualitative insights from social science is crucial to arrive to more informed conclusions.

To demonstrate this, we have conducted a mixed-method analysis of human mobility patterns in Southern Bangladesh heavily impacted by cyclones and river erosion. We have executed an ethnographic research design to verify and interpret 1) Mobile Network Data detecting sudden large-scale mobility patterns following Cyclone Mahasen (Lu, Wrathall et al. 2016a,b) and 2) Earth Observation remote sensing (EO) data detecting erosion (from 1988-2017). The Mobile Network Data analysed by Lu et al. (2016a,b) provided the starting point for our research, showing high levels of human mobility during and around Cyclone Mahasen. This mobility was labelled by these authors as human displacement; meaning people forced to flee their homes heading to safer areas. Our ethnographic study of these big data findings, combined with the EO data, however provide a very different picture. The human flows as detected in the Mobile Network Data do not mirror human displacement. Instead, these reflect movements of hundreds of fishermen heading towards the harbour areas to protect and secure their trawlers - big wooden fishing ships. These fishermen were facing the storm, as opposed to running away from it, and able to relatively safely move around in the area. Moreover, in the areas where the Mobile Network Data shows hardly movement, people turned out to be much more vulnerable during the cyclone.

All in all, the fact that a big data analysis detects large-scale movements does not have to mean that people are on the run for their lives. On top of that, those most vulnerable do not appear within large-data sets as they are immobile during dangerous events, and their out-migration takes place on a gradual basis. Drawing on interdisciplinary research methods is thus essential to get to a more solid understanding.

(149) EMI's use of digital data on land tenure and hazard exposure in risk assessments and risk reduction strategies

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The continuing trend towards urbanization, coupled with rapid population growth and inadequate urban development planning, is increasing the vulnerability of communities to the impacts of natural hazards, particularly in developing countries. Comprehensive, science-based, and validated disaster risk information provides a sound basis for city managers and policy makers to develop the necessary risk reduction strategies and plans, and make the needed investments that can reduce the human and economic losses from natural disasters.

Geographic information systems (GIS) and remote sensing (RS) are key tools in developing vectoral and spatial information needed to assess and manage disaster risk. The presentation describes EMI's experience in supporting cities to make better informed risk management and investment decisions through the use of GIS and RS technologies in: (1) Assessing hazard, vulnerability and risk, (2) Communicating risk information through risk profiles and atlases, and (3) Supporting the development of financial instruments that reduce risk, such as risk financing and insurance. Examples will be provided on various cities and challenges will be illustrated in terms of collecting, synthesizing and validating the data.

(93) Delocalization and Relocalization of Land Information: Is there a need to address increasing globalization of land information?

Christine Richter, Pranab R Choudhury

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An information revolution around land is on the way with more and more land-data being collected, collated, curated and made available using geo-information technology tools as part of mandatory reporting or informed policy and decision making as well as to address monitoring needs of global treaties, agreements and goals, also in response to SDG reporting requirements. At this global scale land-data aggregators are mobilizing and pooling information from various sources through different partnerships and arrangements. Some examples include extracting from public databases, from secondary sources, such as expert consultancies, and primary sources like household surveys, and also through the creation of spatial databases through mobile platforms. To help the information producers, aggregators, disseminators and users, use land-information more effectively, data standards, licensing and policies are being developed and advocated. Such initiatives can contribute to useful globalized views and comparisons through land information ecosystems that pool data at a large scale.

What we see here is an increasing globalization of land information with the potential to contribute to evidence-based advocacy, greater transparency and successful drawing in of global policy and donor attention (viz. SDG indicators, VGGT etc.). However, the flipside of this land data globalization is the delocalization of land information. Often globally intended initiatives lack local or national mandates, pool data linearly as per the focus of the aggregator limiting the scope of aggregate land canvasses locally and do not necessarily include critical feedback loops with local information providers. Property rights information being treated with different degrees of sensitivity by nations with different policies governing the storage, security and dissemination of such information also raises legal and ethical questions.

In light of the increasing generation and mobility of land information in digital space and the potential unintended or unanticipated uses of such data, including related personal data, for instance by third parties, we want to revisit the question of data standardization and integration processes in light of recent debates on data-ethics. Questions include who is responsible for the data storage and uses once it is generated, who owns the data and its uses, what role can licensing and standards play in these questions, and how might processes of re-localizing the information look like?

Scaling Up Women's Land Rights

Panel: Scaling Up Women's Land Rights: Key Lessons from Grassroots Initiatives

Caroline Archambault (Leiden University)

Abstract

Despite the growing recognition of women's rights to land and other natural resources, women throughout the world still face many obstacles to land access and security. This panel will showcase a selection of efforts at scaling up women's land rights. In Rwanda, Paul van Asperen and his team, highlight the potential of cooperatives. In Kenya, Philip Kalonzo and his team from Action AID, explain the transformative potential of a rural women's land rights charter. Finally, in Bangladesh, in the low-lying river islands, IFAD is working to strengthen women's land rights in a resettlement project by giving them legal recognition on title deeds.

(35) Innovative approaches for gaining access and security to land by women through cooperatives: a case study of Rwanda

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In spite of the demonstrated will by the legal changes of the government of Rwanda, social barriers still hinder women to enjoy their rights to land. This calls for the necessity to investigate how women manage to access land in response to mostly patriarchal obstacles. This paper aims to explore the effectiveness of cooperatives as innovative approaches through which women gain access and tenure security to land in Rwanda. In a qualitative study, seven cooperatives throughout Rwanda have been studied using in-depth interviews, focus group discussions and questionnaires.

The findings of this research revealed various innovative ways through which the cooperatives enabled female members to gain access and security to land. As such, women obtain land for use in their daily activities like cultivation by three main ways: firstly, by owning or renting land collectively. The cooperative land refers to the land bought or received as a gift collectively. This cooperative land is used and managed by all cooperative members. Secondly, by purchasing land – outside the area of the cooperative. Individual members of the cooperative buy land using funds earned from the activities conducted in the cooperatives. Thirdly, women have access to land by renting land – outside the area of the cooperative land – either individually or collectively using the earnings from their main cooperative. Such land is leased from private landholders or the state using the income obtained from their cooperative. Results show that the cooperatives contribute to the empowerment of women regarding decision making on land. Women in the cooperatives learn the skills, gain the knowledge and the information needed to enable them to claim their rights to land. Consequently, women are empowered to raise their voices in public and before their husbands and are participating in decisions related to the use of household's land.

Keywords: women's land rights, cooperatives, land access, tenure security, Rwanda

(158) Strengthening Accountability for Delivery on Women’s Right to Land in Kenya – a case study of grounded and national work by ActionAid Kenya

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Achieving transformations necessary to realize and scale up women’s land rights remains a challenge across Africa, in particular if to be led by women living in rural areas. ActionAid Kenya (AAIK) has been a leader during a 3-year process that has developed clear pathways to realizing the right to land for women living in rural areas. There is a need for greater coordination among national and local stakeholders in order to streamline and to maximise the synergy, quality for upscaling of this work.

AAIK together with other stakeholders generated an implementation framework for the Kenya rural women’s land rights charter. The charter is holistic in nature. It captures broad and specific actions that lead to the ultimate changes that women living in rural areas are looking for. The responsibility and governance for broad areas of change is taken by different actors notably the Ministry of Land and Physical Planning, National Land Commission, FAO and most importantly CSOs with women living in rural areas having a stake. ActionAid coordinates the multi-stakeholder platform at national level. The objective and ambition is to implement this framework in 24 counties (over half of the country) in the next 6 years. With inbuilt monitoring mechanisms, coordination for its proper implementation is therefore the game changer in advancing women’s right to land. Already the process of setting up multi-stakeholder platforms at county and national level requires catalytic coordination. Women living in rural areas lead in monitoring the rolling out of the implementation framework for the land rights charter and the progress made. ActionAid has embedded its research and campaign signatures in working with rural women to develop tools for their use in tracking progress towards realizing their rights. These tools for tracking women land rights will be used to support women led consultations, evidence generation and engagement with duty bearers. Evidence generated by women using these tools will be used in space provided by the county and national level platforms to further their cause. These tools cover six (6) areas that women living in rural areas identified as holding greater promise for transforming their right to land. The process is going to give impetus to initial work that contributed to more women securing titles and successfully resisting land grabs by corporates.

(32) Land Tenure Security in the Chars: lessons from an IFAD funded project

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Every year in Bangladesh 26,000 families lose their homes, land and livelihoods to erosion. In the south-east of Bangladesh, approximately 150,000 people live on low-lying river islands, known as Chars, where regular flooding and rising sea levels are constantly changing the coastline, creating new Chars and eroding or submerging others. The Char Development and Settlement Project Phase IV (CDSP IV), funded by IFAD in partnership with the Government of Bangladesh and the Embassy of the Kingdom of the Netherlands aims to reduce poverty and hunger for communities living in the Chars. The project adopts an integrated development approach to improve the economic situation and living conditions on the Chars, by securing land rights and strengthening protection from climate change; building climate resilient infrastructure; providing livelihood support, such as health services and legal education, and supporting the establishment of field-level institutions. Sourcing IFAD reports from field missions, the study will focus on how CDSP IV has successfully supported the rural population, and particularly the rural women occupying land on the Chars, to receive legal titles for these plots. The study will highlight the innovative tools used in the project to address the environmental, institutional and social challenges presented by the Chars. The profound gender inequalities due to the conservative culture were addressed by awarding land titles to married couples and unmarried women, always putting the wives' names first, which empowered women and led to the project being awarded the IFAD Gender Award in 2017.

Video: "Bangladesh: Land of Our Own": <https://www.youtube.com/watch?v=vDtyvwWT270>

Keywords: land registration; tenure security; women's land rights; Chars; Bangladesh

Delta Cities and Food Security

Panel: Inclusive and sustainable management of deltas in a changing world

Veena Srinivasan (Ashoka Trust for Research in Ecology and the Environment),
Esther Stouthamer (Utrecht University)

Abstract

Globally, deltas are fertile areas with high population densities and concentration of economic activities. However, deltas are also low-lying and extremely prone to flooding, both due to climate change and human interventions. Currently, many of the world's large deltas, especially in the developing world are experiencing rapid change (e.g. subsidence, salt water intrusion, climate change, rapid urbanization and intensification of economic activities) in ways that negatively impact their environmental, economic, and social sustainability.

Securing food, livelihood and water security in urbanizing, low-lying deltas requires anticipating changing conditions and facilitating adaptive management of the socio-hydrological system to cope with ongoing and future changes. This requires an understanding of both the biophysical processes in deltas as well as the socio-economic drivers of change.

The panel will explore transition pathways towards a sustainable and inclusive delta management by bringing together social scientists and natural scientists, working in deltaic regions across the world.

(51) Assessment of Food Security: Spatial Analysis and Visualization of Geographic Access to Food in Bulungan Regency, Kalimantan Utara, Indonesia

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Recently, food security become a priority for many governments. Food security has four dimension i.e. availability, accessibility, stability and utilization. This research examine food accessibility, in term of geographic acces, in Tanjungseler Subdistrict, Bulungan Regency, Kalimantan Utara. Geographic access examines the contribution of the geographic environment to food choices and consumption. Kalimantan Utara is the youngest province in Indonesia and located at northern part of Kalimantan (Borneo) Island, immediately adjacent to Malaysia. Tanjung Selor Sub district is considered as a central place since capital of Bulungan Regency as well as capital of Kalimantan Utara Province are located in Tanjung Selor. From geographical landscape point of view, Tanjung Selor is located in delta area known as Delta Kayan. Geographic access to food was analyzed based on spatial distribution of food stores, settlement and availability of transportation network. Satellite imagery and field survey were used for identification and mapping location of local food stores and settlement. Road or transportation network were obtained from secondary data i.e. topographic map and OpenStreetMap. Partial updating of road networks were performed where appropriate to ensure the completeness of the data. Spatial analysis of geographic access, i.e. coverage, density and proximity analysis, were performed using tools which available in Quantum GIS (QGIS) software. Geographic access to food were classified into three categories: easy, moderate and limited access. This study show that in general people in Tanjung Selor have moderate access to food. Small proportion of them have easy and limited access. This, among other things, is mostly due to geographical landscape of the area. As an inland small city located in a big delta area, availability of food outlet and transportation infrastructure i.e. road network in Tanjung Selor is currently considered inadequate.

Keyword: Food Security, Geographic Access, Spatial Analysis, GIS

(126) Sniping without the rifle? Preventive and adaptive measures of government and nongovernmental organizations to cope with peat subsidence in Indonesia

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Peat subsidence has caused many physical impacts for peatland and people living in those areas. The physical impacts of the subsidence led to the long-term undermining economy of the affected areas and people. Since peat subsidence happens continuously on a massive scale over an extended period, the peatland along with its activities as well as affected households will remain living under vulnerable status. Some affected households have tried to reduce the vulnerability through several measures and money spent on it, while local governments were still lack of focus on peat subsidence as a single concern. Therefore, it is crucial to reveal measures taken by the government organizations regarding efforts to solve the problems in the peatland areas. However, since both affected people and governments could not stop the problems by their own measures, many scholars proposed an external actor, namely non-governmental organization (NGO) to involve actively in reducing the vulnerable status of affected households. Responses and initiatives of NGOs in decreasing the vulnerability of affected areas and people to climate change or single-shock disasters have been widely recognized, but evidence regarding peat subsidence is still limited. This article fulfils the gaps of actors' responses to peat subsidence by providing examples from case studies in peatland of Riau Province, Indonesia. This article provides answers to some questions, i.e. what are the raising issues in peatland of Riau? This question answers the sub-question on how peat subsidence is framed amongst other peatland issues? In addition, another question is raised, i.e. how do governments and NGOs to deal with the peat subsidence issues? This question is divided into the mitigation and adaptation responses of the different actors to deal with the subsidence, which represent the preventive and reactive measures to this problem.

Keywords: peatland, peat subsidence, government and nongovernmental organizations, mitigation, adaptation, Indonesia

(117) Resettlement in Flood Risk Management: building advise for Deltares

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This paper consists of the preliminary results of a research process to assist Deltares on how to effectively take an inclusive approach to advises of flood risk management in developing countries that are prone to involuntary resettlement of communities. Therefore, it takes a policy oriented approach to knowledge production. We focus on Master Plans because they serve as the base of information for decision-making to protect cities from the risks of flooding. Developing countries can benefit from Dutch expertise on flood risk management but it is relevant that interventions are inclusive and promote sustainable development. We start by a literature review to look at the main issues regarding resettlement, draw the main existing guidelines of best practice and capture the lessons learned from previous projects. Then we approach different actors (e.g. members of NGOs, engineering company and financial institution practitioners and academic researchers) for their claims, concerns, and suggestions. Results show that concrete actions to manage flood risk that involve resettlement are strongly prone to create new winners and losers and to exacerbate or increase the risks of conflict. The main claims are that communities should be better off after resettlement and human rights should not be violated in the entire process. Concerns were mostly related to a lack of social dimensions within plans, low levels of involvement with local communities and of transparency about the project's potential impacts, and alternatives are not sufficiently stressed. Suggestions were of a better integration of the social dimensions and thorough assessment of the risks of social conflicts of an intervention in early stages of the project. Thus, increasing the chances of an inclusive process and the acceptability of projects designed by Deltares. Problems identified should be flagged as soon as possible and ethical reasoning should be considered in all decisions.

Keywords: Resettlement, Flood Risk Management, Master Plans, Deltares

(20) The Impact of Climate Change on Food Availability in North Kalimantan, Indonesia

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Sustainable Development Goals (SDGs) on the environmental pillar, one of the main focus is the issue of climate change. Climate change also has an important role in the success of development on social and economic pillars, one of which is the issue of food security. One of the factors that influence food security is food availability. The availability of food is related to food supply through the production of agricultural crops. Physical factors affecting crop production are temperature and rainfall. As a result of climate change will affect the changes in temperature and rainfall, will directly affect the low agricultural production. The purpose of this study was to analyze the impact of climate change (temperature and rainfall) on the availability of agricultural commodities in North Kalimantan. This study uses secondary data includes data of temperature, rainfall and agricultural production as a baseline. Descriptive quantitative research is assessed using maps, tables and charts. The results showed that there is a relationship between climate change and food availability. Through regression test showed that food availability in paddy significantly affected by climate change, with a significance value of 0.008 and vegetables significance of 0.000. In the tuber food commodities, nuts and fruits are not affected by climate change based on statistical tests.

Keywords: Climate Change, Food Availability, Agricultural Production

Panel: Land Rights Encroachment, Civic Resistance and Responses to (Trans)national Advocacy

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Ten years after the beginning of the global land rush we are still trying to make sense of the phenomenon and the extent to whether its negative consequences can be reversed. There are many examples of resistance, advocacy, and other ways to mitigate the adverse impacts for the displaced and/or actors most affected by the appetite for land. As a result of the work of local advocacy groups, often in constellation with international NGOs, critical journalists, activist scholars, as well as multilateral institutions, some land deals have been successfully stopped and/or the position of affected residents has been somewhat improved. In other cases, resistance remains primarily confined to the local level, with varying results.

Yet at the same time, many concerns remain. By no means has the global land rush come to an end, while also the 'gains' remain very unequally divided – still virtually always in favour of the most powerful (investors) rather than the rural and urban poor. Also, often operating below the radar, there are many cases of land appropriation by national elites and/or by powerful actors from within the communities. Many attempts to address the inequalities emerging from the global land rush may, in line with Borras (2018), thus rather be considered petty reform instead of a deep social reform in favour of the most needy.

This panel will discuss various forms of resistance and critique. Who are the actors involved and in what kinds of (trans)national alliances do they operate? Who are their advocacy targets, and to what extent does this shape their strategies and forms of opposition to land deals? Starting from these and other questions, the panel hopes to provide additional insights about successes and limitations of current expressions of concerns about the global land rush.

(29) Civil society engagement with land rights advocacy in Kenya: what roles to play?

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In this paper we will present our ongoing fieldwork for the research project 'Civil society engagement with land rights advocacy in Kenya', funded by NWO-WOTRO. This project, conducted in partnership with Moi University (Eldoret), Leiden University and Action Aid, aims to provide insight into the various roles civil society organisations undertake when advocating for fair and inclusive land deals in Kenya. Advocacy activities may take place on the local, national and transnational level, and may be directed towards governmental agencies, donors and investment banks, and private actors. Civil society organizations might each navigate differently between confrontational and cooperative strategies vis-a-vis governmental and private actors. While some CSOs prefer to specialize in one role, be it within a broader CSO coalition or not, there might also be reasons to combine these roles within one organisation.

During our fieldwork, which starts in May 2018, we will seek insights into the way Kenyan civil society organisations working on land rights balance cooperative and confrontational strategies, and how the decisions they make play out in terms of their local embeddedness, autonomy, and perceived legitimacy. Our fieldwork will take place in a number of areas in Kenya where contestations over land in relation to corporate activities are ongoing, or have recently taken place. Within these contexts, we will pay particular attention to the role of youth, women and rural populations in advocacy; civil society engagement the government and the private sector; and the influence of the increased linking of aid and trade in Western foreign policy agendas. During the conference we will present our preliminary findings based on a literature review and two months of fieldwork.

(62) Corporate responses to concerns about the global land rush: Probing the (limited) reach of criticism

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Though the current global land rush has been met with widespread concerns about its negative consequences for rural populations, whether, why and how investors, corporations, etc. respond to criticism remains less understood. Recent discussions in the academic literature (Rutten et al. 2017; Temper 2018), at international forums, as well as various guidelines/principles (e.g. VGGT 2012, Interlaken Group and RRI 2017), demonstrate that investors and international governance institutions have certainly responded to some of the concerns. In particular, as I argue, due to the pressure from the fiercest critics, even when they often do not succeed in realising their own aims, such as the de-commodification of land (Salverda 2018).

Notwithstanding, not only are current responses often riddled with shortcomings, but also the reach of criticism seems limited. It is often argued that internationally operating brand-facing companies, institutional investors and university endowments are more sensitive to pressure, while actors who operate below the radar may be much less receptive. Yet even within this dichotomy there are varieties. Why does one company respond while one with a similar background does not? If this relates more to 'leadership' (see, for example, Bloomfield 2017 in the case of gold production), perceptions about whether accusations of harmful practices entail a business risk apparently differ.

This presentation does not offer clear answers to the challenges in obtaining better and broader responses, but rather raises a number of questions. Is the reach of criticism too limited and mainly targets the 'converted', such as international governance institutions and companies already addressing some of the concerns? To what extent does the limited reach actually explain the shortcomings of existing responses? As such, what strategies can we think of to pressure companies, donors, etc., to critically reflect upon the shortcomings at the same time as spreading the impact of criticism?

(47) Politics of inclusion and exclusion in the Chinese industrial tree plantation sector: the global resource rush seen from inside China¹

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In the last two decades, the Industrial Tree Plantation (ITP) sector has expanded rapidly in southern China causing important changes in land-use and land control. It involves both domestic and transnational corporations, and has provoked widespread conflict and political contestations. The villagers who are affected by the expansion of ITPs have reacted in variegated and complex ways: some of the villagers were incorporated in the ITP sector, while others are excluded; some have embraced the change, while others have complaints; and some of the complaints remained latent, while others developed into (overt or covert) forms of resistance. This paper explores how and why various social groups have responded differently to the expansion of ITPs. This paper reveals the dynamics of villagers' inclusion and exclusion in the ITP sector, covering both 'passive' and 'active' forms of inclusion and exclusion, resulting in differentiated political reactions from villagers. This paper hopes to contribute towards a more comprehensive understanding of the complex engagement of villagers in changes in large-scale land-use and land control not just in the most commonly studied countries in global land grabbing – but inside China, and in land transactions that involved large foreign companies, something that has so far been missed in the literature on land grabbing.

