

From International Land Deals to Local Informal Agreements in Madagascar: Regulations of and Local Reactions to Agricultural Investments



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Daewoo's project – palm oil and corn on 1 300 000 ha - exemplified :

- the paradoxical position of the government concerning land management = development of large-scale acquisition & land reform to secure local right
- rhetorical use of land issue in political debate (cf. social mobilization against President Ravalomanana in 2009)

But the trend of large scale acquisition continues :



What are the dynamics of local politics relative to farmland acquisition projects?



What are the impacts of the recent land reform on investors' land access modalities?

1. Was the Daewoo's case a turning point ?

Current Malagasy government

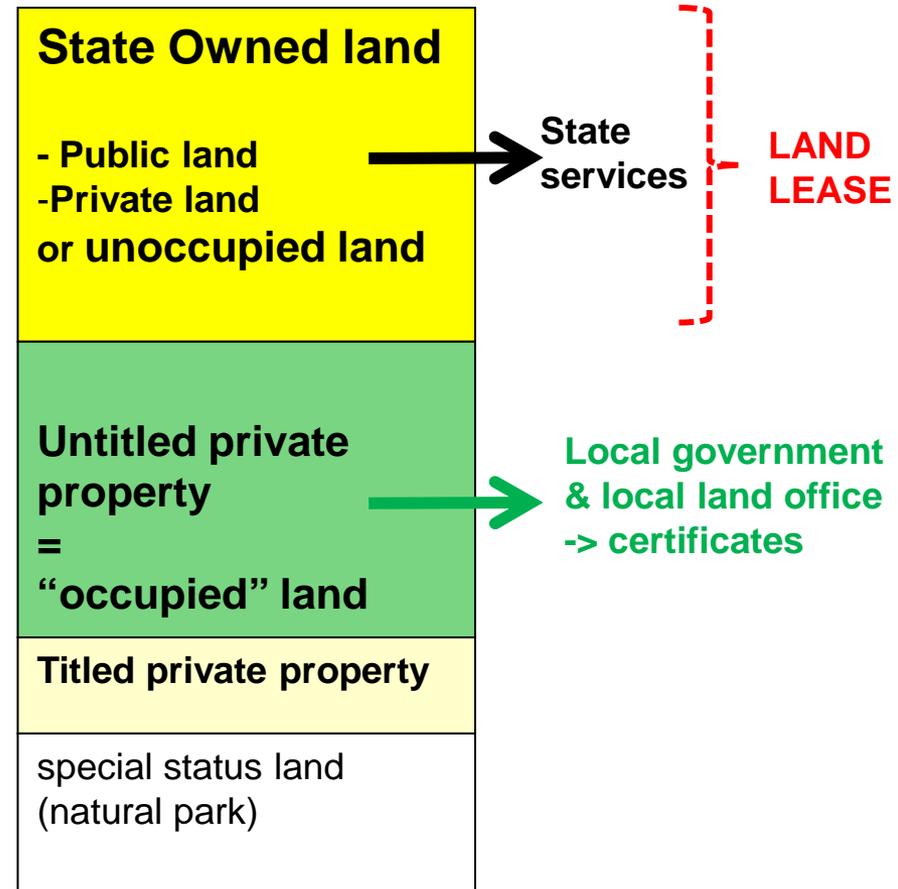
- still supports international investment
- implements new legislation to regulate large-scale acquisition

=> to centralize information

=> to recentralize land management in a larger context of decentralisation,

Ongoing land reform aim at securing local land rights

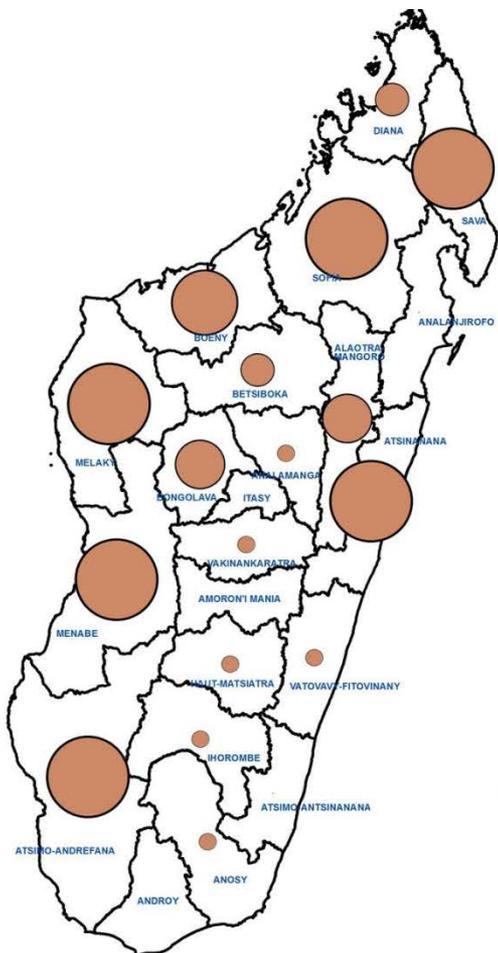
=>risks for local arise out of the tensions between the legislation and its effective enforcement