Keywords: China, land grabbing, industrial tree plantations, resistance

¹ This paper has already published in the Journal of Peasant Studies. Here is the link:
<https://www.tandfonline.com/doi/abs/10.1080/03066150.2017.1405936>

Infrastructure and Involuntary Resettlement

Round table: Involuntary Resettlement and Development-Induced Displacement, Latest Data and Policy Evolutions

Christelle Cazabat (Internal Displacement Monitoring Centre) & Shona Hawkes (Oxfam International)

Abstract

This panel will bring together experts on displacement caused by development initiatives, sharing latest findings on the scale and intensity of this phenomenon as well as information and recommendations on recent policy evolutions.

The adoption of the Sustainable Development Goals in 2015 triggered unprecedented investments in “development” projects across the world, from power plants to urban renovations. According to some estimates, the world needs to invest \$3.3 trillion per year in infrastructure until 2030. In 2017 the G20 agreed on the Hamburg Principles, also known as the Multilateral Development Banks principles for crowding-in private sector finance for growth and sustainable development aimed to mobilize the level of finance needed to achieve the SDGs. These initiatives, presented as positive advances for humanity, can also have devastating effects on people. The communities pushed aside to make way for these projects are often left impoverished and marginalized, in spite of social safeguards imposed by the international financial institutions that fund them. Ensuring that development leaves nobody behind requires more information and more attention to this issue.

Panelists will share results of their latest assessments on the number of affected people and the negative consequences of resettlement on livelihood and well-being. In the 1980s, the World Bank created the first involuntary resettlement policy to implement on all its investments worldwide, now a global standard. The approval of the first ever resettlement policy by the World Bank had global implications since all Multilateral Development Banks subsequently approved their own set of similar policies. From 2012 to 2016, the World Bank undertook an extensive review of its safeguards policies, including resettlement. This panel will discuss the World Bank’s new resettlement policy and its implications, including improvements from its previous version, but also concerns on new issues and recommendations to ensure that affected people are better protected.

Panel format: round table discussion with presentation of original data

(37) Land expropriation in Kigali city: investigating the patterns of spatial justice into the underlying rules, processes and outcomes

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Since 2007, the expropriation process is applied as land acquisition strategy for the restructuring and development of Kigali city. That process is perceived to be deterrent to land tenure security for affected property owners. They hardly afford other properties in the city, due to unjust compensation resulting from the implementation of ambiguous expropriation law of 2007. In order to mitigate those problems, that law was amended in 2015. The new law provides for the use of updated reference prices, just and prompt compensation. This study investigates the potential patterns of spatial justice into the current expropriation processes and outcomes, based on the provisions of the underlying law. It applies the indicators of spatial justice that demands the establishment of just rules and processes in the management of spatial resources to provide all people equal opportunities to use those resources. Data sources include household surveys, focus group discussions, interviews and existing literature on the topic. Qualitative and interpretative analyses of those data reveal some patterns of spatial justice, namely procedural, recognition and redistributive justices. They are distilled from just and timely compensation processes that abide to the law without the interference of local government institutions. That interference originates from unclear definition of private or public interests in the expropriation law. Expropriations which are carried out by government institutions without sufficient budgets result into unjust and delayed compensations. Although counter-valuations result into just and increased compensation, most of the expropriated people still do not afford similar properties in Kigali city using the compensation. Consequently, they migrate towards other districts where properties prices are relatively low. We conclude that effective budgeting, the pursuit of spatial justice and compensation in kind can counteract the displacement effect of expropriation processes in Kigali city.

Keywords: Kigali City, expropriation, spatial justice, (un)just compensation

(163) World Bank’s new Environmental and Social Framework (ESF) and Environmental and Social Standard 5 (ESS5)

Jon Lindsay, Lead Counsel, Land and Natural Resources, World Bank, Washington DC

“On August 4, 2016, the World Bank’s Board of Executive Directors approved a new Environmental and Social Framework (ESF) to help protect people and the environment in the investment projects it finances. The ESF – which is expected to come into effect on October 1, 2018 – is designed among other things to bring the World Bank’s environmental and social protections into closer harmony with those of other development institutions, and makes important advances in areas such as transparency, non-discrimination, social inclusion, public participation, and accountability – including expanded roles for grievance redress mechanisms.

Environmental and Social Standard 5 (ESS5) addresses Land Acquisition, Restrictions on Land Use and Involuntary Resettlement. It replaces the World Bank’s current Operational Policy OP 4.12 on resettlement. Most of the core features of ESS5 represent continuity with long-standing Bank policy, including ensuring assistance for displaced people regardless of the legal status of their land claims. At the same time, in some important ways ESS5 clarifies and strengthens the application of existing policy, by (for example) extending its scope to cover lost access to common property resources; ensuring careful scrutiny of purported “voluntary” transfers of land; and by emphasizing the importance of gender dimensions in resettlement. Nevertheless, the implementation of the new Standard (as with the policy it replaces) faces immense challenges. The purpose of this presentation will be to introduce the new Standard, to explore some of its promising new features as well as the challenges that lie ahead as it becomes “live” later this year.”

Panel: Impacts of Oil Palm and Strategies for More Sustainable Production

Birka Wicke (Copernicus Institute for Sustainable Development, Utrecht University), Annelies Zoomers (International Development Studies, Utrecht University), Ari Susanti Matthijs (Faculty of Forestry, Universitas Gadjah Mada, Yogyakarta Indonesia)

Abstract

Sustainability challenges of oil palm expansion in Southeast Asia continue to be high on national and international policy agendas and public debates. This is the result of very rapid increases in palm oil production in the last three decades mainly through land expansion, expected increasing demand in the future, and environmental and social impacts of oil palm plantations. The impacts strongly depend on where and how palm oil is produced and there is a need to better understand how the local socio-economic and environmental context, as well as the implementation method of oil palm plantations (e.g. different business models, value chain set-ups and application of accountability schemes) affect the local community and environment.

Besides better understanding the impacts and its underlying mechanisms, there are also open questions about who is (in how far) responsible for these impacts and for taking action to minimize future effects. Many different actors are involved ranging from local inhabitants and plantation companies clearing the forest, to supply chain actors profiting from the palm oil production, to individual consumers of products that contain palm oil even in places far away from the production, and to local to national governments of producing and consuming countries. Clearly all actors have some responsibility, but how do we determine and quantify this responsibility so that these actors can be held accountable? And how do we account for variation in impacts as a result of different business models, value chains, spatial heterogeneity or scale which we already know the impacts depend on?

To start answering these questions, this panel aims at presenting and discussing disciplinary and interdisciplinary research on impacts of palm oil production and approaches to attributing responsibility for these impacts.

Panel format: Paper presentations & panel discussion

(34) Landscape and livelihood transformation induced by rapid oil palm expansion in the forest frontier areas of Riau – Indonesia

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Riau province has become one of the largest oil palm producers in Indonesia and oil palm has become an important source of income for the region. This rapid expansion of oil palm plantation and industry has brought substantial changes both to the landscape and people's livelihood. The impacts of lands and natural resources utilizations for oil palm plantations and industry have often been presented as development, economic growth and capital accumulation for the region. However, this massive transformation of landscape in Riau from previously tropical natural forests into monoculture oil palm plantations have also resulted in unintended positive feedback loop which leads to degradation and impoverishment. These impacts are related to each other and these interplays could accelerate the process of accumulation and impoverishment induced by oil palm expansion. This presentation analyses the impacts of oil palm expansion in the producing region by taking an example from rapid oil palm expansion in the forest frontier areas of Riau, Indonesia.

(42) Opportunities and Challenges for Rural Transformation in Oil Palm Places: Lessons Learnt from IFAD's support in Uganda

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IFAD's experience supporting Uganda's palm oil sector carries with it valuable lessons on the potential positive and negative effects that accompany processes of rural transformation. Prior to the oil palm investment in Kalangala district in the early 2000's, the district was ranked the 71st poorest district in Uganda out of 76 districts. Economic activity centred around fishing and charcoal production and food crop production was limited and mainly for subsistence. The investment has subsequently seen 1,800 households benefitting directly as smallholder oil palm growers, while 3,000 people have gained employment on the nucleus estate and mill or on the smallholders' plot. However, the increase in employment opportunities and the income growth that has naturally followed, have also provoked income inequality and contributed to emerging social tensions within the district. This highlights the complexity associated with rural transformation. IFAD's efforts to scale up oil palm development in Uganda have recognised the importance of identifying potential risks and developing initiatives that can assist in mitigating against the negative impacts born from rural transformation. This paper highlights the challenges that have accompanied IFAD's support for oil palm development within Uganda, with a particular focus on Kalangala district. Drawing on IFAD's 14 years supporting oil palm in Uganda, the paper illustrates how altered dynamics for instance, gender, class, labour land and property relations have arisen and equally how they have been mitigated against. For instance, developing alternative economic opportunities for those not directly benefitting from the oil palm investment , household mentoring to guard against the escalation of social risks and land use planning to improve access to land and tenure security. This study further highlights that in order to drive a process of rural transformation that is inclusive, robust safeguards that mitigate against risks and enabling measures that create widespread opportunities are fundamental.

Keywords: Oil Palm, Rural Transformation, Uganda, IFAD

(104) Tested approaches to formalization of land rights for smallholder producers in the oil palm sector; a comparative review of Ghana, Liberia and Sierra Leone

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Oil palm production is expanding in West Africa as a result of domestic and international market demand. Oil palm is a high yielding tree crop for vegetable oil which thrives well in the tropical belt of West Africa. The production of oil palm offers a potentially lucrative livelihood for smallholder producers as well as (or in combination with) for large scale plantation schemes. Key challenges are, first, to increase productivity of oil palm on existing agricultural land and reduce conversion of forest for new agricultural land. The second challenge is to ensure sustainable and equitable sector development, which enables smallholder producers – through outgrower schemes or rural service centres – to reap the fruits of making a business in oil palm production.

There are multiple factors which influence oil palm sector development in regional and national contexts. This paper aims to highlight the role of national land policy and the maturity of land governance in the respective countries. To what extent is sustainable and equitable development of the oil palm sector hampered or strengthened by existing national land policy? How do (lack of) land administration and documentation of land rights affect inclusivity and sustainability of small and large scale business models in oil palm? How do international standards such as the UN Voluntary Guidelines on Responsible Governance of Tenure (VGGT) or sector specific standard setting bodies such as Round Table on Sustainable Palm Oil (RSPO) support business and producers to tackle challenges with respect to access and sustainable use of land?

In this paper best practices are presented based on analysis of three case studies in Ghana, Liberia and Sierra Leone. For each country an introduction of the national land policy, maturity of land governance as well as the current status of oil palm development and sector organization is presented. The main challenges regarding access to land and land administration are identified to understand what difficulties producers and companies face. Based on these local realities, tested approaches are validated and best practices shared.

Keywords: inclusive business models, land rights, land governance, business support services

(160) From oil palm monoculture to integration with crops and livestock to enhance resilience of oil palm farming systems

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Oil palm expansion in Indonesia and Malaysia has been profitable for the trade balance of the country and has lifted many smallholders out of poverty. Yet it also has led to loss of ecosystem services such as biodiversity, replaced food production in farms and entire landscapes, and caused high dependency on world market prices for palm oil. It also caused conflict with smallholders about land, their livelihood strategies, and the terms of their incorporation in the oil palm supply chain. An important question is how to deal with these negative points without losing the benefits? Some smallholders autonomously opted for integration of oil palm with other crops in their farm or even in the same field or with livestock grazing. In Malaysia research has started with a new planting scheme called the double row avenue system. In this system oil palm trees are planted closer together leaving about one third of the field free for other crops. Preliminary results have shown that indeed certain second crops can be grown without endangering oil palm yields, leading to additional income especially when shade tolerant species are selected. Ecological resilience of the oil palm system increases as biodiversity is hosted in agricultural fields, and depending on the species, carbon stocks per field may increase, mitigating climate change. Economic resilience increases as farmers have an alternative source of food and income. In Kalimantan where oil palm is still expanding we propose to favour intercropping from the start and to optimise current integrated systems to increase farmers income. In Sumatra where many oil palm fields will reach the age of 25 years the next few years we propose replanting with the double row avenue systems to increase diversity and resilience in future oil palm landscapes. Cultivating a second crop in oil palm fields saves land and may thus also contribute to decreasing deforestation. When food crops or livestock re-enter the oil palm dominated monoculture landscapes this also contributes to national goals to decrease dependency on imports of food including meat.

(162) Beyond plasma: Alternative pathways for resolving smallholder compliance and upgrading challenges

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Smallholder yields gaps and incompliance with agrifood standards threatens to marginalize smallholders from global value chains, undermine their competitiveness and bargaining position vis-à-vis corporate producers and contributes to various land use inefficiencies. Barriers to both compliance and productivity enhancement are for a large part underpinned by differentiated capabilities to adopt good agricultural practices (GAP), access production inputs and formalize operations. The challenges confronting smallholders in the Indonesian oil palm sector are especially emblematic of the issues emanating from changing global sustainability norms. Specifically, independent smallholders (in contrast to plasma smallholders that benefit from corporate service provision) are Indonesia's fastest growing producer group that account for approximately 80% and 30% of smallholder and total oil palm acreage, respectively, but are also the least productive and least likely to comply with the sector's many voluntary and mandatory standards. As a result, with many corporations in the context of the zero deforestation movement ceasing their independent smallholder sourcing practices due to unmanageable traceability and monitoring costs, the Indonesian government is increasingly committed to addressing smallholder performance issues. This is reflected in particular in the emphasis in Indonesia's 2018 National Action Plan for Sustainable Oil Palm on independent smallholders. This paper seeks to contribute to these efforts by unpacking the diversity of independent oil palm smallholders in Indonesian Borneo, where an estimated 57% of Indonesia's oil palm expansion between 2005 and 2015 occurred, increasingly at the expense of forests. We identify between-group differences in the nature and magnitude of standards compliance and GAP adoption using a smallholder typology developed through multivariate statistical techniques. We use this to critically examine the different pathways through which smallholders upgrade their operations and to identify supply- and demand-side mechanisms through which independent smallholder performance issues can be more effectively resolved.

Land Reforms and Fragility

Panel: Land Reforms in Contexts of Fragility

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Abstract

The African Great Lakes region is most often typified, in both the press and in scholarly research, as a zone of conflicts, without approaching in depth the typology, the causes, the dynamics, the singularities of each national context and the different sub-regional interactions.

The markedly different evolution of the national political and security contexts in this region has shaped diversified political responses to land issues and to population movements. On the one hand, Rwanda has embarked on drastic rural reform, through the establishment of a political, legal and institutional framework that supports a *green revolution*. However, rural reforms have ignored the complexity of pre-existing land conflicts (related to land scarcity, climate change, and the reintegration of different waves of refugees & returnees). On the other hand, Burundi has launched a timid land reform, mainly pushed by the pressures of external donors in a context of weak political and economic governance and without any real ambition to transform the land and agricultural sectors. As for the DRC, the context has favoured localized initiatives, in the absence of a major political orientation towards massively present land conflict. Political will and economic resources are mainly devoted to the resolution of political and security problems against the backdrop of weak governance framework.

This panel proposes to build on a political economy perspective to examine the impact of the adopted or envisaged land policy reforms at the level of the three countries and their impact on (1) the livelihoods of the local population, (2) the reconfiguration of power relations between the latter and political elites at various levels; (3) the exacerbation of identity and armed conflicts in the Great Lakes region and (4) the cross-border movement of populations.

(81) Locating Land Reform in National Spatial Planning: The Case of South Africa's National Spatial Development Framework

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The passing of the Spatial Planning and Land Use Management Act, 2013, marked a watershed in the pursuit of spatial transformation and inclusive economic growth in South Africa. Not only did the Act put in place a new uniform system of spatial planning and land use management in the country, it also made provision for the preparation of a 'National Spatial Development Framework' (NSDF) to decisively attend to the legacy of colonial and apartheid spatial planning in a coordinated, integrated and coherent way. Four years after the passing of the Act, government appointed a team of consultants consisting of private practitioners, researchers and academics, to assist it with the preparation of 'the first NSDF'.

Five months into the preparation of the NSDF (December 2017), the ruling African National Congress (ANC) resolved at its annual party conference to amend the country's Constitution to allow for 'the expropriation of land without compensation'. Following on from this, the consultant team was given the task of exploring and putting forward persuasive and credible ways in which the NSDF could assist in the implementation of the resolution.

In this paper, two members of the consultant team provide an overview of (1) the legal framework in which the task is located, (2) the options that were explored in giving expression to the task, (3) the proposals that were made in the NSDF, and (4) the reaction to these proposals to date. While it may be regarded as a unique situation, the South African experience with engaging land reform from a national perspective and within a national spatial development instrument, may be of interest to a wider audience.

Keywords: land reform; national spatial planning; spatial transformation; inclusive growth.

(90) Paper Truths, Land and Land Reforms: An Analysis of Adivasi Life in Attappady, Kerala

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In July 2014, adivasis or Scheduled Tribes- as they are referred to by the Indian State- came down to the State Secretariat from various parts of Kerala, demanding their rights to land. As a form of protest, they stood. This gave birth to the “Standing Protests” or Nilppu-Samaram, as it is called in Malayalam. For a state that is considered India’s pioneer of land reforms and initiated the “Land to the Tiller” movement as early as 1957, this event presents a contradiction. What this research does is ask why have adivasis not been able to establish their claims to land rights despite several legal provisions that should have enabled them to do so. This research, thus, focusses its attention on redistributory practices associated with land reforms and explores why reforms undertaken to secure tenure of tillers, including adivasis, have had contradictory outcomes. Often, claims to land are considered valid if they have been accrued recognition by an authority which enjoys legitimacy: the state. A successful claim, therefore, is one which can provide evidence of this recognition: a title deed to the land. A title deed corresponds to ownership of land as property. This research, drawing on fieldwork in Attappady (Kerala, India) in 2014, looks at how adivasis who have gained title deeds to land also somehow still remain landless. It explores how the outcome of a “successful” land reform (title-deed) creates an illusion of redistribution being carried forth without always having been done on material grounds; in relation to transferring the actual piece of land. These fault-lines expose the fragility of the Kerala Land Reforms, not only in terms of over-looking conflicts between communities but also in terms of assuming title-deeds entail ownership and possession of lands.

Keywords: Paper Regimes, Land Rights, Adivasi, Land Reforms

(135) Governance of resources: Is there space for implementing the land policy under complex customary tenure practices?

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The rapidly growing demography and urbanization is posing a challenge for semi-arid countries like Mali on how to secure agricultural land and food for the growing population. Since 2002, new land reforms were initiated to encourage development of rural Mali, but customary rights were not recognized by these reforms. The study aims to understand the dynamic of the tenure arrangement and the implications of the tension between government's land reforms and the traditional tenure systems on agriculture and food security in the region. Specifically, we examine the relationship between the expansion of the urban areas in Koutiala district and the emergence of new tenure arrangements and the related consequences on land security, social household structure and agricultural production in a context of climate change. Both structured and semi-structured interviews methods of data collection were deployed in the research.

Urbanization has facilitated the emergence of new tenure practices, such as the transfer of land from non-market customary tenure systems to market-based. It also leads to significant alterations of customary system with the shift from the collective farm to a mixed form in which individual and collective fields coexist. The customary land access' mechanisms came into conflict with land reforms. Implications of the disconnect between the government land reforms and the traditional tenure is the risk for farmers being unable to secure investment in land for agriculture production. This case-study highlights the challenges of reforms to be fully implemented when they are designed only at one scale, ignoring agencies of local players. This calls for more integration of policy mechanism by considering as well social and institutional embeddedness across scales to support effective development processes.

Keywords: Climate change, land policy, institutions, Mali

(154) Rwanda's 'Lost Land': From agrarian modernisation to ecological degradation

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As from 2007 onwards, Rwanda embarked on an ambitious agrarian modernisation and centralised land formalisation programme. Its reform fits into a broader call to implement a Green Revolution in Sub-Saharan Africa (SSA) through formalised land tenure, the promotion of selected marketable crops, and the enhancement of economy-of-scale effects in production and in commercialisation. The Rwandan government has adopted a highly interventionist approach, obligatorily pushing smallholder farmers into a 'modern' way of doing agriculture. However, on the ground, results are disappointing.

See f.e. <http://roape.net/2017/10/18/rwandas-green-revolution/>

The largely positive buzz around the green revolution policies is not only called into question with relation to its impact upon the securisation of smallholder farmers' livelihoods. Observers are pointing to the increased physical degradation of the rural landscape. Over the last couple of years, the phenomenon of 'lost land' is increasingly noticed in the rural countryside: arable land that remains bare during the rainy season, uncultivated terraces, arable land covered with eucalyptus trees. This project aims to understand the scope of the phenomenon and to detect the main causes. Is this phenomenon the result of a 'natural' process of overexploitation due to population pressure? Is climate change - and irregular rainy and dry seasons - playing a role? And up to which extent are the green revolution policies playing a role in farmers' decisions to not invest in land cultivation? This paper will explore the various hypothesis based on in-depth data from the field.

(156) One-step forward, many steps backward: unpacking the challenges in the land reform process in Burundi

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Burundi is facing a creeping land crisis that has lasted and worsened over the past three decades. The land issues have become so recurrent and complex that they continue to be a source of major concern for communities, public authorities at the local and national levels, and even the international community. They consider them as a major threat to peace, security and development in the country.

This situation is rooted in a series of structural as well as cyclical factors, foremost among which are the demographic pressure and the failing structure of the economic system in a context of increasing poverty. The numerous social and political crises that the country has faced have also worsened the situation, given the successive waves of internal and external displacement of populations they have led to.

All these factors, combined with a of poor governance based on patronage and neo-patrimonialism policies, have destabilized the pre-existing land tenure relationships to the point of making tenure security more uncertain than ever, despite the few donor initiatives to improve land governance in the country. Land is currently subject to many conflicts between the citizens themselves, but also between the citizens and the State, against a backdrop of increased competition for access to land, both as a means of production and as a quest of identity and citizenship.

This explosive situation is entrenched in the absence of a strong political will, which remains a building block to any attempt at holistic reform of a land sector that continues to be a ground for competition between different levels of power and a hotbed of conflicts that predispose the country and the region to security and humanitarian uncertainties.

This paper will explore the various challenges that continue to hamper the land reform process in Burundi, based on in-depth data from the field and a compilation of recent evaluation highlights from various stakeholders and partners of the ongoing reform.

(171) Land grabbing in Nicaragua: a legal pluralism perspective

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This research addresses the major contemporary issue of Land Grabbing and the need to (re)introduce the socio-political dimension into the analysis of property right practices, using the case study of Nicaraguan rural areas. Inspired by previous work of the authors in other countries of the Global South – see Mulleta et al. (2014), Merlet and Bastiaensen (2012) and Bastiaensen et al. (2006) – and based upon a re-interpretation of secondary information as well as a review of selected recent experiences, this research will develop two main arguments. First, that –in line with the historical anti-peasant bias of economic policies in Nicaragua- the expansion of large scale land acquisitions or long-term leases, known as land grabbing, has been favored by a regulatory and pro-investment approach supported by the State and International Agencies (i.e. World Bank). Second, that power relations and social struggles developed at the local level play a key role at enforcing the (non) recognition of multiple land rights and land right holders, which are not necessarily coherent with the regulatory framework.

We do this by adopting the theoretical lenses of Legal Pluralism in a frame of socio-institutional analysis. This approach tackles the diversity and complexity of tenure and ownership regimes that govern land rights. It acknowledges that ‘land use rights’ or ‘land-access’ practices come from the implementation and interaction of social relations between different stakeholders in a [historical] context of different power relations and a multiplicity of regulatory frameworks (not only legal-formal).

Nicaragua in particular, has experienced during last decades, a rural development model characterized by extensive land-intensive growth, concentrating land in few large producer-owners, generating environmental degradation (deforestation) and poverty for most of the population (Bastiaensen et al. 2015, Baumeister 2012 and 1999, Malidier 2012, Ruíz and Marín 2005 and Larson 2001). By using this case study, we aim to evidence the ‘nature of implementation processes’ of property rights, and more specifically, how (local) land related norms are constantly (re)negotiated and (re)performed in ‘political arenas’, where [poor] small-scale producers end up at the losing end of the multiple bargains around use and control of land and other natural resources (referring to Bastiaensen et al.’s definition of the poor (2005)).

Scaling Up Women's Land Rights

Panel: Scaling Up Women's Land Rights: Bridging the Gap between Civil Law and Customary Rights

Philip Kilonzo (ActionAid)

(108) Across Traditions and Modernity: The Ashanti Woman's Access to Land

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Like many countries in the developing world, Ghana continues to experience a high rate of urbanization. For the urban woman the effects have a wider significance. The role of the modern woman has for a long time been taken for granted, with the belief that aiding men in the land market, will have a trickledown effect on women. This seems to stem from our housing, land and related policies being developed based on the nuclear family (as defined in the European culture). Thus in urban Ghana, women seem to have been marginalized in housing provision – not because they are overtly excluded from the market, but because the modern social structure cunningly cloud their abilities. This paper examines these issues in relation to the Asante tribe in Ghana. This paper examines the status of women in Asante with particular reference to the political system, inheritance, marriage, professional life, land tenure system, and the society in general.

The paper found that the Asante woman is not fettered by any institutional structures in her upward mobility. In fact, the traditional regime, she was at a complete advantage as the entire socio-cultural and political arrangements inured to her benefit. In the modern system she is free to participate in the urban land market; her inability to participate fully is not due to any institutional constraints but rather to her maladjustment in the new economic order prescribed by urbanisation and its concomitants. She can enter a business and own property without reference to her husband or any male relatives. Whatever programmes which would be developed to aid her should enable her to do things for herself within her perception of her socio-political circumstances. External prescriptions stand a chance of damaging marital relations and the family structure, the fundamental requirements for a stable society for children.

(168) Drafting community bylaws that that protect women's land rights and align local custom with national law

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The heart of Namati's legal empowerment approach to community land protection is a local bylaws-drafting process, which involves inviting all adult community members – men, women, youth, elders, members of all minority groups, and practitioners of all livelihoods and religions – to come together and brainstorm a full list of their existing and ancestral customary rules for land governance and natural resource management. The community then discusses their rules for months, adding new rules and deleting or amending rules that contravene national law. In addition to ensuring that women's voices are heard throughout the community land protection process, Namati and its partners support women to plan together what bylaws they will lobby for as a united group. As a result of the bylaws-drafting process, communities adopt bylaws that strengthen women's land rights – as well as address a variety of inequitable and discriminatory practices. This presentation describes Namati's process in depth, giving concrete examples of its practical impacts on women's rights.

Panel: CITYforum Jakarta & Manila: Multi-Stakeholder Approach towards Inclusive, Safe and Resilient Cities in the Context of Investment-Induced Displacement

Romy Santpoort, Marthe Derkzen & Vince Gebert (Shared Value Foundation/ LANDac)

Abstract

Jakarta and Manila are two of the largest cities in the world, each with populations of over 14 million. In both cities, millions of inhabitants live in persistent poverty. Global climate change combined with their geographical locations in river deltas results in hazardous environmental degradation, chronic land subsidence and frequent flooding. In both cities, investments in infrastructure and the development of urban masterplans have caused an unprecedented surge of (foreign) investments related to land and infrastructure in urban and peri-urban areas. In many of these cases, local people and communities are only consulted *after* plans have been made, if at all.

This complex and unique set of challenges requires innovative integrated solutions which take into account all stakeholders, particularly the most vulnerable groups who are often most severely impacted. Therefore, in September 2017, LANDac has initiated the CITYforum: a multi-stakeholder platform to share experiences and to better understand local realities in the cities of Jakarta and Manila. The platform aims to provide an informal and neutral space to bridge the gap between sectors, facilitate both intra-and inter-city learning in relation to land governance, focussing on the adequate involvement of diverse communities and local governments in decision-making processes, as well as the role of different stakeholders in making Jakarta and Manila inclusive, safe, resilient, and sustainable cities.

This panel will open the floor of the CITYforum to existing participants and non-participants from all sectors (policy, research and practice) to share their experiences and lessons learned related to land and urban development in these two cities. The panel will kick-off with a short and interactive inventory of panel participants, followed by of 3-5 brief presentations. After the presentations, a mini-CITYforum discussion will take place that is aimed at best practices and potential solutions.

Panel format: Presentations & discussion

(110) Inclusive urban development as a method to create Human Cities

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Introduction

The speed of expansion of cities is unprecedented: in 2050, 90% of the world's population will live in cities. Most megacities are low-lying coastal settlements vulnerable to extreme weather and climate change impacts. The cities grow into megacities (>10 million people), and while they are an important driver of economic growth, they also face increasing problems such as poor sanitation, slum housing and inadequate basic services. Today already 1 billion people live in slums and informal settlements; their number is expected to grow to 3 billion in 2050.

The modernization and extension of infrastructure (roads, airports), shopping malls and residential areas in these megacities often leads to demolition of informal settlements. The urban poor have no choice than moving to new slums, again with limited basic services, clean water, sewage systems or energy. Poverty increases.

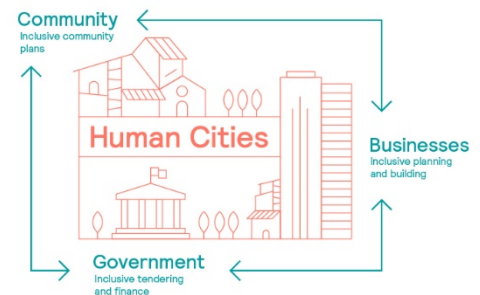
More and governments, investors and companies involved in construction, dredging eg. acknowledge these problems. The large infrastructure *Masterplans* that many megacities are preparing offer a 'momentum for change' to improve the housing and living conditions of people living in the city's slums in a smart and sustainable way and create human cities for all.

Human Cities Coalition

In 2016, leading Dutch companies, the Dutch government and civil society organizations joined forces to facilitate a transition towards inclusive urban development and with that the ambition to improve the livelihoods of the people living in slums in megacities. They created the Human Cities Coalition (HCC), a PPP which now consists of 20+ partners and 150+ stakeholders from private sector, universities, NGOs and government.

HCC works on 3 levels:

1. we build solid community structures and develop basic service solution in joint effort on for example housing, water and energy for slum communities
2. we stimulate the private sector parties to develop infrastructure more inclusively, and
3. we support investors and governments to integrate criteria that benefit slum communities ("inclusiveness") in planning, procurement and finance conditions.



Contribution to the session

During the LANDAC conference there are several angles from which we can contribute:

- Explaining the HCC system change approach and the opportunity there is to come to a 'win' for infrastructure and a 'win' for communities, resulting a future in which involuntary relocation and infrastructure development do not go hand in hand anymore.
- Presenting results & lessons learnt of this process in Jakarta and Manila setting.
- Discussing working in a Public Private People partnership. Its opportunities, but also its challenges.
- Insights in what 'inclusivity' means from a private sector angle, where we currently stand and how to accelerate towards mainstreaming inclusive urban development.
- ??

Infrastructure and Involuntary Resettlement

Panel: Infrastructure and Mobilities

Kei Otsuki (Utrecht University)

Abstract

This panel aims to deepen our understanding on the relationship between infrastructure projects and various modes of mobilities. Under the banner of sustainable development goals (SDGs) and the 2016 New Urban Agenda, there is a resurgence of investments in climate resilient, sustainable and inclusive infrastructures and related new industries and city development. In particular, the need for infrastructures to enhance resilience of people to be able to safely move around or to stay has been increasing in the developing world. However, little has been studied about implications of the new infrastructures for new mobilities of people, knowledge, goods and policies. How do we assess the implications of infrastructure development for mobilities? How do mobilities, in turn, affect infrastructure development?

(70) Fixing the fluid? Dynamics of rural life and the creation of ‘modern’ (im)mobilities through irrigation infrastructure development in Central Mozambique

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In this paper, we present new research on 7 farmers’ associations in Central Mozambique, respectively on 3 associations in the hills of Manica Province, and 4 in the plains of Sofala Province. As a condition for new irrigation infrastructure development, under Mozambique’s national irrigation programme “PROIRRI”, communities were expected to comply with government regulations for association formation and the registration of formal land and water rights registration. In the cases that we studied, this happened in the period 2013-2014, followed by a phase of infrastructure development. The regulations included steps such as community consultation and delimitation, land demarcation, DUAT application, writing of exploration and production plans, and association formation (or formalization, in case of earlier established, informal associations).

Taken together, these regulations have the objective to “fix” people, infrastructure and resources in places that were/are characterized in fact by “fluidity”, in the sense of people’s mobility, technology use and adoption, and resource use patterns. As a result, because there is more at stake than just irrigation, PROIRRI has produced a lot more than just new infrastructure, e.g. forming new modern subjects, defining new interactions between the state and the people, introducing new opportunities as well as constraints, and inevitable, creating both winners and losers in the process.

In this article, we identify some of the key processes and changes of in/exclusion, and we seek to understand the implications for research and policy. Generally, things have worked out much better for PROIRRI in Manica than it has in Sofala. In Manica, the majority of the communities have a positive view on the process of community consultation: customary rights were acknowledged; existing farmers associations were involved in the process; and irrigation service delivery has taken place. In contrast, in Sofala, community people generally distrusted the whole process of community consultation, because they associated it with a history of expropriation, resettlement and forced labor. They perceived that ‘the government has come again to take us away and make us work’ and they have lost trust in the process because no actual irrigation service delivery has taken place.

(53) Expropriation or plunder? Using legal arguments to contest expropriation under weak legal frameworks

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The prerogative of state institutions to expropriate land for public purposes is established in virtually all national legal frameworks, but the specificities of this power vary substantially between states. In line with many other countries, the Constitution of the Democratic Republic of Timor-Leste (RDTL) gives the state the possibility of expropriating property, a power which is often presented by politicians and state officials as unchallengeable. 'Whether people like it or not' (hakarak ka lakohi in Tetun) is an expression that is evoked to argue that when the state needs people's property, they must surrender it with no contestation. The very unclear national legal framework regarding land rights further forces people to not challenge the state's power to expropriate their land, often with little or no compensation. But does the state have such power? Does international law and the RDTL Constitution give the state an almost absolute power to expropriate property? Without clear formal rights, can ordinary citizens contest expropriation?

Taking the case-study of the Special Economic and Social Market Zone of Oecusse in Timor-Leste as a starting point, this paper debates the legal meaning and limits of the right to property and the right to expropriate it. Through a legal analysis of international treaties, and key provisions of the Timorese Constitution, this paper challenges the interpretation that states have uncontested power to expropriate land, especially when local rights to land are not clearly recognized in law. This legal reasoning is relevant not only for the Timorese, but also other people in other countries where weak legal recognition of land rights is explored by states to justify dispossession.

(106) Consequences of Infrastructure Development on the Mobility & Livelihood of the Affected Households: Lessons from New Yogyakarta International Airport Indonesia

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The development of New Yogyakarta International Airport in Indonesia has affected more than 2,700 rural households in 5 villages of Yogyakarta Special Province. Greater majority of the households do not need resettlement as the project affects only their farmlands. About 20 percent of the affected households need a resettlement. Majority of this group of households prefers to live in the same village as they have a strong expectation to take economic opportunities arising from the future operation of the airport. They are mostly eligible to join the voluntary resettlement scheme offered by the government. In this scheme the displaced households have to buy lands in their respective villages from the government and construct houses on the lands under supervision of the local government. But, this scheme is not affordable for the poorer displaced households. This group of households is provided with free and fully furnished houses but located about 4-5 kilometers away from their villages of origin.

It important to note that the airport project adopted a new compensation model called ganti untung or profitable compensation in land procurement for infrastructure development which is preferable than the old model called ganti rugi or unprofitable compensation. Under the new model, the affected households received much more amount of financial compensation that permits them to fulfill their immediate needs for housing and vehicles well as to sustain their financial assets through various investments. Our paper explores the consequences of the development of an international airport on the mobility and livelihood of the affected households under varying resettlement schemes. The farther location of the resettlement of the poorer and affected households from their villages of origin is hypothesized to separate them from their traditional livelihood sources and new livelihood opportunities arising from the operation of the airport.

Keywords: (in)voluntary resettlement, mobility of the displaced, livelihood of the displaced, airport development, Indonesia

(132) Deprivation of Private Space and Infringement of Basic Human Right in Taiwan

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Historically, in order to promote economic growth and country development the state in Taiwan usually creates and implements many development plans, for example, the Big Ten Construction Plans in 1970s, the Love Taiwan Twelve's Plans in 2000s, the Forward Looking Infrastructure Plans in 2010s, and etc. Both of central and local states usually employ tools of land expropriation (or eminent domain) to get those lands needed for their development plans. Even though article 15 of the Constitution shows that property right should be protected the state seldom pay respect to it. Many people were deprived of their lands and homes; unfortunately, they dared not to voice out their resentments because Taiwan was under authoritarian control. However, the situation has altered in recent years; many farmers and residents who are deprived of their homes frequently demonstrate in front of major official buildings now. Land expropriation has become a very serious social problem in Taiwan, and it is also an issue of infringement of basic human right.

How to solve the problem? The paper argues that not only private property right should be respected and protected but also the administrative procedures must change immediately. It is because land contains multidimensional meanings which represents different meanings of space. As Ali Madanipour, Patsy Healey and Angela Hull (2001, 6-7) maintain " The notions of space are complex concepts. [S]uch complexity requires a dynamic, multidimensional approach, which would capture complexity without the need for excessive reductionism." John Agnew (1987, 28) also dissects land or place into three major parts, which are locale, location, and sense of place.

Basically, there are four steps in Taiwan administrative procedure with time sequence, and they represent different meaning of space: (1) capital space: the competent authority, for example Ministry of Transportation and Communications or Ministry of Economic Affairs, provides the initiative plan, (2) nature space: the competent authority must provide environmental protection plan for Environmental Protection Administration's review, (3) holistic space: the competent authority must provide land use plan for Ministry of Interior's review, (4) private or human right space: the competent authority also must provide land expropriation plan for Ministry of Interior's review.

Unbelievably, the important human right space is examined at the last stage. The issue of land expropriation therefore has been mistakenly transformed from human right issue into money compensation issue. The paper claims this is a wrong procedure and argues that the competent authority must respect different meanings of space when it design its initiative plan. The Executive Yuan also must immediately examine the land expropriation plan before other agency's examinations.

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Migration and Youth

Round table: Migration, Youth and Land in West Africa

Gerard Baltissen (KIT-Royal tropical Institute), Anouk Lodder (VNG International – Association of Netherlands Municipalities), Mayke Kaag (African Studies Centre), Griet Steel (Utrecht University)

Abstract

Many young people in West-Africa consider migration as a promising way to improve their lives. Economic fluctuations and instabilities, high unemployment and underemployment rates (particularly among the youth), the search for higher education, land scarcity, and climate change, among other factors, influence (young) people's decisions to move. West Africa, sees ten times more migration movements within the region than to European countries. People on the move are diverse, including refugees fleeing war and disaster, skilled and unskilled labour migrants, students, traders and pastoralists. Migration patterns cannot be understood without considering the geography of land investments, creating new opportunities for some, while causing displacement and forced evictions for others. Lack of land and appropriate inheritance systems have stimulated many youngsters to migrate in order to make a livelihood elsewhere, both in and outside agriculture. At the same time, migrants are often main investors in their home countries, they send huge amounts of remittances back home to invest in land and real estate, be it in cities or in rural areas. This panel aims to shed light on the various ways in which migration and land dynamics are intertwined, evaluate in how far they contribute to/obstruct (local) inclusive and sustainable development, and reflect on possible ways for making the connection between migration and land more fruitful and productive for as many people as possible, and this in the long run – with a specific concern for the opportunities and constraints facing different categories of West-African youth.

Panel: Migration, Youth and Land in West Africa (in French)

Chair: Gerard Baltissen (KIT)

Discussant: El Hadji Faye (Enda Pronat, Senegal)

Presentations:

- Joost Nelen and Ibrahim Sow: Youth, migration and land investments in Duguwolowila, Mali
- Mayke Kaag: Youth, migration and land investments in peri-urban Dakar
- Elieth Eyebiyi: Youth, migration and land investments in Klouékanmè and Dogbo, Benin
- Richmond Antwi--Bediako: "Investment Transformations in Emerging Land Markets in Ghana: Methodical Effects on Local Citizenship, Customs and Local Mobility"

(80) Investment Transformations in Emerging Land Market in Ghana: Methodical Effects on Local Citizenship, Customs and Local Mobility

Richmond Antwi-Bediako, International Development Studies, Utrecht University, The Netherlands; Rural Environmental Care Association (RECA); Civil Society Coalition on Land (CICOL)

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Land serves as a basic resource for rural livelihood sustainability, especially in the developing world where it is predominantly utilized for agricultural purposes. Land is also a pre-requisite for large scale agri-investments, which has been very intense in many developing countries over the past decades. The rapid increase in demand for land for large scale investment projects has therefore led to rural land alienation, affecting local livelihoods and food security. This is adequately possible as the rural members have fragile rights and access to land. As an outcome, rural land alienation has generated internal competition between local indigenes and migrants over limited suitable alternative land resources as their sources of livelihoods. Chiefs, who are custodians of land, have applied local customs which establish land rights and access in a favored way as an attempt to protect the interest of indigenes, to whom they are enstooled/enskinned to ultimately care for. This has been overly underpinned by local citizenship status; the basis for the favorable treatment of indigenes to the disadvantage of migrants to access alternative lands. Migrants' mobility and connectivity to social and geographical positions have therefore changed to ensure their livelihood existence. In this paper, the researcher has used the large scale Jatropha investment and its transformations as a basis to give an empirical impetus to the extent to which large scale investments have effected local citizenship, which has subsequently la-di-da local customs to land contributing to migrants' mobility to other communities in Ghana. This has been done through a mix of both qualitative and quantitative data obtained from 350 respondents in five previously Jatropha investment communities in Ghana. The findings of the research make inputs to effective land policies geared toward ensuring all-inclusive land governance in the developing world.

Keywords: Large scale investments, land, customs, local citizenship, mobility, Ghana

Land and Sustainable Palm Oil

Panel: Rural Transformation in Oil Palm Places

Rosa de Vos (Sociology of Development and Change, Wageningen University)

Abstract

Oil palm plantations are expanding into new frontiers throughout the tropics. Given the increasing demand for edible oil and biofuel, this expansion is likely to continue in the future. While some rural communities are able to benefit from new livelihood opportunities, others lose their access to land and resources. Large-scale land acquisition for plantation development has often been described as 'land grabbing', displacing or detaching rural communities from their (ancestral) land. Inevitably, the conversion of biodiverse and agrodiverse landscapes into monocultures radically transforms pre-existing land and labour relations. Nevertheless, people often remain in place and have to come to terms with and respond to these changes, redefining their relations to land and each other. Changes might include the transition of farmers into labourers; the arrival of labour migrants or increased outmigration; changing gender, generational and class relations; and loss of traditional livelihood opportunities and newly emerging livelihood opportunities involving new crops and markets. Current oil palm debates primarily focus on differentiated impacts of oil palm plantations on rural communities, and policy initiatives for sustainable palm oil. Yet, it is important to critically examine more structural rural transformations that are induced by large-scale industrial crop production to understand what will happen to oil palm places in the near and distant future. This panel aims to understand the meaning of rural transformation in oil palm places, and to explore emergent initiatives to address negative consequences of such transformations.