2. Targeted land : overlapping rights realities

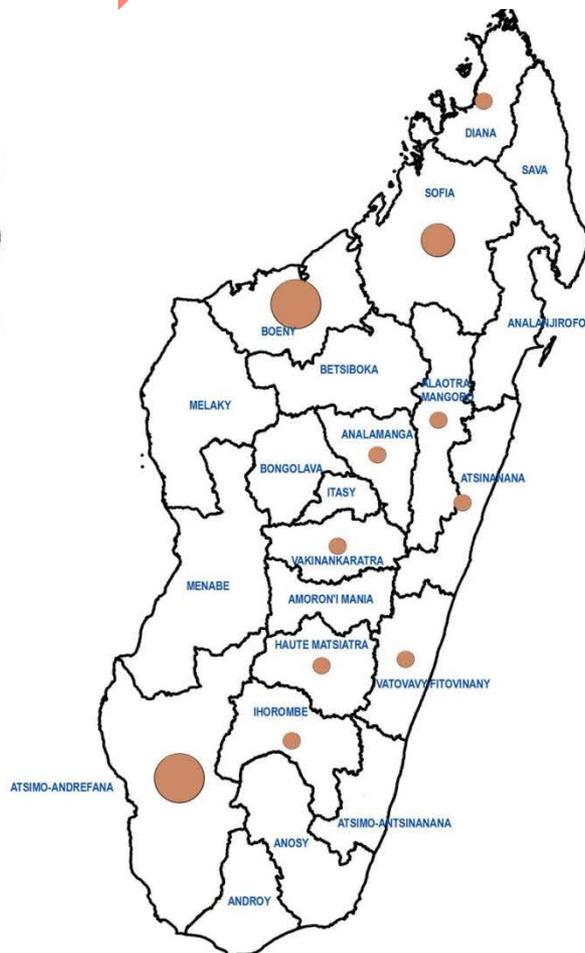
2005 - 2009, 52 projects listed

Targeted area = 3 millions ha



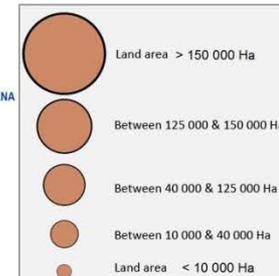
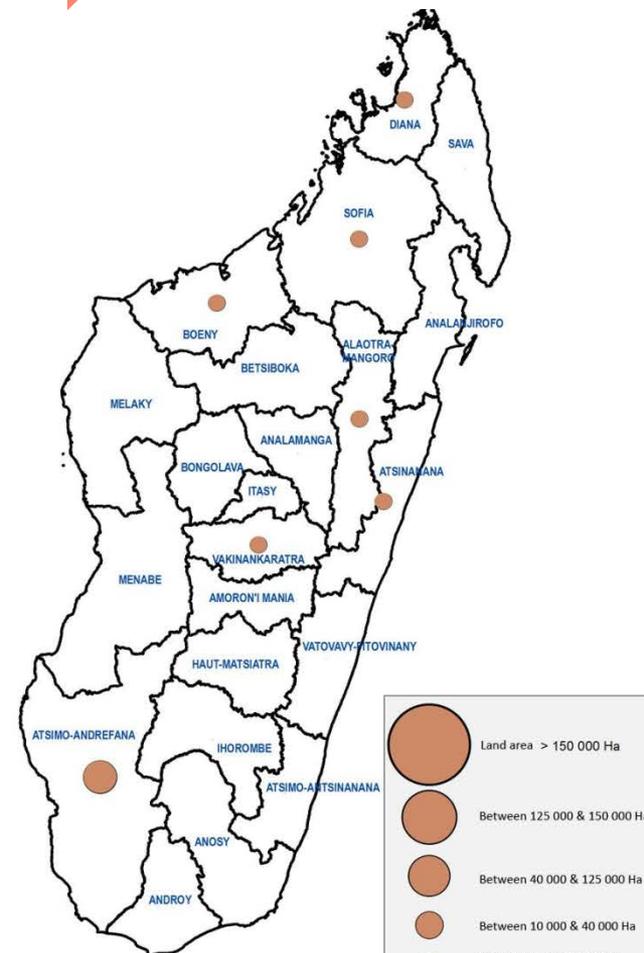
Now, only 14 ongoing projects

➔ Targeted area = 160 000 ha



Surfaces under cultivation

➔ 23 000 ha



2. Targeted land : overlapping rights realities

14 medium private companies (European)

Want to lease land (foreign investors) or to buy it (national = 1)

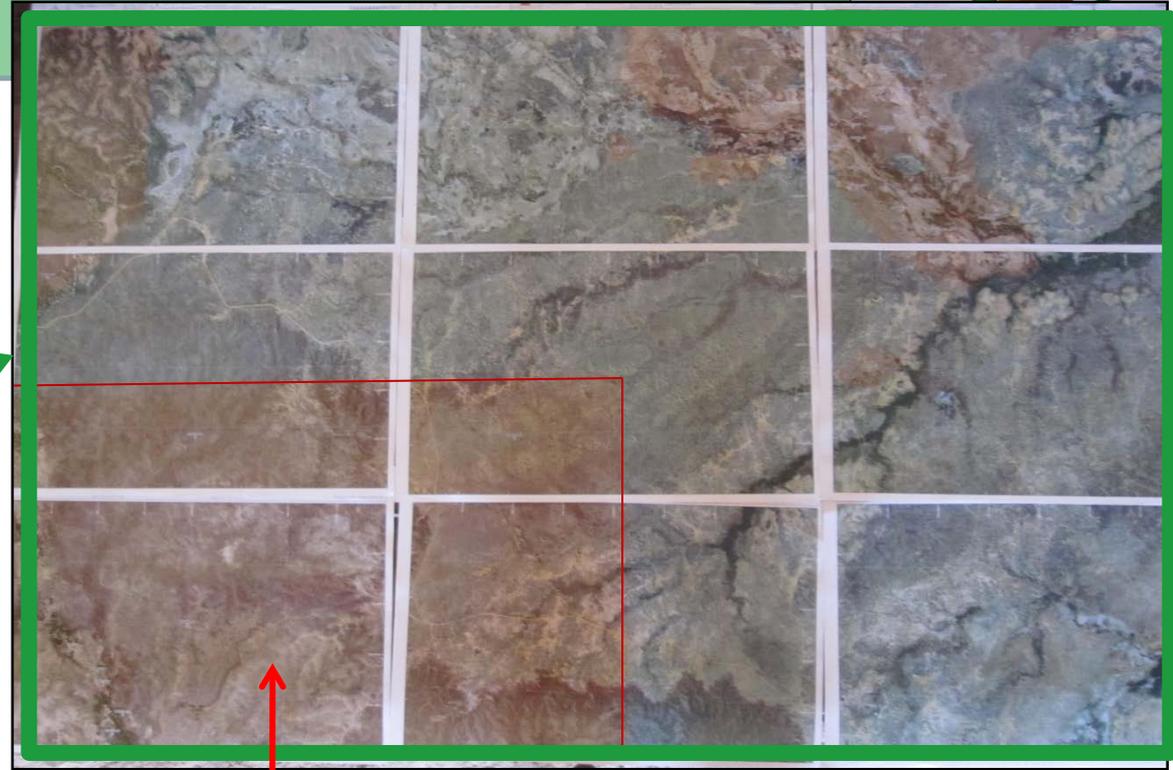
5 000 to 30 000 ha – mainly jatropha production