(9) Counter-Mapping against Oil Palm Plantations: Reclaiming Village Territory in Indonesia with the 2014 Village Law

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This paper examines how villages in West Kalimantan attempt to protect land rights against appropriation by oil palm companies, by engaging in village-level spatial planning and mapping to counter oil palm concessions that disregard existent land use. The paper focuses on Sambas district, where oil palm plantations are a relatively new phenomenon, and many plantations are still in a preparatory phase. Nevertheless, plantation projects have already led to conflicts when concession areas overlapped with land also cultivated and inhabited by local communities. Drawing on theoretical debates about (counter) territorialisation and (counter) mapping, this paper considers how villagers use the new Village Law (No. 6/2014) to legitimate taking control over their territory. While initiatives like village spatial planning and mapping do not guarantee that land rights will be protected in the future, spatial plans and maps may serve as leverage in negotiations with companies and government officials. Moreover, the activities of mapping and spatial planning help to organize people and boost discussions about land tenure and land rights. Yet, particularly when plantation are already up and running it proves to be difficult to reclaim control.

(25) Contention and Collusion: Palm Oil Conflicts in Central Kalimantan

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This paper presents the first, highly preliminary results of a new research project that aims to study general patterns in the character and outcomes of the conflicts sparked by oil palm expansion in Indonesia. As these conflicts have been mainly studied through scattered case studies, we lack data on how and how often rural communities succeed in, for example, reclaiming their land or improving profit-sharing. This paper addresses this challenge by discussing 19 conflicts between rural communities and palm oil companies that occurred in Central Kalimantan between 2008 and 2015. We use a combination of fieldwork, reports written by Walhi activists and newspaper reports to detail the strategies that communities and companies adopt. We observe that community collective action generally has limited impact despite flagrant (legal) violations by companies. We argue that this limited success rate is not so much due to Indonesia's complex legal framework related to land and plantations but rather to the way in which Indonesia's democratization process has tightened the embrace between politics and business.

(74) Gendered Experience of Oil Palm Smallholders in Indonesia

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Indonesia is the largest producer of oil palm globally. In its islands of Sumatra and Kalimantan, landscapes have and continue to be transformed as oil palm replaces tropical rainforests, secondary forests, swidden agriculture and other forms of land uses. Approximately 40% of Indonesia's total oil palm area is under smallholders.

Oil palm is increasingly become important source of livelihood for smallholders, for at least 2.1 million farmer HHs in Indonesia. These trajectories suggest that amidst growing concerns over the social and environmental effects of oil palm expansion, both at the national and global levels, oil palm is still expanding and smallholders are playing an increasingly integral role in driving that process of expansion.

The first research was carried out using a deeper and more intersectional (men, women; local, migrant; social economic status; ethnicity) approach in understanding gender-specific impacts and responses to various kinds of change driven by oil palm in community's landscape.

Finding shows that local community were not necessarily against oil palm, what they against is the mode of incorporation in which they feel they have been deceived by the large scale oil palm company.

Aspiration within communities to start their own plot without ties to company confirmed this finding. However, different categories of individuals within the community have different experience on farming their independent plots. Women among migrants in our site in East Kalimantan were in general have more say in oil palm development, possibly due to their life history experience with oil palm. Initial observation during the GOLS Project shows that farmer who began investing in oil palm while still having its secured source of livelihood (other word: decent income/sufficient saving to fulfill family's needs and bear the cost of oil palm in its first 4 years of development) is relatively able to manage their plot. While others who suffer during the beginning of their oil palm development is likely to sink further in the process.

Dian's abstract is based on the work of Bimbika Sijapati Basnett, Rebecca Elmhirst, Mia Siscawati, and Dian Ekowati. Some findings of this research were published in the Journal of Peasant Studies (Elmhirst, Siscawati, Basnett, & Ekowati, 2017). A report was submitted to RRI (Elmhirst, Basnett, Siscawati, & Ekowati, 2017). Four videos have been launched. All materials can be freely accessed. The work was supported by RRI and USAID.

The abstract is also partially based on initial analysis from findings in "Strengthening Forest Landscape Governance for Sustainable Oil Palm Development and Biodiversity Conservation in Indonesia (GOLS)" Project, supported by USAID. Dian works with George Schoneveld, Heru Komarudin, Idsert Jelsma, Agus Andrianto, Beni Okorda, and Pablo Pacheco. However, any views expressed in this abstracts are those of the author. They do not necessarily represent the views of the team, the authors' institutions, and the financial sponsors.

(120) Oil palm plantation expansion in Indonesia's frontier: Externality problems and future place for local communities

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Large-scale oil palm plantations in Papua, Indonesia's real frontier, continued to expand despite policy attempts to postpone the issuance of concessions on forestland and peats and non-governmental actors' constant monitoring. Local government's push to promote economic development without adequate environmental and social safeguards, aggravated by limited oversight, has led to widespread externalities that affect the native communities and cause transformation in rural areas.

Based on socioeconomic survey conducted in 2012 and 2014 in the districts of Boven Digoel and Merauke respectively, this paper discusses various externalities caused by the expansion of seven foreign and national oil palm companies covering a plantation area of 120,000 ha, occupied by clans from three tribes, Marind, Mandobo and Auyu. Through recent interviews with key resource persons, we examine further the changes in land tenure among tribes and between them and companies, and labor relations as a result of company's policy to attract migrants.

We found that land transfer is not simply an economic transaction but a complex sacred and long-time process. There are huge risks in the loss of livelihood opportunities due to limited access to resources. Local community's income increases significantly at the beginning of investment, but then decreases due to declined natural resources. Despite promises for providing employment, only less than 1% of native communities were recruited as labor, while migrants from outside Papua became dominant. Traditional land owners earn income from less than USD1,500 to more than USD6,000, indicating varied types of communities.

The future expansion of oil palm in this frontier area will lead to the emergence of new economic centers. Changes in demography where the native become less in terms of number than migrants will increase pressure on lands to fulfill their living and livelihood. Communities, particularly among elite groups, will likely develop into a more prosperity, skillful community.

(76) Livelihood Dilemma of The Rural Household Around The Oil Palm Plantation in East Kalimantan, Indonesia

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The expansion of oil palm plantation is a necessity in Indonesia. The global market demand pressure and the need to accelerate national economic growth have supported the occurrence of massively expansion of oil palm plantation in Indonesia. Although it contributes many benefits from the economic side, but in another side, the oil palm plantation also gives social and environmental impacts. Such impacts are, among others, such as the changes of agrarian structure, land dispute, livelihood system of rural household, lack of biodiversity, crop monoculturalization, and deforestation. This research is aimed to describe socio-economic impacts caused by the expansion of oil palm plantation toward the livelihood system of rural household. By using livelihood survey and deep interview, this research obtains a fact that the oil palm plantation has, as if, provided prosperity for the rural household, but what really happens is high process of livelihood vulnerability and dependency toward income gained from the salary in oil palm plantation. This study found the phenomenon of single source of income at the level of rural households depend on oil palm plantation.

(63) Who's Responsible? Contestation over Forestland in the Midst of Indonesia's Oil Palm Development

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The rapidly expanded oil palm plantations across Southeast Asia have attracted substantial large- as well as small-scale investments resulting in increased demand on land and contestation among actors over land tenure. Of the current total oil palm plantations in Indonesia, the world's largest producer of palm oil, covering 14 million ha, around 18% or 2.5 million ha of which are found illegally within the state forestlands. This is made up of 800,000 ha of company plantations and 1.7 million of smallholder plantations which are in dispute. The reasons behind the contestation vary from economic, misadministration to socio-political dimensions, involving a wide range of actors such as state, private investors, local government, local elites, farmers and migrant workers.

The impacts of the contested lands are profound. They include among others the state's losses from taxes, company's incapacity to implement sustainability policies, local government's unenthusiastic effort to promote sustainability, and smallholder's reluctant to invest in good agriculture practices. Despite its large contribution to the country's supply chain of CPO, currently estimated at 42% of the country's total oil palm plantations, smallholders remain worse off and continue facing legality and sustainability challenges.

While understanding the impacts of the contestation over lands occurring in two provinces across Kalimantan, this paper aims to analyze how forestlands are contested, explore various actor's strategy for controlling lands and understand how actors can be held responsible for various impacts, and how various policy efforts such as agrarian reform, social forestry can be effective to resolve tenure issues. We found that all actors including national, local governments, private companies and smallholders are clearly and proportionally attributed to be responsible for contested lands, and that despite the current efforts, resolving these land issues requires a strong commitment and political decisions by government to go beyond the current legal standards.

Keywords: land contestation, legality, oil palm, sustainability

Inclusive Business and Food Security

Panel: Inclusive Business, Land Governance and Food Security

Guus van Westen & Ellen Mangnus (Utrecht University)

Abstract

In the prevailing policy paradigm of private sector-led development, inclusive business models are often presented as the most promising approach to enhancing food security among rural populations in the Global South. Linking 'local' smallholders as suppliers etc. to 'global' agribusiness value chains creates conducive conditions to foster local as well as global food security. Or so it is hoped.

Such inclusive business models have the double advantage of (1) linking smallholders to the mainstream of corporate business practices, giving them access to new markets, knowledge and capital, while also (2) retaining control over vital natural resources in local/community hands. To be sure, successful cases of smallholders collaborating in corporate value chains are reported, while it is also clear that inclusive business has limitations imposed by the need to be commercially competitive. Less well known are the many unintended side-effects that may occur. To name just a few examples:

- A shift to commercial value chains may have important ecological effects due to increased water demand, more intensive soil utilization, etc.
- A shift to crops for non-local use may result in increasing food prices in local markets when foods for local consumption need to be sourced elsewhere.
- A shift in land use, as when extensive grazing lands are converted into cropland, may benefit some groups at the cost of excluding others in areas with complex and overlapping traditional use rights.

This panel strives to contribute to our understanding of the nexus between inclusive business, land governance and food security issues by (1) explicitly looking at the side-effects of inclusive business models. This includes (2) their consequences for local community members who themselves are not included in the business model, but may be affected by land use changes or price effects, etc.

(21) Scaling Inclusive Business Models at the Nexus of Poverty and Environment: Case Studies from the Philippines

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The research underscores the potential of inclusive agroforestry models to achieve positive social and environmental impacts. This in-depth analysis of three IB models and ecosystem actors in the cacao, coffee and abaca sector highlights systemic barriers, challenges and opportunities in the Philippines. The report illustrates the fundamental components of success for inclusive companies, farmers, local value-chain actors and the natural environment including fair labor practices and international market prices for farm produce; capacity building, knowledge sharing, skill building and access for farmers to quality inputs, facilities and technical assistance; alignment of agricultural operations with existing land-use and development plans, and use of eco-friendly agricultural practices to reduce negative environmental impacts and support the sustainability of ecosystems; innovative management and convergence schemes to streamline value chains, manage resources more efficiently and strengthen relationships among local ecosystem actors; and commitments to meet global quality and sustainability standards through product and process certification to ensure the sustainability of value chains and to protect the natural environment and foster fair trade, land tenure and safe labor practices. The report concludes with a set of recommendations for companies and policy makers to maximize the potential of IB models in the agroforestry sector for social and environmental impact. For companies, the report highlights the importance of evaluating business as well as environmental ecosystems; identifying key stakeholders and cultivating partnerships and establishing farmer champions; and fostering research on ecosystem dynamics and services within the company. The report recommends that governments include companies with IB models in public-sector support programmes for smallholder farmers to strengthen access to markets, land, financing and technical assistance as well as reinforcing national convergence initiatives to align resources and financing across the agricultural and agroforestry sectors.

Keywords: Inclusive Business, Philippines, land tenure, environmental and social impact, case studies, agribusiness

(54) Private aquaculture area stewardship: the case of two Asian Aquaculture Improvement Projects

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In response to sustainability concerns in the aquaculture sector, area-based approaches are emerging, which aim to tackle problems beyond the farm and integrate aquaculture within the landscape. We observe the development of Aquaculture Improvement Projects (AIPs) in various forms in which the private sector takes the lead in developing responsible aquaculture at an area-level. With little existing knowledge about AIP governance, questions arise about how the private sector can bring together farmers and value chain actors in spatially delineated areas, combining commercial and conservation goals. This paper examines how private-sector led area-management initiatives constitute institutions for collective management of aquaculture and in what way these arrangements respond to environmental risks. The Hainan Tilapia Sustainability Alliance in Hainan, China, is compared with processor-led Selva Shrimp certified farm clusters in Ca Mau, Vietnam. Data were collected through focus groups with farmers and semi-structured interviews with farmer group leaders, value chain actors, government actors, NGOs, researchers and funding organizations. We use Global Value Chain analysis together with a relational understanding of risk and space to analyse how the private sector manages the social diversity and material reality of aquaculture landscapes, and how they can stimulate collaboration between farmers to collectively manage environmental risks across areas. Initial findings suggest that area-level AIPs can take place at multiple spatial scales. AIPs recognize that building farmer capacity is a priority and starting point for further development. Other tools are certification, provenance branding and payment for ecosystem services. Both cases illustrate that shared environmental risk management generally takes place in the downstream stages of the value chain, by for example securing supply for buyers and improving relations amongst downstream actors in the value chain. The stimulation of horizontal collaboration between actors upstream, farmers, to collectively manage environmental risks across areas remains a challenge for private actors.

Keywords: Aquaculture, Asia, area-management, environmental risk management, value chain governance, Aquaculture Improvement Project

(65) Land tenure security and food security relations: A literature review study with a focus on Sub-Saharan Africa

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Studies on the relations between land tenure security and food security grow in volume and continue to produce diverse conclusions. A major question is whether land tenure security stimulate land rights holders' initiative to invest in land and use it in a more productive way. Answers to this question continue to be either that those relations exist under varying forms or do not exist at all. Some research links land tenure security to the improvement in agricultural productivity and hence to food security, other research cannot find such links. As such, there is clear contradiction in the research findings on the existence of those relations that needs to be thoroughly studied and understood. Countries embarked on a land tenure regularisation journey, but did not all meet the expected enhancement in land tenure security nor demonstrate the link with food security. Therefore, this paper aims to provide an overview of research on the relations between land tenure security and food security for Sub-Saharan Africa. It aims at explaining how claims that land tenure security does(not) contribute to food security are made and which data sets are mobilized. From an intensive review of a broad set of literature related to land tenure security and food security, the paper provides a new synthesis of those relations. In the literature, land tenure security appears to contribute to an increase in agricultural productivity only when it is combined with effective land and agriculture policy (among others) and when implementing institutions are efficiently functional. Future research needs to concentrate on examining these relations from a more operational basis, taking into account local social-economic and institutional patterns at work. My future PhD research project will investigate such relations between land tenure security and food security from a biographical study of a sample of farm plots in Rwanda.

Keywords: Land tenure security, Land tenure, Food security, agricultural productivity, Land tenure regularisation, Sub-Saharan Africa, Rwanda

(36) The Challenges for Inclusion and Attractiveness of Contracts for Land Owners and Growers in Plantations of Sugarcane Biofuels in Brazil

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The transformations experienced in the last 10 years on sugarcane sector in Brazil brought significant impacts on the local communities. This rapid expansion has pointed the importance of sustainability, particularly the perception of impacts in biodiversity and social conditions. In order to do that a survey with 340 local stakeholders was carried out in 2016/2017 generating quantitative and qualitative data. One aspect raised from this analysis of primary data was the fair inclusiveness (or not) of growers that can become sugarcane producers. Would the concentration of land be a relevant issue to the access to the sugarcane value chain? Could contracts failures impair the positive externalities generate by sugarcane mills? The present paper focuses on the new issues of the relationship between mills and landowners that emerged from the predominant business model today which is the horizontal coordination of access to crops (lease land, sharecropping and independent supply) instead of vertical integration (acquisition of land). The results of the analysis of the qualitative interviews show a set of complaints and requests from producers about what should be in the contract to ensure that the production of sugarcane can be fair and attractive for both. The conclusion is that the fair inclusiveness of out growers demands contracts with new clauses to rebalance the power among the parties. These themes should be addressed by policy makers in order to bring or to keep attractiveness for both sides.

Keywords: Access to land; Lease land contracts; Sugarcane expansion; Stakeholders perceptions

(105) Oil palm development and the landscape approach in Zona Littoral del Norte, Honduras

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The Caribbean North Coast of Honduras (Litoral Norte) encompasses a vast, vibrant landscape that contributes to both the economy and conservation goals of the country in addition to supporting the livelihoods of millions of inhabitants. A significant portion of the agro-industrial export commodities sold by Honduras in the international markets is farmed and processed in the floodplains of the major rivers that flow into the Caribbean Sea of northern Honduras.

Since 2013, Solidaridad has worked on implementing sustainable practices with over 90% of all oil palm producers in Honduras. Interventions continue to see progress with additional companies successfully achieving RSPO certification, the move from farm to landscape-level initiatives in Honduras, the inclusion of thousands of smallholders in the adoption of best practices, and increasing efforts of companies to engage in dialogue and inclusive actions with communities and other stakeholders. The launch of Paisajes Sostenibles (PaSOS) – or Sustainable Landscapes – is driving progress and national commitments to a jurisdictional RSPO certification approach in Honduras is generating new opportunities for blended finance and impact investment for inclusive supply chains in palm oil, livestock and cocoa.

PASOS is supporting an integrated landscape partnership built upon an already functioning partnership among actors within the palm oil sector. This newer initiative includes a broader range of landscape stakeholders including not only palm oil, but also cocoa and ecotourism companies; indigenous peoples' and community based organizations; farmer organizations and cooperatives; municipal governments; research institutes and universities; community water associations, and non-profits. Key ambitions of this partnership include improving livelihoods and food security, doubling the production of palm oil, increasing the productivity and sustainability of the cocoa agroforestry, sustainably managing watersheds for human, agricultural, ecological needs.

Keywords: Landscape approach, jurisdictional certification, multi-stakeholder partnerships

(159) Aquaponics, an inclusive business to save land and water and to provide nutritious diets to vulnerable groups

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In Ethiopia producing food for a growing population is a challenge especially as the country has poor soils and erratic climatic conditions. Furthermore there is fierce competition for land not only between local actors but also by international companies that have access to large stretches of land through the government. Famous are the highly productive rose producing farms. Ethiopia is often in the news because it has problems to feed its growing population. Numerous development cooperation projects aim to assist the government to achieve food self-sufficiency. Consumers not only need sufficient food (calories) but also access to nutritious food. A consumer study revealed that especially in the rural and peri-urban areas diets are low in protein and micronutrients. This is a problem of availability and access as nutritious food items are not locally produced and therefore lacking in local markets most of the year. When they are available they are very expensive as they have to be brought from far. To address this problem poor households, unemployed youth and women have been engaged in building aquaponics systems that produce fish and vegetables. These systems do not require fertile land but just some space. The water containing fish feed left overs and fish excrements is pumped to the part where the crops grow where nutrients are taken up and the clean water is subsequently send back to the fish area. The systems therefore demand little nutrient and water resources. In Shewa Robit and Hawassa individual installations have been built in backyards and in Metehare a community facility has been built in an area the government set aside to provide opportunities for unemployed youth. After one growing cycle of 6 months the women in Shewa Robit have formed a group that regularly discusses the performance of their systems, the crop and fish species to grow, their access to inputs (fingerlings and fish feed) and access to technical support. They made an agreement with a local university to assist them. They prefer to sell individually as there are many local buyers and it allows them to set their own price and to sell small quantities whenever they want. With help of the university one of the woman has set up a fish pelleting enterprise based on local ingredients to serve the other women with quality fish feed. With the revenues the women improved their houses but they also voiced the ambition to expand the aquaponics systems. The inclusive business has led to increased income and improved diets of the aquaponics producers but also provided households in their surroundings with access to fish and vegetables. The systems are highly efficient in the use of scarce resources and not dependent on rainfall nor compete for fertile lands, that are both strong limitations to food production in Ethiopia.

SDG Data Monitoring Initiatives

Talk show: Sustainable Development Goals: Data Monitoring Initiatives

Lisette Mey (LandPortal), Ward Anseeuw (International Land Coalition)

Land rights are finally at a point of global attention. With the inclusion of several land-related indicators in the Sustainable Development Goals (SDGs), **land data collection and monitoring has reached an unprecedented momentum**. While officially the data collection in light of the SDGs follows a strict process that involves the National Statistical Offices and the Custodian Agencies, Civil Society in the land sector has played a critical supporting role throughout the process which cannot be denied. There is a palpable positive drive within the global and local civil society to contribute to this official process through advocacy, data collection and international monitoring efforts.

Now is a crucial moment for the land sector - civil society, academia and practitioners - to work together effectively and share knowledge about land rights issues with key and wider audiences, as well as with one another. Increasing access to information will connect and mobilize the global and the local across different continents and different sectors and will result in an inclusive and democratic information ecosystem.

However, we still have a long way to go. The information landscape around land is fragmented, inaccessible and not at all democratized. This presents a big challenge for the land sector when attempting to enable an inclusive and sustainable information ecosystem: to identify the different initiatives that are ongoing and how to add value to existing initiatives and platforms and to collaborate, rather than re-inventing the wheel.

The Dashboard and the Land Portal Foundation will host a 1,5 hour session at the LANDac conference to bring together people that are working on monitoring land governance data, to take a step back and leverage this momentum into something that can mobilize active partnerships and meaningful change.

The main objectives of this session are to:

- Raise awareness of participants of the meaning of the information ecosystem and how it can **increase access to information**;
- Highlight the importance of **multi-stakeholder approaches to land governance monitoring** and identify synergies rather than creating competing initiatives;
- Discuss whether and **how other stakeholders, such as civil society and local communities can make a meaningful contribution** to the official Sustainable Development Goals process to ensure inclusive debates;
- Raise awareness of participants to **communicate knowledge** to reach a wider impact for SDGs data monitoring and be part of and promote the information ecosystem.

Talk show host: Astrid Zweynert van Thomson Reuters (PLACE)

(43) Framework for a Land Tenure Atlas

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It is estimated that 70% of the global land-to-people relationship is not recorded or registered. The Committee of Experts on UN GGIM (United Nations Global Geospatial Information Management) confirmed the importance of good land administration and management as one of the pillars of good governance, addressing the challenges and opportunities related to the 2030 Agenda. This paper proposes the development of a Land Tenure Atlas, in order to realise, measure and report progress to document, record and recognise people to land relationships in all its forms globally, and sustain partnerships and joint actions with UN entities, involved in the monitoring and reporting the Sustainable Development Goals (SDG's) indicators related to land – in particular SDG 1, 2, 5, 15 and 16. The Atlas will have a national focus, and would also be useful for providing insight in the spatial distribution of legitimate tenure types across a country, e.g. areas of customary tenure, areas of informal tenure, areas of private ownership, state land, etc. The paper presents a framework for a digital Land Tenure Atlas of the world, keeping in mind that “Progress in land rights is measurable and can be monitored globally”. Such an Atlas might provide insight in the state of play of the land tenure situation at global as well as national levels, bundling relevant information on land tenure, land value, taxation and also presenting specific information on general progress, relevant projects, gender issues and fit-for-purpose approaches. The paper also presents the Atlas architecture, Atlas application design and development, and data content feeding the Atlas, where a gap analysis is made between the required data (proposed content of the atlas) and the available data (based on the relevant data sources reported in Doing Business-report, OECD-reports and LGAF-progress reports).

Keywords: land tenure, atlas, SDG

(113) The contribution of the SDG to data driven land governance policy

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The SDGs with 19 themes and over 200 indicators is a crowded global policy and advocacy place. It is tier system for indicators to classify, strict deadlines and regular Inter agency meetings is proving to help the stakeholders active around land to agree and collaborate on a basic set of indicators and data needs that in turn provide the urgency to actual collect these data, in a way that is comparable between countries and gender disaggregated. An example is the November 2017 decision by the Inter-Agency and Expert Group on SDGs (IAEG-SDGs) reclassification of the SDG land tenure security indicator (1.4.2) from Tier III to II, which was the result a joined effort by the land community and preparedness to find common ground. The discussions in turn, for example, emphasized the importance of self- reporting to correctly measure women's status, but which requires an expansion towards more individual interviewing, and will improve data availability on women's asset base. SDG process is also fostering coordination around data collection and more efficiency, like the coordination between 1.4.2 and the land indicator on gender & land (5.a.1); and civil society engaging with the statistical organizations.

The land indicators must reach the tier I status by 2020 for integration in the official SDG framework and ensure routine global reporting. This implies that at least 50% of all countries in all regions regularly collect and report on these two indicators. The land community now focuses on the "SDG data drive" and agreed to work with a common module. Data on coverage of legally recognized documentation will be collected through land agencies and their regional networks. SDG processes are linked also to land governance monitoring.

The sense of urgency created by SDG deadlines need will produce many new micro data sets. Since land data are collected as part of multi topic household surveys/living standards, it will be possible to analyse the impact of land tenure security on food security, productivity, income and gender empowerment from 2019 onwards, as CAPI is now commonly used. These data can be overlaid with administrative data and satellite imagery, offering prospect of new research and data driven policy dialogue. The paper will present the SDG process so far, progress and opportunities for research and data driven policy, multi-stakeholder policy dialogue.

Infrastructure and Involuntary Resettlement

Panel: Displacement in the Context of ‘Urban Land Grabs’: Advancing the Research Frontier

Griet Steel & Femke van Noorloos (LANDac & Utrecht University)

Abstract

In the face of debates on planetary urbanisation and ongoing large-scale urban infrastructure investments, land in the urban sphere has been insufficiently conceptualised. The ongoing urban transition combined with land scarcity forces us to pay more attention to the land aspect in urban debates. The difficulty of conceptualizing urban processes of land-based transformation has meant that these issues have only slowly gained traction in academia.

One key issue is the multifaceted concept of displacement. Displacement and dispossession of sitting land users lay at the foundation of most (rural) land grab discussions. To further unpack land investments in the urban sphere and their effects on social justice, we need to grasp and analyze the various emerging modalities of direct displacement and dispossession (e.g. eviction of slum dwellers) as well as more indirect processes of enclosure and exclusion (e.g. gentrification, enclosure of the urban commons, ‘beautification’ and urban revanchism, and ‘voluntary’ resettlement) . While not all land investments lead to direct displacement, often some form of indirect displacement is observable over time. The sequential chain of socio-spatial effects of urban land investments and the dynamic configurations of actors involved need to be unpacked.

Format: Paper presentations and discussant

(40) A Hybrid of development and disaster induced displacement: Towards a holistic understanding of its impacts on the livelihood of slum dwellers – the case of Kigali, Rwanda

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Processes of cities transformation and modernization and the frequency of natural hazards in rapidly urbanizing African countries are substantially increasing the number of urban poor households, especially informal settlement dwellers, being displaced from their homes and communities. Displacement under development projects such as settlement upgrading, redevelopment, or urban renewal and disaster mitigation resettlement for improving and protecting citizens' lives are sometimes inevitable. However, poorly planned and executed population displacements and resettlements entails losses of livelihoods and increases the vulnerability and impoverishment risks of the displaced population. Through an empirical case study of Kigali, the capital of Rwanda, this study investigates the displacement of informal settlement dwellers and the effects on their livelihoods. The findings show that informal settlement dwellers are likely to be displaced not only by development or disaster related initiatives but also by a hybrid of both causes. Displaced residents of informal settlements are impoverished, during both the pre- and post- displacement phases, through the loss of their physical, financial, human and social capitals and livelihood strategies. The identified impacts vary depending on the two possible relocation options, onsite and offsite. While onsite and offsite relocation induce different negative post-displacement impacts, they both induce similar impoverishment risks on the affected households in the pre- displacement phase. Impoverishment risks are exacerbated by a long pre-displacement period and the exclusion of the affected households from the planning and decision making process. Concluding we argue that in addition to post-displacement impacts, a nuanced understanding of the impacts that occur during the pre-displacement phase, and their underlying causes, are crucial to mitigate overall impacts induced by poorly executed planning and decision making processes leading to households displacement.

(153) The Urban Land Nexus, Inclusive Urbanisation and “Land Grabs” in Conditions of Rapid Urban Growth

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Drawing on examples from Khartoum, Dar es Salaam and Mwanza, we will examine processes of urban inclusion and exclusion in the urban land nexus, and consider possible links with urban land grabs. The 11th Sustainable Development Goal is to “Make cities and human settlements inclusive, safe, resilient and sustainable.” References to inclusion or inclusivity appear 45 times in the New Urban Agenda. This creates the impression that governments are all agreed that cities should be as inclusive as possible, and do their best to accommodate migrants and other disadvantaged groups. However, surveys of governments indicate that in rapidly urbanising countries the authorities tend to believe that it is happening too fast, and are taking measures designed to reduce it. In cities, this can foster policies that make it more difficult for disadvantaged urban dwellers to secure places to live and work. In the absence of centralised systems of official exclusion (such as the evolving hukou system in China), the processes of exclusion tend to play out across the urban land nexus. Low-income informal settlements and markets both reflect this exclusion, and people’s attempts to circumvent it. Moreover, the economic competition that leads to urban land grabs by powerful investors threatens to exacerbate such exclusion. This may be by removing well-located land from contention, or by privileging developer-led visions of the future city, where the urban poor are absent, but no plans for their progressive assimilation have been put forward.

(173) Urban land governance in Sudan: replanning and relocation processes in Khartoum

Salah Eldin Hassan Ahmed Abukashawa, Estidama

Khartoum is a low-built, sprawling city located in Khartoum State where the Blue and the White Nile confluence. Major city expansion occurred due to large migration inflows (internally displaced people as well as refugees from neighboring countries), high rates of population growth, abundance of flat land and land grabbing activities by Arab countries. Khartoum State government has undertaken several efforts to stop these processes of informalization and urban sprawl and to further integrate the peri-urban areas into the urban fabric. The Ministry of Physical Planning, for instance, has demarcated certain pieces of land for urban development projects and sold 'empty' pieces of land by auction to private owners under the promise to develop these 'newly planned areas' into first-class urban areas with the corresponding services and land registration procedures. In addition, relocation has been the principal approach in handling informal settlements in Khartoum since the 1991 Structural Plan. It entails that communities residing on land informally are relocated as part of a housing scheme known as 'sites and services', where land and some basic services are provided with the expectation that residents would then use self-help means to construct their houses. However, the complex political nature of Khartoum's urban land dynamics and the specific urbanization patterns of the city poses many challenges to the global call for more inclusive urban transitions, leaving no one behind. This paper throws light on these challenges and systematically analyses how the mismatch of urban policies might further enforce unequal urban geographies.

Extractivism, Conservation and Displacement

Panel: Extractive (im)mobilities: Displacement and Land Governance in the Context of Extractive Projects

Nikkie Wiegink (Utrecht University) & Jeroen Cuvelier (Conflict Research Group, Ghent University)

Abstract

This panel invites papers that address the relationship between (im)mobility of people and land governance in the context of resource extraction. In many areas of the Global South, large-scale extractive projects have given rise to the displacement and resettlement of local populations. At the same time, investments in mining areas and other kinds of extraction attract movements of people for labour opportunities and yield other mobilities, such as flows of capital, goods and ideas.

Although transnational corporations are increasingly taking measures to alleviate the negative impact of their operations on the people living in and near extractive concessions, Mining-Induced Displacement and Resettlement continues to destabilize local power relations, to undermine local livelihoods, to disrupt social networks and cultural practices, and to jeopardize people's access to land, amongst other things. From the anthropological literature on large-scale mining in Australia and Papua New Guinea, it is clear that land is very often at the centre of heated debates about who is a member of the community and who is not in these settings.

(119) Negative Consequences of Resettlement from Land Usage to mining investment in Mozambique - To whom should we cry?

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Mozambique is among the 10 poorest countries in the world. The most recent poverty assessment report indicates that about 49.2% of the population lives below the poverty line. Rural areas continue with high levels of poverty compared to urban areas. The majority of population, little more than 70%, lives in the countryside, and almost all depend on agriculture for their subsistence. About 80% of population is in agriculture, although the sector contributes only with 20% of GDP. Land is the important resource for the lives of rural populations, and indispensable means for their social reproduction. Since the early 2000s, the demand for lands has grown sharply in the world, and Sub-Saharan Africa this has been evident by the amount of lands purchased for investment. Mozambique is among the most sought-after countries in the world for large-scale land acquisition to host investments. In 2012, only in Tete Province 3.4 million hectares were allocated to mining companies. The demand on land, and the practices that have been witnessed in several regions of the country have caused local communities to lose land, while several other communities are threatened with land tenure.

This abstract aim to discuss the implications of land based investments on the movements of people. Based on human rights based approach and evidence-based approach, the abstract will bring two case study, the first with 28 peasants, from 8 villages from Tete province in Mozambique. The second will bring findings from the report called "Protests from Nhantchere" in the province of Tete". The abstract aim to discuss people struggles from resettlement in mining areas and human rights violence, and negative effects in areas such as: Education of children; access to basic health care, job opportunities and livelihood; communication conflicts, both with State authorities and with mining companies. By challenging structural faults, will bring suggestion and recommendation on how land governance can be done in inclusive manner supporting vulnerable people to be settle in safe places and build secure and sustainable livelihoods.

(134) Of landowners and strangers: Mining induced resettlement and shifting landed relations in Sierra Leone

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Drawing upon the resettlement process of Chaindatha, a village located on the fringes of a large mining concession in the Northern Province of Sierra Leone, this paper analyses how resettlement processes generate moments for contesting, challenging and re-accentuating 'landed' power relations.

In the rural areas of Sierra Leone, land, land ownership and ideas of landowner-stranger relation are crucial for the practices of everyday life. Simultaneously, these are also highly contentious issues. Already during the civil war of the 1990s, land governance and the domination of elders and landowners in society proved to be problematic. In the recent decade(s) this has not changed. On the contrary, especially in times when the roles and values of land may change, such as when large-scale mining starts and resettlement processes commence, land (including its governance, ownership and related social relations) is taking center stage in often tense debates. During Chaindatha's resettlement process, for example, established village hierarchies were contested, landowners re-accentuated their power, alliances between different groups emerged and disappeared, and all stakeholders sought for opportunities to optimize benefits and minimized negative impacts. The resettlement process thus highlighted and triggered a variety of dynamics related to local power structures predominantly based on landownership.

This paper untangles these dynamics of contesting landed power relations in times of resettlement. In order to do so, Sierra Leone's system of land governance and ownership, and the ways in which large-scale mining inserts new dynamics into these structures are discussed. Subsequently, the paper shows how these dynamics are creating opportunities for contesting land ownership and governance, and potentially maintaining or shifting landed power relations.

Keywords: Sierra Leone, large-scale mining, power relations, land governance, landowners and strangers

(169) The dislocation of surplus populations: Mining-Induced Displacement and Resettlement in Mozambique and DRC compared

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Mining-Induced Displacement and Resettlement (MIDR) is one of the most disruptive ways in which local populations are affected by mining projects around the world. The dispossession and dislocation of people for extractive projects is a highly problematic and contested practice, often under the close scrutiny of civil society. For mining companies MIDR has become one of the ways to attain a social license to operate, making such processes part of the securitization of extractive projects. At the same time, MIDR is often presented as a possibility for improvement, especially in the Global South.

Building on to Owen and Kemp's (2015) observation of the 'brownfield effect', this paper further explores the unique characteristics of MIDR vis-à-vis other forms of (development-induced) displacements, such as the prominent role of multinational companies also in governance practices, dependency on the volatility of commodity markets, the creation of high expectations, and the profound transformations of living environments. The research material presented in this paper draws on ethnographic fieldwork from two case studies: the resettlement processes around open-pit coal mines in Tete province in Mozambique and the displacement of people from copper and cobalt concessions (TFM) in Congolese Lualaba province (ex-Katanga).

We propose a comparative framework to analyse governance processes around MIDR processes, using the notion of "surplus populations" (Li 2010) referring to people whose land is useful but who cannot be incorporated in new labour constellations. This draws toward a Foucauldian analysis of "make live" policies, highlighting the possibilities envisioned, promises made and entitlements aspired, enforced (or not) by national regulations, as well as the reality of "letting die" scenarios and of (further) marginalisation.

Land-Based Financing and Sustainable Cities

Panel: Land-Based Financing: Challenges for Equity?

Abigail Friendly (Utrecht University)

Abstract

Within a context of a lack of infrastructure and finances in cities around the world, especially in the Global South, land-based financing tools have been raised as a way to promote sustainable cities, infrastructure provision, and public services. According to the Global Land Tool Network, “Land-based financing (LBF) is a collective name given to a range of tools by which local governments could expand their revenue base and generate funds that will help them realize their service delivery, infrastructure development and maintenance goals.” Such tools generate an increase in land values through planning regulations or investments in infrastructure through a process in which public sector investments are recovered from the private sector. Yet at the same time, such schemes raise challenges around equity, justice, and the role of the market in this process. Papers for this panel could focus on land readjustment, sale of building rights, development charges, community land trusts, and others. Despite the focus on practical solutions, however, contributions that develop the idea at a theoretical level would also be welcome.

Discussant: Klaas van Egmond (Copernicus Institute of Sustainable Development; Utrecht University)

Format: paper presentations

(92) Land Based Financing for Inclusive Urban Development: Lessons from India and China

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Alongside social and ecological dimensions of land (tenure security and sustainable land use) in the SDGs, the New Urban Agenda 2016 extends the emphasis to political and economic functions of land, namely land governance and land based financing (LBF). Local authorities struggling to fund basic services and infrastructure improvements are considering LBF as diversified and innovative revenue streams that do not increase municipal debt or taxes (Peterson 2009). LBF is not merely a financial tool but potentially strengthens access to land for all and the right to the city (Fainstein 2012). In contrast to the literature on urban planning, land administration, land law and policy and local economic development, where governance, sustainable urbanisation and human rights frameworks are discussed, LBF seems driven largely by municipal revenue concerns, despite the risks of market distortions, uneven growth and irresponsible land administration.

There are three parts to this paper. The first is a brief review of LBF literature to explore why LBF has not fully embraced the discourse on sustainable cities. The second is a brief review of the main LBF instruments and their unintended adverse development impacts on the livelihoods of the urban poor, women, youth, displaced persons and minorities. The third is a comparative study of LBF strategies adopted in India and China using the urban land-infrastructure-finance nexus (Turok, 2016) interrogating the role of LBF within economic and development planning. The diverse LBF approaches in China have funded an extended urban infrastructural boom but overextended the capacity of local governments and affected social cohesion and marginalised groups (Zhu 2004; but see World Bank 2014). In India, the diverse LBF models in Mumbai, Hyderabad and Chennai provide a mixed scorecard on social outcomes, with lessons for future planning. The research is partly based on a project with the Government of Tamil Nadu, India in 2016.

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(121) Inclusiveness in Land Readjustment: Requiring a Level playing Field

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The Land Readjustment (LR) is considered as an urban land governance tool for promoting the use of land for residential purposes through the readjustment of fragmented land ownership. The process consists of reallocating land to the original land- owners after deducting a certain percentage of land area and with an increase of the land market value. In addition, it is considered as a self-financing land development tool. In other words, land value capture is the core instrument that facilitates public authorities in the provision of public infrastructure thus reducing the financial pressure on the government to provide public facilities.

Despite the potential viability of LR to capture land value for infrastructure development there is a shortcoming in this approach regarding inclusiveness. Inclusiveness hereby refers to the land value capture for social aspects like land for low-income housing. Although in the literature, it is suggested that the LR technique possess the potential to allocate a certain percentage of the developed land for low-income housing, this only works with government intervention in the market to create equity, since a LR implementation to provide land below market value for low-income housing is difficult.

Equity in the LR process can be reached by facilitating the complex multi-stakeholder negotiations that are often involved in providing the land below market price for low-income housing. In this regards, a set of rules with an element of compulsion to allocate land for low-income housing is required. However, rules cannot fully substitute motivation of market actors and there also has to be a sufficient monetary return for commercial market forces to contribute to social benefits. Therefore, government interventions that allow a “level playing field” between the land allocation for high-income groups and low-income groups seems important for an inclusive LR process.

In this paper, we attempt to understand the potential factors that provide a “level playing field” in the LR process for social benefits to be leveraged from commercial development. This study analyzes the various factors that demotivate the market sector in allocating land for low-income housing. The cases of Icchangu LR and Kamerotar LR are explored to understand the context of the “level playing field”.

Keywords: Land Readjustment, Equity, Level Playing Field, Low-income groups

(161) Land-based financing for scaling up ecosystem restoration

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As we start to reach critical global thresholds that we may not be able to return from, it is of the greatest importance that actions to combat land degradation are scaled up, as all human societies/economies depend on natural capital. Current efforts focus on ecosystem restoration with increasing interest from the private sector. Nevertheless, large-scale widespread action is yet to occur. The crux appears to be both a financing and coordination issue – limited, siloed government funding and not enough finance in the right places.

The annual investment gap for reaching the SDGs in developing countries stands at an estimated USD 2.5 trillion. In response, world leaders have agreed to cooperate under the 2015 Addis Ababa Action Agenda on financing for development. Confronting the decrease in governmental funding for collaborative development projects, this agenda emphasises the importance of domestic revenue mobilisation and private sector co-financing. However, encouraging private sector investment in green growth areas, such as ecosystem restoration and renewable energy, is proving to be difficult. Long-term returns and uncertain risks play a large role and the institutional setting is often not favourable. Due to a lack of intermediary regulatory institutions, supply and demand for financing is not coordinated, leading to increased transaction costs. Altogether, this results in a gap between available finance and required project investment on the ground.

With this report, we review how to bridge finance gap for scaling up ecosystem restoration. Many initiatives are designing innovative ways to finance sustainable development, though public sector commitment remains key. After all, important benefits from reaching the SDGs are non-monetary and long-term, and only public funding can safeguard long-term public benefits, for both current and future generations.

Land-based financing can help local governments to generate funds to realise not only traditional infrastructure projects but also ecological infrastructure and ecosystem service delivery. Bridging the finance gap requires investment partnerships to pool and manage financing and to create a knowledge-sharing environment to reduce uncertainties and perceived investment risks. Of course, there are issues in terms of equitable distribution of the benefits and costs of such projects. We looked quite generally at policy instruments for land-based financing in terms of creating an enabling environment for private finance to get involved as well as finance instruments (enabling, market, and asset based) to recover public investments, expand the local revenue base and increase land value (e.g. guarantees, PES schemes, environmental taxes, REDD+). We also looked at the stakeholder roles and responsibilities for implementation. Who takes the risk? Who gets the returns? Who is represented? The main cases we looked at included China, Colombia, Ethiopia, Brazil, Costa Rica and Kenya and a multitude of smaller cases. We aim to guide policy makers on their role in the transition towards a restoration economy, particularly as public funds grow limited, the role of private sector funds increase, and the need to safeguard public goods versus private returns arises.

Full Report: <http://www.pbl.nl/en/publications/investigating-the-challenges-and-opportunities-for-scaling-up-ecosystem-restoration>

Short Brief: <http://www.pbl.nl/en/publications/scaling-up-investments-in-ecosystem-restoration-the-key-issues-financing-and-coordination>

Conflict-Induced Displacement

Panel: Conflict-Induced Displacement: Hard Choices in Land Governance

Interventions

Gemma van der Haar (Sociology of Development and Change group, Wageningen University) & Mathijs van Leeuwen (Centre for International Conflict Analysis and Management, Radboud University Nijmegen)

Abstract

In the context of civil war and violence, many people are on the move, for shorter or longer periods. Multiple waves of displacement, sometimes lasting several decades, and partial return to regions that may have become occupied by other settlers, poses hard choices for land governance. The right to return often clashes with the rights acquired by new settlers – some of whom might hold legal entitlements-, posing challenges land laws and land governance institutions are not equipped to deal with. Any solution to these competing interests is likely to not just affect those immediately involved, but to resonate with broader political agendas around peace-building and development. Land-governance interventions might touch upon conflict-related sensitivities around (ethnic) identity and belonging, or misappropriation by elites and military. At the same time, they might link to more fundamental questions of rural development, of how to deal with unfair land distributions and prevailing tenure insecurity.

This panel explores these problems by zooming in on the (emerging) practices of NGOs and land governance institutions who address these kinds of issues. We welcome contributions on experiences in concrete settings but also more fundamental reflections around the fairness and effectiveness of land governance interventions related to conflict-induced displacement. Questions we are interested to address in the panel are:

- What types of solutions do NGOs and land governance institutions propose in situations of competing interests and what ideas of 'fairness' inform these?
- Is it desirable and feasible to take the 'Pinheiro Principles' – that stipulate the right to return or restitution for displaced people- as a starting point? Does it work in practice?
- Is it desirable and feasible to distinguish between 'forced displacement' and economically motivated migration?
- How do NGOs navigate the local and national politics surrounding completing claims in conflict-affected settings?
- How do short term interventions aimed at dispute management relate to longer term strategies of building effective and legitimate land governance institutions?
- What are the more fundamental transformations in rural development and shifts in land control in the regions these interventions target?
- What are the experiences with evolving land tools in these types of settings?

(19) Local land governance in post-conflict migration settings – What is fair? What is feasible?

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NGOs working in conflict-affected settings have a particular responsibility to avoid negative impact of their work, to do-no-harm and, ideally, to contribute to a reduction in conflicts and the safety and wellbeing of all people in their target area without prejudice. Nevertheless, the highly complex, politicized realities of the everyday project-based work in conflict- and post-conflict settings often require quick, pragmatic and results-oriented decisions the normative foundations of which remain frequently implicit. These decisions might follow an intrinsic logic or situational pragmatism rather than being the result of intensive deliberation. While practical, everyday decisions are taken within a pre-defined conceptual approach, based on explicit objectives and values defined in project proposals and organizational policies, the day-to-day work often escapes in-depth reflection. The paper will reflect on the day-to-day realities of working on land governance in post-conflict settings that are strongly affected by different types of migration flows, ethnic division, local power struggles and limited statehood. In fluctuant, changing contexts where violent conflict frequently occurs and the state is absent, NGO workers and their local partners and counterparts need to adhere to high standards without becoming paralyzed by uncertainty in the face of complexity. Using case examples from South Kivu province in the DR Congo and Makamba province in Burundi, the paper presents an attempt to reflect on the drivers of everyday decisions around land governance and conflict resolution in such contexts in a structured, theoretically oriented way. Drawing on the author's own experience with supporting the land rights work in the DRC and Burundi, and utilizing Giddens' concept of the 'Duality of Structure', an analysis of actors and structures is provided that sheds light on the diverse factors that impact on the practical answers to two of the central questions in everyday humanitarian work: What is fair and what is feasible?

Keywords: DR Congo; Burundi; Land Rights; Land Governance; NGO; Limited Statehood

(28) The 'securitization' of land disputes in eastern DRC, and the need for a rural development perspective

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Considering land disputes as important manifestations of everyday violence in conflict-affected settings, humanitarian and development organizations have included their resolution among their responsibilities. This paper argues that there is a risk in considering such disputes exclusively through the lens of a peacebuilding challenge, overlooking their roots in the political economy of rural development. The argument builds on findings from ethnographic research on land disputes and peacebuilding interventions in eastern DR Congo. A case study of a dispute between former plantation labourers and current concession holders in the locality of Kitchanga brings out the shortcomings of approaches that merely focus on ending violence, mediation, and reconciliation. Such a securitization of land disputes overlooks the more fundamental and historical dimensions of land conflict, rooted in national and regional land management. These include prevailing tenure insecurity, and perceived injustices related to patronage-based land attribution and exploitative legal frameworks; contested division of land-governing responsibilities between state and so-called 'customary' institutions; migration and increasing pressure on land around towns; and ongoing struggles about citizenship and belonging. Even if mediation may temporarily calm down local tensions, it cannot substitute for fundamental political choices vis-a-vis rural development and the questions about justice this involves.

Keywords: land disputes, mediation, political economy, conflict-affected settings, rural development, DR Congo.

(99) Displaced and Dispossessed: Impacted Communities and their Land of Origin in Kachin State, Myanmar

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People displaced by conflict in Kachin State want to return in safety to their land of origin, yet much of their land is being appropriated by a range of actors with little accountability. Legal or administrative procedures are being used in a way that undermines the rights of those displaced by conflict, and ignores the exceptional circumstances of displacement. Forced and arbitrary restrictions on movement are further reducing accountability and transparency, and exacerbating fears about the land which was left behind, increasing tension.

Losing their land of origin is a pressing issue for those displaced by conflict, requiring urgent action. When conditions are eventually met for those displaced to safely and voluntarily return to their land of origin, their inability to return due to loss of land to third parties is likely to undermine peace, reconciliation and development efforts.

All stakeholders can play a role in resolving the lack of clarity over land rights for the displaced, by taking immediate and longer term action to recognise, protect and promote secure rights to land of origin, and ensure equitable remedy is available in cases where land has been appropriated by external actors without the knowledge or consent of displaced individuals.

The Durable Peace Program (DPP) is a consortium of seven international and local organisations that have been supporting peace, reconciliation, rehabilitation and development in Kachin State since 2015. Ensuring that the voices of all people feed into the peace process is a central component of the programme. In listening to the voices of those displaced by conflict, it is clear that they overwhelmingly want to return to their land and that the barriers to return are directly linked to the failures of the peace process in Kachin State.

(nb. this paper will also be a joint publication of Oxfam, NDI and Nyein Foundation, probably published in May in Myanmar)

(111) Land tenure in post conflict areas and displacement: a case study from Colombia

Mathilde Molendijk, Álvaro Ortiz (Universidad Distrital, Bogotá), Javier Morales (ITC, University of Twente), Piet Spijkers et al

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In 2016 the Colombian government signed a peace agreement with the FARC. With this agreement a decades-long period of armed conflicts and widely spread rural and rural insecurity and violence, including kidnappings, extortion, forced displacements, systematic killings of civilians and massacres came to an end. However, with the ELN guerrilla and armed drugs trafficking organizations present, the conflict is far from over.

It is widely recognised that issues related to land distribution, land tenancy, insecurity and lack of legal land titles, access to land and land grabbing have been at the core of this conflict. The result of the agreement with the FARC is a firm commitment on the part of the Government to carry through a policy of Land Reform, which aims at a “real structural transformation” of the country’s agricultural and rural sector.

The implementation of the Peace Agreements is a huge challenge. "Reforma Rural Integral", the first Chapter of the agreement, is aimed to take away one of the root causes of the armed conflict and contribute to a more equitable development of rural areas. Formalisation of land and restitution of property to victims are central elements. Formalisation is granting legal security to farmers, which enables them to access to loans and credits, and develop economically. Legal security of rural property is also of paramount importance to prevent land conflicts flaring up again. Restitution is about giving back rural property to the victims of the internal conflict. This is a complicated process, because in the meantime new owners have acquired the rural properties of these victims (in good or bad faith), or because victims simply do not wish to return to these traumatic places. It is necessary to know the current land tenure situation in these areas, and to know where there are possibilities to land compensate elsewhere for the victims or new owners.

The implementation of the "Reforma Rural Integral" therefore requires a new approach. An important guiding new concept is "Fit-For-Purpose" (FFP) Land Administration: fast and affordable land rights of sufficient quality for all, so that the formalisation goals of the Peace Agreements are within reach. Based on experiences from the field in two pilot areas in post conflict zones in Colombia, we will elaborate on the use of pro-poor land tools that fit the purpose in post conflict villages.

(133) Displacement and Land Administration. The Case of post conflict Rwanda

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Serious and prolonged conflicts normally results into displacement. During conflict many people are displaced, this displacement which is usually forced displacement due to the involvement of arms disrupts relationship people had with their land. Displaced people are forced to leave behind their land. This results into unprecedented land issues in post conflict period, with many cases of illegal land occupation, secondary occupation and taking advantage of dysfunctional government institutions and legalize these illegal and secondary occupations. This research makes an overview of displacement and post conflict land administration, it analyses how land administration is handled in emergency and early recovery periods of post conflict situations that affects the future land administration in the reconstruction phase.

Rwanda is an African Country that had prolonged conflicts that resulted into successive displacements. The post conflict Rwandan government envisaged land administration as a contributor of sustainable peace and security as it enhances social equity and prevent conflicts. It thus, embarked on a nationwide systematic land registration programme to register land all over the country that will ease the land administration. However, the programme faced many challenges among which were a continuous land claims and disputes through which the research has confirmed, are due to how land issues were handled in emergency and early recovery periods of post conflict Rwanda especially during land sharing and Imidugudu settlement policies. This paper will show how post conflict land administration in Rwanda later resulted into successive land claims and disputes and thus, end with recommendations on how to handle post conflict land issues in areas where displacement has disrupted the people-land relation.

Keywords: Displacement, Land Administration, post conflict period and Rwanda.

(79) Land and Displacement in Northern Uganda

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Development Context:

In 1986 – 1996, many people in Acholi sub region fled their homestead, villages as a results of intense cross fire between the LRA and UPDF to the “protected villages “called Internally Displaced Persons for fear of their lives. At the end of 2005, about 1.8 million people were living in the camps – both in trading centers, across borders, towns and cities like Masindi, Jinja, Kampala, and others in the diaspora and no specific data was collected but it was estimated to range from 300,000 – 600,000 people. A total to 2.1 - 2.4 million were displaced in the conflict of N. Uganda.

In August 2006, after several failed attempt or efforts to achieve peace, the government of Uganda (GoU) and LRA signed a landmark Cessation of Hostilities agreement (CHA). This led to substantial improvements in securities making people access their homesteads. By this declaration, the government encouraged all the people living in the IDPs to access and move back their villages, but unfortunately, not all returned. Many communities are fragile, and couldn't return due to immense land conflict. Most of youth grew up from the camp.

About 80% of land in Northern region of Uganda is held under customary tenure with no registered titles or deeds – based on the customs and practice of the clans that holds it (MLHuD). Art.237 of the 1995 constitutions, land is vested into the citizens of Uganda and it shall be utilized in accordance to the following tenure systems: (1) Mailo, (2) Freehold, (3) Leasehold, (4) Customary. Under the customary tenure, land is either demarcated, or surveyed but issues certificates. Many of the returnees under this tenure, lived in the camps or been away from home, for more than 15 - 25 years, and by this, they are unable to recall or agree to their land boundaries with the neighbors due to either wild growth (thick vegetation) or boundaries encroached. Under the traditional set up, elders / traditional leaders are charged with the key responsibilities of appeasements, land boundary marking, and conflict resolutions. The elders knows the boundaries of the family, households and clan members land which with any precision died in the camps, and others moved away and failed to return home. While others were planning to return, some community members took advantage of the undocumented customary tenure land right, and extended their boundaries into their neighbors land – which are the likely factor that caused land conflicts for those that didn't return. Many returned and found their land occupied by the farmers who returned early and utilizing their land without consent.

Despite the government & international tireless efforts of settling the IDPs, there are critical matter on tenure insecurity due to no registration of customary land. In a research carried out by UCOBAC in northern Uganda targeting Pader district in 2017, the community members are unable to register their tenure rights or security under customary settings, siting: (1) amount of money tagged to processing the certificate of customary ownership including facilitations for the Area Land Community (ALC) is quiet huge, (2) processing of title applications can take up to more than 100 working days (Ahikiire 2011, Garber, 2012), It's rather bureaucratic and takes long, (3) misperception that customary land will be taxed if registered. The land administration and institutions have faced challenges in strengthening customary tenure security.

With all this challenges mentioned above, land tenure security under customary land needs to be strengthened through the implementation of gender responsive land tools. This processes should targets the communities with special needs and vulnerabilities such as female-headed households, who are unable to secure tenure rights in order to improve food security. In Uganda only 18% of land are registered and 68.6% of land under customary tenure are unregistered, and on registered land, women takes 5% (MLHuD, 2015).

UCOBAC in its funding and interventions from UN HABITAT (GLTN) on strengthening tenure security for women's land rights on customary land has registered immense impacts on the communities of Ogago parish, Pajule Sub County, Pader district. In a spell of 01 year pilot phase, the project targeted over 300 returnees Households to be facilitated to acquire Customary Certificate of Ownership but Over 1000 households applied and only 300 files processed – with land mapped out using GPS and ready to be issued the certificates. In achieving this, the organization – UCOBAC used a holistic approach in implementing the innovative & Gender responsible land tools and approaches in partnership with AcTogether / Slum Dwellers International, Ministry of Land Housing and Urban Development (MLHuD), UN Habitat – Global Land Tool Network by integrating 3 land tool like Gender Evaluation Criteria (GEC), Social Tenure Domain Module (STDM) and Land mediation guide. All this processes is community driven and that's why the project had a good receptions and community buy-in.

(24) Land Conflicts in Nigeria and South Africa: Focus on Migrations and Displacements from Ezza and Barolong Peoples

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In the earliest time, man had enough access to land. However, as time went on and population increased, competition for land became intensified leading to land conflicts. This article is a qualitative study, which centered on land conflicts in Nigeria and South Africa. It shows how the settler and non-settler conflicts amongst the Ezza and her neighbours on one hand as well as the Barolong and their brothers on the other hand, caused widespread migrations from their ancestral homes and displacements in others states of Nigeria and provinces in South Africa. The study, which used non-probability sampling strategy, found that the displacement of people from their ancestral land led to death and destruction of properties as well as intensified years of land competition that has become topical contemporary issues in the state and provincial politics of both countries and have negatively affected inter-group relations in Ebonyi State, Nigeria and North West Province, South Africa. It recommends community mobilization towards the culture of peace, development-based workshops, peace campaigns by community ambassadors and development projects from government for community transformations and sustainable peace in both countries.

The Role of FPIC and Early Consultation

Round table: Exploring the Limits of the ‘Right to Remain’: the Role of FPIC and Early Consultation

Margriet Hartman and Philippe Hanna (Royal HaskoningDHV)

Abstract

The ‘right to remain’ stems from the human right to freedom of movement and choice of residence as defined by the Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR). Free, prior and informed consent (FPIC) is also provided for by several international mechanisms and is already required by most international financial institutions, such as the International Finance Corporation (IFC) and regional development banks, especially when Indigenous Peoples are affected. Practice, however, demonstrates that involuntary resettlement happens in many situations where local law allows it and/or when national governments have high interest in implementing a particular project. FPIC processes might play a relevant role in ensuring that the ‘right to remain’ is respected, as it would entail local communities with enough leverage to influence in project decision-making. This panel will discuss the limits of the ‘right to remain’ in contexts where local interests clash with international requirements and provisions and finding consensus amongst practitioners and academics on feasible ways to move forward in respecting human rights in project development.

Round table discussion:

At the Round table we like to discuss the dilemmas in private sector projects, which contribute to the development of the country, but which at the same time require land acquisition and relocation of people and assets. These projects often take place in a context of weak governance, power imbalances and a complex web of interests of numerous local and international stakeholders. We intend to create an open forum in which these dilemmas can be explored, experiences shared and lessons learned.

Discussant: Philippe Hanna (Royal HaskoningDHV)

(50) Integrating FPIC into agro-forestry investments: an example of civil society-private sector collaboration from Lao PDR

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In the aftermath of global concerns over land grabbing, investors are seeking alternative models of investment to reduce financial, political and reputational risks. Global guidance, governments and civil society have also begun promoting smaller-scale, more inclusive models of land-based investment, such as contract farming and outgrower schemes. In Lao PDR (Laos), the proliferation of large-scale land concessions was recently slowed by moratoriums on certain crops, and new policies and regulations for 'quality investment'. At the same time, various contract farming arrangements between communities, investors and (sometimes, but not always) local authorities has increased.

Land concessions are still granted, but monitoring and screening of such investments is improving. However, national efforts to improve the investment climate has tended to focus on large-scale land concessions, while contract farming – especially by small-medium enterprises from neighbouring China, Vietnam and Thailand – has remained 'under the radar'. As such, the cumulative impacts, negotiation processes and content of many contract farming agreements have not been fully examined.

Within the Lao context, the term FPIC is also relatively new, indigenous peoples are not legally recognised (though there are 49 recognised 'ethnic groups'), while absence of rule of law means that enforcement remains weak. Thus, the onus is largely on investors to interpret international and domestic requirements and to decide the extent to which they apply FPIC. The result is that investors and local communities engage in negotiation processes that may or may not align with FPIC principles. At the same time, civil society pressure for a more responsible private sector is increasing, while some civil society organisations have also begun partnering with companies globally. This presentation highlights an example of civil society-private sector collaboration in Laos as a potential way forward for agro-forestry investments that promote and respect 'FPIC for all'.

Keywords: Laos, FPIC, land, investment, civil society, private sector

(136) <No title>

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Mining companies in Mozambique have displaced and resettled thousands of families since 2011. The process of involuntary resettlement has, over decades, somewhat improved by increased attention for restoring and improving access to housing and livelihoods of the affected peoples. Most multinational mining companies now express their commitment to follow IFC Performance Standards on Land Acquisition and Involuntary Resettlement, and to respect the human rights of affected peoples in the processes of resettlement. This study analyzed the actual practice of two multinational mining companies in Mozambique that were undertaking compensation and resettlement of local peoples for the construction of open pit coal mines, a 1000 kilometre railway line and new port. The researcher was present in the companies for each 5 months in 2013 and 2015. The results show that the companies focused primarily on construction of new housing, which is a challenging task on itself given many contextual challenges. However, companies should have focused equally on improving access to information and participation of the affected families. Most families were harmed by the resettlement because they were not informed and prepared in time, and they were unable to fully participate in all the preparation activities for resettlement. Also, company staff and families did not design together livelihood restoration programs that would optimize the possibility for improving livelihoods in the new resettlement site. Land acquisition thus is still accompanied by severe hardships experienced by local peoples, despite the improved international standards, and improved access to housing.

(84) The company is here to do goodness to us': Development discourse, postcolonialism, and patronage in Sierra Leone's large-scale land deals

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Within the literature on large-scale land deals, there is a great deal of debate about the global processes that make the current spate of large-scale investment possible in the Global South. Much of this literature, such as that situated within critical agrarian studies, examines land deals from a perspective of capital transformation and political economy, as well as the politics of the World Bank's agenda to 'transform' agriculture in Sub-Saharan Africa. This paper draws from 3 months of community-based field work in Northern Sierra Leone to examine the contexts through which the discourse of 'development' is instrumentalized to get communities and land-owners to agree to lease their land to agribusiness investors. It finds that the language of 'development' has particular power to mobilize agreement, particularly as it frames the investing companies and the local power brokers who bring them as fundamentally altruistic. The paper argues that the language of 'development' functions through postcolonial legacies of 'development' projects in Sierra Leone, as well as through local patronage networks. As such, the deployment of the language of 'development' in the negotiation for land for agribusiness investment is both racialized and gendered.

This paper is relevant to this panel on rural transformation in oil palm places, first and foremost because indigenous oil palms are vital for the livelihood of local communities in northern Sierra Leone, but have frequently been cut down by incoming land investment companies, often without compensation. Owning (indigenous) oil palms in this area strongly links to a sense of belonging, identity and relations with ancestors. This paper finds that land deals in this area significantly impact complex land relations and cause many grievances with local communities.

Panel: Resettlement Experiences in Mozambique

Kei Otsuki, Nikkie Wiegink, Murtaħ Read (Utrecht University)

Abstract

Mozambique is currently experiencing over fifty resettlement projects, and more resettlement projects are planned in the surroundings of large-scale investment projects. Resettlement processes are undertaken in various parts of the country and in relation to a wide variety of projects most notably coal mining and railway infrastructure in central provinces, a national park in the southwestern part of the country, and most recently the development of a Liquefied Natural Gas (LNG) project in the north. In addition, small-scale resettlement projects are becoming a routine practice of in urban contexts. Resettlements in Mozambique are undertaken within the context of a relatively progressive national policy framework. Community consultation and benefit sharing are some of the principles enshrined in these policies, which are aimed at minimizing the negative impacts of involuntary project-induced displacement. Resettlements are therefore associated with a range of development expectations of local populations and other project actors.

At the same time, realizing project commitments and meeting expectations have proven to be particularly challenging due to a mixture of legal ambiguities, capacity limitations, political unwillingness, and the sheer diversity of local contexts. The empirical, comparative and systematic knowledge development of resettlement practices has been limited, and there is a need to analyze the interventions in place for addressing the challenges faced by the local populations involved.

This panel aims to join scholars who are working on resettlement experiences in Mozambique to discuss issues such as the legal framework, livelihood security and recovery, remedy/grievance mechanisms, experiences of displacement and belonging, community dynamics, the political economy of resettlement, and (land) governance dynamics.. It invites academic papers as well as policy experiences from the interested public.

(64) The precarious politics of coping: the case of enforced population resettlements in Tete, Mozambique

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This paper draws on a fieldwork research on lived experiences of enforced population resettlements in Moatize, the province of Tete, built to resettle rural and peri-urban populations dispossessed by the development of the Nacala corridor. In the paper, I am concerned with precarity as a socio-politically enacted and bodily-lived condition of everyday suffering, in this case created by the political economy of the coalmining enclave in the Province of Tete, Mozambique, and the forms of displacement it generates. I am particularly interested in what kinds of coping strategies the displaced populations employ to negotiate the conditions of precarity imposed by the mining enclave, and what forms of politics are enacted as a result of this living and coping with precarity. The paper is structured as follows. First, I discuss the protest against the precarity constituted by the dispossession process, and the direct violence that ensued to suppress this contestation, which further heightened the precariousness of the resettled population of Cateme. Second, I analyse episodic migration to the areas from which the resettled population was dispossessed, as one of the most prominent spatial practices employed to cope with the precarity within the resettlement site. Third, I discuss how the abandonment of the resettlement site and a permanent migration has been a prominent coping strategy within Cateme. Fourth, I argue that as a result of these spatial strategies employed to live with precarity, the precarious politics of coping is co-constituted and lived by the resettled population. Abandonment enables life to be lived on precarious terms at the margins of the neoliberal mining enclave. However, since this practice does not openly challenge but only unwillingly reinforces the spatial order of the neoliberal enclave, I argue that it reconstitutes the precarity created by the violence of the neoliberal enclave and renders possibly different and progressively anti-neoliberal socio-spatial imaginaries of life and space as non-articulable in Cateme.

(109) Corporate citizenship denied: governance, disengagement and resettlement around coalmines in Mozambique

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The loss of livelihood in relation to mining-induced displacement and resettlement processes in Mozambique has been well documented. Less analyzed are the complex territorial and governance dynamics that accompany these relocations. This paper focuses on the governance dynamics concerning the involuntary resettlement process of the Benga coalmine in Moatize (Tete province), for which over 3.500 individuals were relocated to the newly build locality Mualadzi in 2013-2014. An unknown number of people are still awaiting resettlement. The main argument holds that the governance dynamics of this resettlement process are increasingly characterized by disengagement from the part of the government as well as the coalmining company. This should be understood in the larger context of Mozambique's extractive turn, characterized by corruption and weak enforcement of regulations, as well as within the political context of Moatize, which has become the stage of armed conflict between the government and the main opposition party, Renamo. By showing the volatile, contingent, and unreliable nature of governance processes related to mining-induced, this paper aims to contribute to debates about corporate authority, the "social license to operate", and dispossession in the context of large-scale mining projects.

(112) Alternatives to involuntary resettlement: making an argument for in situ multi-storey social housing in Maputo

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Resettlement has been a common worldwide practice in development projects criticised for promoting difficult living conditions, raising 'new poverty', causing involuntary segregation and contributing to the exclusion of the right to the city. The last five years, during the implementation of urban infrastructure projects in Maputo, more than 9000 individuals were relocated. Such urban investments benefit mostly an upper middle class and impair the lower social classes, drawing them to areas far from the urban centre. Maputo also faces the constraint of lack of vacant land for housing within its administrative boundaries. In this context, it is urgent to introduce a new resettlement approach, which may promote better outcomes, help to reorganise the territory in integrated and sustainable ways, and allow a greater right to the city to all its citizens. Three key concepts are analysed in the context of Maputo: involuntary resettlement, social housing, and the right to the city, including land management. The report is guided by the main question: Could multi---storey social housing construction in situ, offer an alternative to involuntary resettlement operations in Maputo? Applied research, based on qualitative methods for data collection (interviews and a focus group), is used to analyse three case studies of resettlement undertaken within the ProMaputo programme.

This research aims, to contribute to promoting other forms of resettlement procedures in Maputo as well as the development of a policy that gives people a choice, and distinguishes different approaches to resettlement. It also aims to raise awareness among stakeholders about the need to develop multi---storey social housing near the city centre as an alternative to relocation elsewhere and to identify the characteristics of such houses, which can promote the right to the city as well as the implementation of the national housing policy.

Keywords: Resettlement; Land management; Right to the city; Social Housing; Maputo

(152) Losing land or investing in the future? The potential local impact of LNG investments in Cabo Delgado, Mozambique

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Studies from countries such as Nigeria and Burma have shown that oil and gas exploitation induces large-scale displacement of people from their land to make way for the associated developments.² This change in land ownership and access has direct and indirect implications for the social and economic structures of the affected communities. This paper describes the direct and indirect social impacts of the discovery of gas reserves in Northern Mozambique, which has led to resettlement of communities to make way for exploitation of Liquefied Natural Gas (LNG). The paper is based on empirical evidence collected during six weeks of fieldwork in February and March 2018, in four selected communities in Palma District which are directly affected by the resettlements. Through semi-structured interviews and participant observation, we gathered data on changes in land and livelihoods since the start of the LNG developments in the communities, and the expected changes in the future. Based on the experience of Shared Value Foundation and Landac in other cases and literature review, we analysed the data for potential impacts of the LNG developments on the communities in Palma District. Results show that communities have high expectations of positive impacts such as development through increased access to social services and increase in disposable income from employment. However, we argue that there is a risk that these expectations will not be fully met, and that potential loss of livelihoods can also accrue. We conclude that the LNG exploitation can present positive developments in the surrounding communities in Northern Mozambique, but only if the investments consider the diversity of groups within the communities to ensure that benefit sharing takes place across all socio-economic groups. Furthermore, we argue that, for inclusive and sustainable investments, a transition is needed from merely compensating communities for lost land to investing into productive futures for both the investment and local groups.

Keywords: Mozambique, Oil and gas-induced resettlements, future livelihoods

² Terminski, B. (2011). Oil-induced displacement and resettlement: Social problem and human rights issue.

(122) How does Rural Communities are Responding to Forced or Mislaid Resettlements in Mozambique

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In Mozambique only 23.1% of the women have access to land ownership although they represent 80% of the workforce in the agricultural sector¹. This information matches with the reality in the area of the proposed study, Buzi district in Sofala Province, where several traditional practices keep women far from empowerment and knowledge of their constitutional rights. The study area is composed of 16 communities from the localities of Buzi district, with 22634 habitants where 54.9 % are women. This area is part of the Sofala corridor, a strategic channel of communication between the inner countries of Zambia, Malawi and Zimbabwe through the Beira port.

The blow up of the biofuels wave at the international market associated with a strategy of attraction of foreign investment by the Mozambican government, biofuel investment projects started to operate in the Beira Corridor around 2005 and 2008. One of them is the Niquel Company, with shareholders in Netherlands, which was implanted in Buzi districts, holding about 90 ha of land.

The previous structural violence on the communities was increased with the beginning of the operations of this company. A resettlement plan was not developed by the company and communities' members had to start living on the new standards generated by the operations of the company. In this sense, this paper demonstrate how affected communities where able to adapt to the new standard of land occupation established by the company in a context of an increase of different forms of violence. On the other hand, the geographical area of study was the region where the military conflict between the government and the residual troops of Renamo, the opposition party, took part since 2013. This paper will also try to access how the poor communities, especially women, managed to deal with the both forms of violence.

The production of this paper will be based on two approach: right based and evidence based. The first will sustain the power politics analyses between communities and the company, including the government. The second will consist in data to support the conclusions.

(150) Forest plantations and State instrumentalization in Mozambique: numbing dispossession

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Portucel Moçambique (with 20% of the shares belonging to the World Bank branch International Finance Corporation), one of the largest Megaprojects in Mozambique and the largest in agricultural sector, not only in terms of land occupation but also in terms of volume of investment, started their activities in 2009 acquiring over 350.000 hectares between Zambézia and Manica province. In Zambézia the company focused in two districts, Ile and Namarroi, in a total of 173.327 hectares, predicting approximately 120.000 hectares of tree plantations.

Portucel’s land occupation model does not involve resettlement, only appropriation of household’s portions of land in exchange of employment. Consequently, there is decrease of means of production of the households residing in which is nowadays considered and approved by the Government as Portucel’s areas. As a forest plantation project, this investment does not absorb the same proportion of free labour that it generates creating a massive rural surplus population that are left with diminished or null land. Whereas, less than 20% of the sample was able to get permanently employed.

The main implications were identified:

- Reduction of production areas as most HH transfer approximately half of their land to the company with high expectations of income through employment.
- Instantaneous increase of income followed by devaluation of income (as most employment lasts for two to three months or less) and land.
- Reduction of food and cash crop production.
- Reduced access to resources as households are gradually becoming surrounded by forest plantations.
- Decreased land tenure security.

Increases in poverty level and intensification of inequalities within rural population were identified, as this model seems to benefit rural elites whom possess great amount of land enough to transfer to the company and still have enough to produce surplus to engage in the market.

(151) Displacement trajectories and secondary spaces: Conceptualizing urban resettlement in Beira city, Mozambique

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In recent years infrastructure development has emerged as a top priority within the context of African urban development, giving rise to novel finance modalities and urban epistemologies promising to make Africa's urban future 'smart', 'resilient' and 'sustainable'. With attention currently centered on the funding and design of Africa's urban future however, an age old dilemma of infrastructure development has largely been overlooked; Development Induced Displacement (DID). For whether the infrastructure in question be smart, resilient or sustainable (etc.), it is most likely premised on the availability of land, land which in the context of African urbanism is governed, toiled over and depended on by urban residents. A surge in urban infrastructure investments will thus inevitably imply a surge in DID. How such a surge will relate to African urban development and urbanization more generally however, has been left largely undebated.

Taking this question as a starting point we will present in-depth empirical findings of ongoing research in Beira city, Mozambique. Extreme climate vulnerability, widespread informality and an assertive municipal leadership has seen Beira elevated as a posterchild for urban development, attracting a range of high profile donor investments in the realm of infrastructure. By discussing three cases of infrastructure induced displacement and DID mitigation measures (i.e. resettlement), we demonstrate how each infrastructure project has triggered a range of 'space making' practices, which, outside the limelight of the primary investment, has produced fragmented urban spaces and arbitrary governance regimes. We argue, tentatively, that these are uniquely 'urban' dynamics, shaping the city in a manner which falls outside the reach of established DID and resettlement literature. In doing so we argue that there is a need to bring DID and resettlement to the fore in current urban debates, by recognizing it as a distinct mode of urban development.

(172) The incapacities of the state and reassembled communities: Resettlement projects in Massingir, Mozambique

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The debates on investment-induced displacement and resettlement tend to focus on getting procedures right such as conducting FPIC and achieving the fair compensations. Claims are made to improve the state and international regulatory systems. While recognizing an importance of such claims, this paper argues that the state is often genuinely incapable of foreseeing its own resettlement practices and we need to look more closely the actual social and political lives that unfold in the state's incomplete presence in order to envision new placemaking processes. The paper uses the case study of Massingir experience to illustrate the discussion.

Panel: “Good Enough Tenure” in Sustainable Forest and Land Management

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Relevant conference themes: Inclusive development and land in the Sustainable Development Goals, Climate change, Land governance and Social Justice

Abstract:

The lack of formally recognized land and resource property has always been a constraint for small-scale farmers and forest communities. Without a government issued land title, small-scale farmers, forest communities, and their potential funders are thought to lack the security needed for long-term investments. Smallholders without formal tenure tend to be excluded from external funding streams, because banks, other private investors, governmental agencies and even some donors often require land titles as collateral to mitigate the risk of default from failed investment.

Accordingly, policy makers, donors and NGOs have been emphasizing the importance of formal ownership as a precondition for creating stable rural livelihoods. This is also why many REDD+ initiatives, as well as other private and public programs, include efforts to formalize rights to land and resources. In most cases, these initiatives and involved funders enforce standardized land tenure schemes widely disregarding eventually existing informal local arrangements understood by scholars as ‘*good enough tenure*’ sufficient to provide enabling conditions for secure property rights and incentives for investment. Such informal tenure arrangements often build on historically evolved social capital. These arrangements are especially relevant where government presence is limited, particularly in rural and forest areas of tropical countries. Here, enforcement of tenure rights is achieved through customary institutions, such as village chiefs and village police as well as forms of social pressure, monitoring, and sanctioning.

To successfully substitute classic legal tenure schemes to land and resources, they need to be supported through practical measures that carefully consider the specific context, including arrangements on costs, risks and benefit sharing, and distribution of rights and obligations among parties. An example of such measure is the Fit-for-Purpose Approach, originally designed by the World Bank and the International Federation of Surveyors, which aims at designing land administration based on the needs of people and the environment and on the way on how land is occupied and used in practice.

This session discusses the practical implications of the increasing evidence from research and experiences in different parts of the world on the value and scope of ‘good enough tenure’ arrangements for international and national policy makers and investors.

Questions for the panel discussion:

Under what conditions could ‘good enough tenure’ arrangements be recognized by REDD+ and other development programs so that the holders of such rights can participate in such programs and related financing?

What limitations do ‘good enough tenure’ rights have for their use in development and REDD+ programs, and how can these be mitigated?

What limitations does 'good enough tenure' rights have for their use as collateral for bank loans, and how can these be mitigated?

To what extent is it realistic to expect that 'good enough tenure' schemes can play a role in effectively solving the economic, social and environmental problems in agricultural frontier areas?

To what extent can the Fit-for-Purpose Approach contribute to the practical recognition of 'good enough tenure'?

Chair/Discussant: Benno Pokorny (University of Freiburg)

(71) Successful community forest management without formal ownership rights: a fuzzy-set Qualitative Comparative Analysis of twelve voluntary forest management initiatives in the Peruvian Amazon

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In the Peruvian Amazon, many examples exist of local communities that protect their forests. Often, they do so independently of government policies and external financing. Their main motivation is to protect the ecosystem services they derive from the forests, such as water supply, ecotourism, timber and NTFPs. Few communities also protect the forest for its intrinsic biodiversity value.

While some communities have a land title, most protect forests that are officially state-owned. This is surprising given the consensus in the literature regarding the importance of tenure security for successful forest management. It is often assumed that such tenure security must be provided from the outside, through government action. This paper applies fuzzy set Qualitative Comparative Analysis (QCA) to conduct some cross-systematic comparison on twelve CFM initiatives in the San Martin, Amazonas and Loreto regions. Their forest ownership status ranges from completely informal to completely formal, and includes internal agreements, co-managed municipal conservation areas, conservation concessions, and private conservation areas.

We conclude that formal ownership rights, i.e. land titles, are by no means indispensable for successful community forest management. In addition, forest management in communities with strong ownership rights is not always successful. When formal ownership rights are 'paper titles' that are not accompanied by strong enforcement mechanisms, they do not contribute much to tenure security. In communities with and without formal ownership rights over the forest, strong monitoring and sanctioning mechanisms aimed at enforcing formal or informal property rights are essential for avoiding deforestation. Communities with a combination of (1) robust community enforcement and (2) either good access to government sanctioning (GS) or strong formal ownership (FO) tend to successfully protect the forest.

(148) Taken at the flood. A look on the resilience of local norms of land uses in the Eastern Amazon

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Prominent discourses highlight the wisdom and strength of local institutions as basis for sound and sustainable development of rural forest regions. In contrary to this, contemporary development dynamics in the rural tropics seem not to take too much into account eventually existing potentials of such norms. Even the local land users tend to opt for non-local models of governance and development. In consequence, local institutions are in a process of steady marginalization. It is thus questionable whether, to what degree and under what conditions, local institutions are resilient against global dynamics and may allow the continuation or establishment of local land governance systems. By exploring the case of family farmers along the Transamazon highway and traditional communities in the Extractive Reserve Verde Para Sempre in the Brazilian State of Pará, this paper critically reflects on the power of local institutions to resist the dynamic of expanding agricultural frontiers dominated by urban elites and capitalized actors such cattle ranchers, timber companies, soy farmers, mineral and energy companies. The study reveals that current economic and policy frameworks leave little space for conserving more traditional local land use norms. However, local land users show capacity to adapt and reconfigure norms in response to the new contexts. It remains open whether these new local norms have the potential to maintain and to create alternative governance paths.

(78) Migration patterns and property rights variation on forest frontiers in the Peruvian Amazon

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In the Peruvian Amazon migration is a common strategy used by residents to adapt to environmental and economic change. The region has periodically attracted dramatic influxes of people seeking land and economic opportunities or fleeing violent conflict. Recently, these patterns have drawn the attention of policy makers that flag migration and migratory agriculture as crucial drivers of deforestation and forest degradation. However, the lack of information about current migration processes and their effects on forest access have inhibited effective policy responses to perceived threats to the region's forests.

This paper draws on recent research in the Peruvian Amazon among twelve non-indigenous rural communities to understand variation in household migration patterns, property claims and the influence of these factors on livelihood and forest. We selected three multi-village landscapes exhibiting varied gradients of forest cover and agricultural conversion. We conducted 24 focus groups with residents and interviewed 233 randomly selected households to understand the linkages between migration patterns, property rights and forest use. We observed how each community was the result of spontaneous settlement in which migrants occupied forestland and later petitioned the government for legal recognition. In this process, settlers use a number of intermediate types of property claims combining customary and formal rights to secure their hold on the land, which produced diverse mosaics of titled, imperfectly titled and informal properties. Even though many residents in these communities lacked formal title, the majority reported high levels of property rights security. These cases illustrate how the government reacts to land occupation and land use change after the fact rather than providing institutional frameworks to allow settlement that is more orderly and that promotes forest management or conservation. Changing current dynamics requires greater coordination among government agencies, as well as land and forest policies adapted to respond to these dynamics.

Keywords: Peru, Amazon, Migration, Forests, Tenure

(61) Clarifying and strengthening informal land ownership using the fit-for-purpose approach (Mato Grosso, Brazil)

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This article is about a community in the municipality of Tangará da Serra, in the State of Mato Grosso, that had no titles for their land. They are about 50 small land owners that had adverse possessions of about 20 ha each. The main problem was that the real owner of the whole area (1000 ha) was from Japan and did not come to claim his land. Some of them had tried to regularise their situation, but did not achieve any result.

Evidence shows that it is expected that informality is greater than formal land rights in Brazil, for both urban and rural scenarios. To formalise land rights it can be very time consuming and cost full, which makes it a very challenging task, especially for small holder's communities that are fragile social and economically.

Given this scenario, INCRA (the national institution for rural land cadastre and certification) is updating its system to incorporate other informal situations of land ownerships in its cadastre SIGEF. The new, inspired by the VGFG from FAO, SIGEF 2.0 will integrate the adverse possessions land use, confronting those informations with the already certified land properties (formal ones) and (if not in conflict) certify informal rural households. By this, INCRA will promote a "good-enough" tenure on land, configuring properties that are in areas that are not conflicting with other land rights and mapping those situations. Although it does not provide legal secure rights, it already testifies that a person has tenure over a property that is not claimed by anyone else.

To address this, a "Fit for Purpose" (FFP) approach was promoted and the aim of the project was to identify the degree of informality in both, urban and rural areas. By testing a method for georeferencing properties within accuracy standards demanded by INCRA, as a viable solution for mapping situations of adverse possession for small holder's. At the end of the project, plots were mapped with minimum costs, respecting the legislation and all technical requirements. By this, it was possible to estimate the costs for certification and conclude that it is unfeasible to sustain the current legislation, procedures and expansive accuracy standards, if the goal is to have all properties certified by near future.

Keywords: Brazil, Land Governance, Fit for Purpose (FFP), Land Rights, Informality

Land and Natural Hazards

Panel: Institutions, Natural Hazards and the Local Economy

Mark Sanders, INHaLE

Abstract

Natural hazards have affected humans all over the world for all human history. But with climate change and demographic pressure rising in risky places, more and more people and firms are exposed to increasing hazards, with already devastating effects. Such disasters are not exclusively an act of God. The vulnerability of populations to natural hazards is greatly enhanced or mitigated by the institutions that govern e.g. the use of land, building practises and the geography of economic activity. Moreover, institutions also shape how people perceive the risks ex ante and cope with events ex post. In this panel, we explore how institutions in general and land governance specifically play a role in the management of natural hazard risks. Questions we address in the panel are:

- How do people and firms perceive natural hazard risks?
- How do people and firms respond to the increasing vulnerability to natural hazards?
- How can land use and governance help people and firms cope with natural hazard risks?

(56) Assessing Local Impacts of Natural Disasters Using Night Light Data

Gabriel Felbermayr, Jasmin Gröschlo, Mark Sanders, Vincent Schippers Thomas Steinwachs

Natural disasters obviously have economic impacts. But it is not trivial to measure and assess these impacts. Virtually all studies to date investigate the impact of disasters on national GDP per capita. But at such high levels of aggregation, effects are hard to identify. Natural disasters are typically localised events that have strong adverse impacts on local economic activity by damaging the local capital stock and causing fatalities locally. The majority of events are too small to impact especially the large national economies. Moreover, production and consumption can shift to other locations in the same country. In this paper, we apply spatial econometric panel methods to study the impact of natural disasters on local economic activity, allowing for spatial spillover effects into neighboring locations. To that end we collected and compiled data on the natural intensity of extreme events for 0.5°x0.5° raster grid cells (about 50x50 km at the equator) for all land-mass on earth. To proxy for economic activity at the grid cell level we use annual average nighttime light emission between 1992-2013. We find pronounced local average treatment effects and strong evidence for spatial spillovers for most disaster types.

JEL Classification Codes: F15, O18, O44, Q54, R12

Keywords: Natural Disaster Shocks, Night-Time Light Emission, Spatial Spillovers, Raster Grid Analysis

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(49) Managing Natural Hazards Impacts Efficiently: A Stochastic Frontier Approach

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Natural hazards can have significant economic impact, even at the national level. Vulnerability is increasing as more people locate in hazard prone areas whereas especially meteorological events are predicted to become more intense and frequent with climate change. From the data it is also obvious that the performance in handling such hazards differs greatly across countries. Some countries can quickly mobilize resources to support the affected regions while the others appear very inefficient and suffer more human impact and damages in the aftermath. Standard econometric techniques are unsuitable to analyze this heterogeneity. In this paper we propose a stochastic frontier estimation approach to estimate disaster management efficiency and relate that to institutional quality at the national level. Taking our method to data on natural hazards since 1970, collected in the EMDAT database, our results show that investing in good governance pays off. This reduces inefficiency and helps to mitigate the negative impacts of natural hazards. But our results also suggest that at the efficient frontier a trade-off between human and material impacts is inevitable.

(48) The actual and potential role of residents in flood risk governance – framework and preliminary results based on a literature review

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Flood risk governance literature has hitherto devoted limited attention to the roles of residents (homeowners/tenants). Yet their role is crucial in addressing non- or maladaptation, as their initiative or consent is often necessary to take private property level measures. This presentation addresses this knowledge gap by exploring potential additional roles for residents in flood risk governance in and around the home. A literature review was carried out on the actions of residents. To structure the results, we used a distinction between three forms of residents' commitment to flood governance: as (a) citizens falling under the jurisdiction of various governmental levels; (b) consumers (including home owners) in the market; (c) civil society members/partners. While this is an established categorization in other domains of environmental governance, it has not yet been systematically applied to flood risk governance. For each form of commitment, we identified mainstream and additional roles of residents, with reference to the Dutch domains of flood risk management and stormwater management. We found that there would be scope for additional roles for residents, especially as consumers in the market and civil society members. The findings seem to be of significance for the global debate on residents' roles in flood governance and suggest that broadening the scope of literature and practice by addressing all three forms of commitment may enhance the implementation of private property level measures as well as the legitimacy of these measures, residents' awareness regarding adaptation and societies' potential to innovate.

(57) The Impact of Natural Disasters on Firm Growth in Vietnam: Interaction with Financial Constraints

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The theory about the disaster impacts on firm growth is ambiguous and the empirical evidence on this topic is scarce, which hampers the design of disaster risk reduction and climate change adaptation policies. This paper estimates growth models of the impacts of natural disasters on labor, capital, and value-added growth of firms in the short run, and identifies the role of financial constraints in shaping disaster outcomes. The analysis uses a comprehensive enterprise census dataset (2000-2009) and two different types of disaster measures from Vietnam: the physical intensity measures and the socioeconomic damage measures. We apply the Blundell-Bond generalized method of moments (GMM) to estimate firm level disaster impacts, and find robust evidence that natural disasters on average increase firm growth significantly. We also find stronger positive impacts in labor and output growth for financially more constrained firms. We argue that this occurs because financially more constrained firms are forced to substitute labor for capital during the reconstruction phase after a disaster.

(131) The impact of crisis and disaster events on the tourism development in Indonesia

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Over the last decade, a lot of disaster events have affected tourist destinations in many countries. Although disasters have attracted considerable attention much of the research on tourism has only focused on one single disaster to a destination. Little attention is devoted to research on the impact of many disasters to the multiyear tourism industry performance in a specific country. This paper attempts to understand the relationship between tourism performance and disaster events using the complex system theory as the conceptual basis. This paper analyses how does the several events impacted to the multiyear tourism performances (2000 – 2016) in a case study country, Indonesia. Parameters of tourism performances were included number of inbound tourists, national income from tourism, and hotel room's occupancy rates. Secondary data was collected from several resources i.e. legal documents, Indonesia's tourism statistic, media, and newspapers articles. The results show that during 16 years the disaster impacted differently to the tourism industry performance based on the scale of destruction, location of disasters and type of disasters. Moreover, two insights are suggested based on the data analysis. First, the human induced disasters such as terrorist attack have more impacted to the tourism industry performance rather than natural disaster. Second, the disasters impact both positive and negative to the neighboring destination in the region due the spillover effect.

Keywords: impact, disaster, tourism, industry, development, crisis

Extractivism, Conservation and Displacement

Panel: (Im)mobility in Contemporary Conservation

Stasja Koot (Sociology of Development and Change, Wageningen University)

Abstract

It is generally accepted that historical approaches to nature conservation have displaced large amounts of people all over the world. In particular colonial style approaches, such as the fences and fines approach, have evicted many people from their lands that have been designated for the conservation of nature. Conservation, however, has gone through multiple phases since colonialism, but often perpetuates a severe neo-colonial character. With a strong focus on community involvement since the 1990s, the increase of neoliberal types of conservation, 'new' conservation and currently even serious attempts to reinstall a fences and fines approach, contemporary conservation seems to have become a mixture in which a large variety of ideas coexist. In this session, we explore the role of (im)mobility (displacement, migration, et cetera) in contemporary conservation. How do phenomena that currently dominate nature conservation, such as (eco)tourism, militarisation or wildlife crime, affect (im)mobility and *vice versa*? And how do contemporary forms of nature conservation provide for displacement, if they do at all?

(26) Climate adaptation-induced mobility as secondary environmental migration

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In the field of ‘environmental migration studies’, the current and projected effects of anthropogenic environmental change, such as rising sea levels, more frequently occurring floods or soil erosion on human migration have received much attention over the past decades. An important element that has received far less attention in research, however, is the issue of migration induced by policy interventions for climate change adaptation, which I define as a secondary form of environmental migration.

Different forms of public and public-private adaptation interventions, such as the construction of coastal infrastructure, development of new environmental protection zones or increases in insurance premiums in flood-risk areas are commonly legitimized by highlighting their importance for reducing future environmental vulnerabilities. Yet they can also lead to considerable trade-offs in the short term, particularly for already marginalized communities (Van Voorst & Hellman, 2015). The negative externalities of such adaptation interventions can directly or indirectly influence people’s mobility patterns and induce outmigration (Marino & Ribot, 2012; van Voorst, 2014).

In order to conceptualize this climate adaptation-migration nexus, I develop a politics of mobilities perspective (cf. Sheller & Urry, 2006; Cresswell, 2010) on environmental migration. This approach broadens our conceptualization of how environmental changes in the widest sense, also indirectly through climate change adaptation, are linked to human mobility patterns. By allowing for a more nuanced analysis of how “persons are repetitively mobile, gradually mobile, seasonally mobile and locally mobile” (Gill, Catró and Mason, 2011:305), this approach provides not only useful frameworks to understand the politics of physical movement, its representation and practices, but also focuses on the agency of actors to interpret and shape their own movements in the face of environmental climate adaptation interventions along a spectrum of autonomy in decision making (Oliver-Smith, 2004).

(83) In the way: On-going land dispossession of the fractured 'community' of Namibian Hai//om in Etosha National Park and Mangetti West

Stasja Koot and Robert Hitchcock

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The indigenous Namibian Hai//om San, former mobile foraging peoples lost most of their land since the 19th century, including the Etosha National Park and Mangetti West. After independence (1990), the Namibian government tried to redistribute land to this spatially fractured 'community'. In these attempts, various conflicts occurred and in subtle ways the dispossession of land continues. We provide an overview of the history and complexities behind these processes, to argue that the recent efforts of the Hai//om to file a collective action lawsuit against the government of Namibia over Etosha and Mangetti West have stimulated a resurgence of Hai//om identity.

Keywords: Hai//om San, Namibia, land, Etosha, community

(128) Governing watersheds, subjecting traditional systems: Chinese Neoliberalism and the great transformation of Tibetan pastoralism

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This paper describes the 'great transformation' that is happening in the Tibetan Plateau that started with the rational of preserving and restoring the most important watersheds of China. Since the early 2000s, pastoralism, the main system of production and a constitutional aspect of the Tibetan identity for thousands of years, has been described by different politicians, backed by Chinese scientist and governmental technicians, as the principal causes of the increasing land degradation phenomena on the Tibetan plateau. As these areas contain watersheds of China's most important rivers, their environmental protection and restoration has become a national priority. A key aspect of this plan is to resettle and sedentarize the Tibetan pastoralist and to integrate them into 'modern' economic systems. In this way, according to Governmental rhetoric, 'backward' modes of existence can be transformed, economic development propelled and environmental protection guaranteed. A win-win-win solution according the Central Government. The Tibetan pastoralist transformation is studied through the analytical lenses of environmentality, which builds on the Foucauldian concept of governmentality. This conceptualization is based on three main dimensions: the political, the institutional and the identity/subject formation aspects of emerging environmentalities. Central in this elaboration, is how power and institutions interact, through different technologies of government, to create new environmental subjects. Employing the environmentality lenses it is stressed how power is articulated in the context of "Neoliberalism with Chinese characteristics". This work, not only focuses on the idiosyncratic aspects of Chinese authority in Tibet but it also emphasizes how neoliberal governmentality, (in China as well and not only in the 'West'), is about strategies and government technologies rather than direct State coercive intervention.

Keywords: Environmentality, Watersheds, Chinese Neoliberalism, Tibetan Pastoralism, Sedentarization

(146) Everyday Resistance in Privatised Nature Conservation

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This paper analyses the responses towards the privatisation of land for nature conservation from a political ecological point of view. It first analyses how the local lives of the Batu Katak community in Indonesia have changed with the establishment of a private protected area (PPA) by a European environmental NGO. Ethnographic research shows that even though the establishment of the PPA has generated a new source of income for the community due to increased employment opportunities, there are concerns about the foreign ownership of land and the community's access to their "community gardens". This paper, however, argues that the main issue of concern from the local community's point of view is not the privatisation of land for conservation as such, but rather the community's access to the rivers flowing through or near the PPA. These rivers and their resources are central to the community's livelihood strategies. Using James Scott's notion of *everyday resistance*, this paper shows that local actors express their grievances about the prohibition on fishing in several ways. The most important responses to the prohibition include the continuation of banned livelihoods (i.e. fishing) and the expression of (anonymous) threats. By recognizing these responses as political acts, irrespective of their original motivation, rather than simply labelling them as "bad behaviour" or a "failure of regulation" may lead to solutions that are favourable to local communities as well as conservationists.

Keywords: private protected area (PPA), everyday resistance, fishing, Indonesia

Land Governance in the Global North

Panel: Land Governance in the Global North: Pointing the Lens at the Developed World

Lorne Holyoak (World Council of Anthropological Associations)

Abstract

Academic and policy critiques of sustainable development and resource access typically focus on the Global South. Many countries that place near the top of the United Nations Development Program's *Human Development Index* have indigenous populations whose health, economic and social outcomes diverge dramatically from their non-Indigenous populations. Since the early 1970s, land claims, treaty negotiations and policy changes in countries including Australia, Canada, New Zealand, and the United States have directly impacted indigenous land governance in these countries, with the expectation that access to land will have positive impacts in other domains. At the same time, in the post-socialist states of Eastern Europe, changes in land governance and land use have had a direct impact on incomes, cultural cohesion, health and social mobility. Turning the lens of land governance on changes in land use, land tenure and subsequent mobilities in developed countries has the potential to improve our understanding of sustainability and social equity in countries that are not frequently subjected to this sort of scrutiny. The organiser of this session invites submission of papers that examine changes in land governance in the Global North, and offer the same critique of sustainable development as is traditionally directed towards the Global South.

Format: Paper presentations

(103) Land governance for development in central and Eastern Europe: land fragmentation and land consolidation as part of sustainable development goals

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Land fragmentation in all its dimensions remains widespread throughout Central and Eastern Europe. Although farms sometimes benefit from having several parcels, in general land fragmentation hampers modernization of family farms and proper connection to agricultural markets. This has impact on the individual household and the rural community as a whole. Land markets, even when properly regulated and properly functioning, are often unable to correct the situation. Several measures and instruments are needed to facilitate the land markets to function adequately and to accelerate consolidation and growth of small farms. Analysis of policy initiatives in CEE countries illustrates that options for solving the structural problems of land fragmentation and small scale of farms have concentrated on particular instruments like land consolidation and land banking with varying rates of success. To create more impact, comprehensive frameworks of mutually supportive instruments for rural land development should be developed. The Sustainable Development Goals (SDGs) provide a new incentive and an excellent opportunity to integrate land and farm structure related goals into national development strategies of CEE countries. The SDG indicators 1.4.2 and 5.a.2 dealing with access to land, create a sense of urgency particularly relevant in the context of land fragmentation. Achieving of any development goal towards increased production and farm income is in risk of being jeopardized when the basic structures of land ownership and farm size are being neglected. In this context rural areas in CEE faces several challenges to 1) secure further legitimate tenure rights and 2) to enable the full enjoyment of (the secure) tenure rights. Disaggregation of policy ambitions is needed towards specific groups like small, young and female farmers and landowners to ensure (de facto) enjoyment of their tenure rights. To support the development of proper policy responses, several actions are needed.

(107) One city for all? The demographics of displacement in Washington, D.C.

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Following World War II, the southwest quadrant of Washington, D.C. was the site of a government-led urban renewal plan that also set a legal precedent for eminent domain, was one of the largest acquisitions of land by the U.S. Government to date, and pioneered new housing practices. The plan displaced 1,500 businesses and 23,000 residents who had occupied 560 acres of land that was described as “some of the worst slum conditions...in the city” less than a mile from the U.S. Capitol building (National Park Service). From 1950 to 1970, 4,800 structures were demolished and in the place the city introduced 5,800 units of housing targeted toward the upper and middle class. Despite the architectural significance of the site and the plan’s international renown at the time, the southwest urban renewal area has largely been characterized as a failed attempt at downtown revitalization.

Washington, DC entered a boom of urban growth in the early 2000s. The southwest quadrant again became the focus of renewal initiatives, characterized by massive public-private partnerships such as the “Wharf” mixed-use development, whose \$2.5 billion first phase introduced 900 living units in 2017. Meanwhile, the future of adjacent low-income housing sites is uncertain.

Literature on urban planning policy and the demographics of displacement in Washington frequently highlight as a case study the neighborhood of Columbia Heights in the city’s northwest quadrant. This paper turns the lens instead on the lesser-studied southwest quadrant. Through a combination of historical and demographic analysis, the paper will examine direct and indirect drivers of displacement in the southwest quadrant and their relationship to land use planning. How have approaches to inclusivity in planning changed, and what additional avenues of study may elucidate the nexus of planning and demography? And, is a vision of urban renewal possible that has space for all residents?

Keywords: land use, eminent domain, displacement, United States

(147) Modern Treaty Implementation: Radically Reshaping Settler-Indigenous Relations in Canada through Land Claims Agreements

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Since the 1970s the Canadian government, Canadian provincial and territorial governments, and Indigenous communities have been engaged in a protracted and complicated process of settling outstanding Indigenous land claims that cover around 60% of all Canadian territory, and in some instances the entirety of a province or territory. Land claim agreements, often referred to as modern treaties, recognise aboriginal title to vast territories, and extinguish that title in exchange for various concessions, including an extensive role for Indigenous communities in land management within their traditional territories. However, treaty implementation has often failed to adhere to the spirit and intent of the treaties. Through case studies, including Nunavut, James Bay Cree and Yukon First Nations, this paper will examine the intention with which treaties are negotiated, obstacles to full implementation, and the impact of incomplete implementation on Indigenous communities and Indigenous-Settler relations. Recommendations on how to achieve full implementation and undertake good faith negotiations will be presented.

(72) How Far Does the European Union Reach? Land Acquisitions, Transnational Governance, and Citizenship

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There has been, so far, almost no discussion of the “global land rush” in political theory or political philosophy, even though it has crucial implications for central concepts of these fields. In this paper, I explore some of these implications, using a case study. I argue that large-scale foreign land acquisitions by investors from the European Union create political relationships that remain invisible from the perspective of more traditional political ontologies. This case study is part of a larger project about the ontology of political communities that explores two conceptual and normative questions: In a globalized world, what are the legitimate boundaries of political communities? And what, if anything, grounds the rights of these political communities to close territorial borders to migrants?

The Renewable Energy Policy Directive (RED) of the European Union establishes that by the year 2020, 10% of each member state’s transport fuel has to originate from renewable sources. Most of the policies for reaching this goal involve the deployment of biofuel, which is estimated to require an increase of 11 million ha in agricultural land use (an area about the size of Bulgaria). As a result, RED is one of the main drivers of large scale land acquisition by EU investors outside of the EU. Overall, European investors account for about a quarter of the agricultural land acquired in the “global land rush” in the past decade. What implications does this development, the increasing territorial reach of the EU and its members states, have for our understanding of Europe as a political community?

Usually, when we think of political communities, we have in mind a group of people attached to a bounded geographical area. Many political theorists believe that the attachment of a community to a territory serves as a justification for exclusive territorial rights, including a right to exclusive jurisdiction, a right to control the natural resources available in the territory, and the right to exclude outsiders from entering and settling in the territory. It is the later right that is at issue in the current, so-called “European migration crisis.” In response to this crisis, EU member states (and the EU as a whole) have asserted their territorial right to control the movement across their borders, justifying a number of measures aimed at keeping out refugees and migrants.

But this territorial understanding of political community is under pressure when we consider the increasing territorial reach of the European Union, or so I will argue. The EU’s renewable energy policies, together with its trade and investments policies, institute new forms of governance over land acquired by EU investors and over the people inhabiting it. These policies contribute to what Saskia Sassen has called a “disassembling of national territory”: Land that seems to be part of the territory of formally sovereign nation-states is in fact governed by transnational networks.

These new forms of transnational governance unsettle the congruence of political community and a clearly bounded territory that we usually take for granted. While people who live on and off the land acquired by EU investors are not living side by side with EU citizens, their lives are governed to an increasing extent by the political decisions made within the EU. This fact, I argue, gives them moral standing to participate in the political decision-making processes of the EU and its member states, a standing that is akin to membership in a political community. This has implications not only for who should have a voice in political decision-making; it also undercuts common arguments for a right of the EU and its members states to exclude certain would-be immigrants from EU territory.

Panel: Methods for Faster Documentation of Land Titles

Peter Cronkleton (CIFOR)

- (45) Fit for Purpose approach for land regularization in rural areas of Mato Grosso, Brazil
- (143) Scalable, Fit for purpose land documentation
- (46) Securing Communal Land and Natural Resource Rights Through Participatory Governance
Methods: Lessons from Sudan

(45) Fit for Purpose approach for land regularization in rural areas of Mato Grosso, Brazil

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In large areas of Brazil, property rights are fragile or absent. This not only leads to serious conflicts over land, but also hampers economic growth. Without secure property rights, farmers can't get access to investment loans or public policies, government can't promote sustainable growth and the natural environment suffers enormously. To address the challenges in land regularization problems, associated to the small holders' informality in rural areas, an integrated and participatory "Fit for Purpose" (FFP) (fast, affordable and aligned with the specific purpose) initiative was promoted in Tangará da Serra, Mato Grosso, Brazil.

The goal of this research is to provide a test case for successful implementation of the Fit for Purpose methods in Brazil as a model for country-wide implementation, considering that in the near future (2023), all land in Brazil will have to be registered, it is better to be pro-active and start collecting evidence from the field of the advantages of FFP methodologies. Therefore, a pilot project was carried out by the Kadaster International Agency and the State University of Campinas (UNICAMP) in a small rural community with many unregistered parcels that could not afford to go through the whole process individually.

At the end of the FFP pilot project in Brazil, 52 rural properties were formalized with minimum costs, under the current legal conditions of the state of Mato Grosso and Brazil. By this, it was possible to estimate the costs (and timeframe) for regularizing all rural properties of Brazil and conclude that it is unfeasible to remain the strict legislation, bureaucratic procedures and expansive accuracy standards, if the goal is to have all properties formalised by 2023. Especially considering the importance of legal secured rights to prevent from displacement and to promote fair land governance over the territory.

Keywords: Brazil, land governance, Fit for Purpose (FFP), Land Regularization, informality in rural areas

(143) Scalable, Fit for purpose land documentation

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Governments and land agencies in developing and emerging economies continue to struggle to deliver affordable land documentation services to peri-urban and rural populations, due to outdated and rigid approaches to surveying and land documentation as a service. Mostly, such services are also expensive and efforts to subsidise tend to have minimal scale, resulting in a low level of scalability, and lost revenue opportunity for land agencies.

Meridia has developed a fit for purpose land documentation product suite that works across customary and statutory land administration regimes which most importantly is not only a technical solution but also caters to the key social aspects and ultimately also a business model which is key to the sustainability and scalability of any solution.

Having built solutions for markets as diverse as Ghana and Indonesia, around a core fit for purpose and LADM compliant solution, Meridia is excited to share key learnings of what makes our solution work both in partnership with stakeholders and on the ground.

(46) Securing Communal Land and Natural Resource Rights Through Participatory Governance Methods: Lessons from Sudan

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This paper aims at contributing to the academic discussion on how inclusive and participatory approaches to natural resource management can help secure land rights of rural poor in regions where conflicts related to natural resources are growing. The paper highlights good practices in natural resource management implemented under the framework of the International Fund for Agricultural Development (IFAD) funded Butana Integrated Rural Development Project (BIRDP) in the Butana region in eastern Sudan. More specifically, this paper highlights experiences in establishing participatory natural resource management processes at different levels to secure land rights of poor rural people. Some of the models tested by the BIRDP project include the establishment of a good governance framework in the Butana region, the registration and legalization of local community networks for local development purposes, as well as the registration of community forests and range reserves. Results from this participatory approach to NRM includes communities legally registering range and forest reserves further formalising their customary land rights as well as improved management of communal forest and rangeland to enhance land productivity and local livelihoods. Lessons learned include the importance of involving women, youth and elders at community level for the sustainability of local community networks and that the grassroots community participation approach is an important tool in a context where natural resources management is fragmented and differs from state to state.

Keywords: governance, natural resource management