Competition between investors



Zones where different projects could have been planned

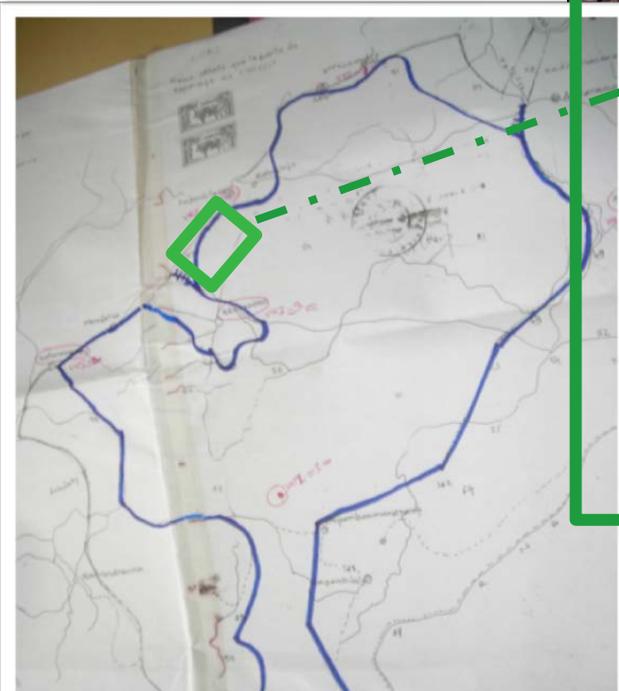
Layer 1 = legal rights



Map made by the land
administration for a
20 000 ha project

Titled private property in
the name of the State
(done in the 1990's for a
natural reserve project)

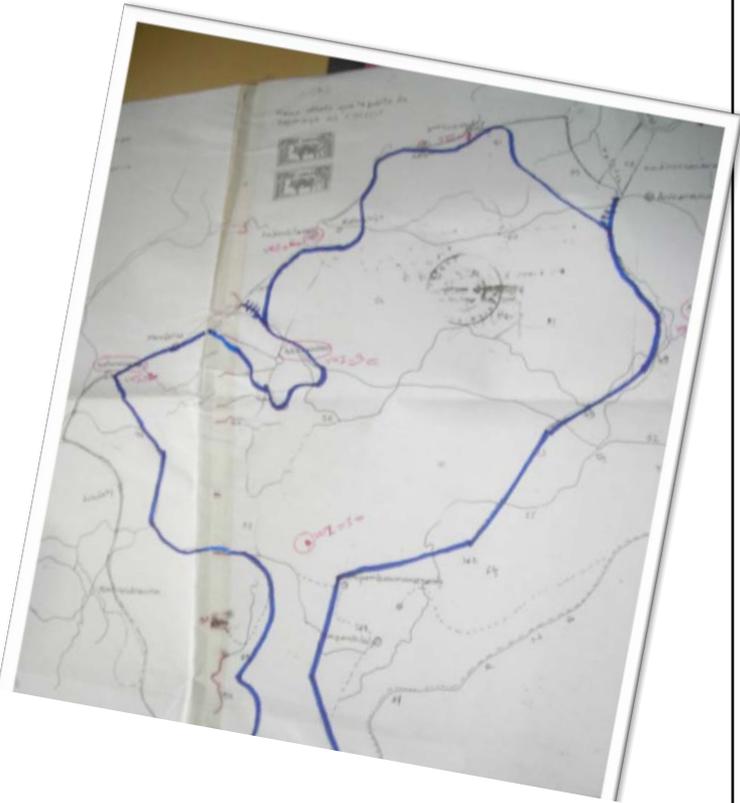
Layer 1 = legal rights



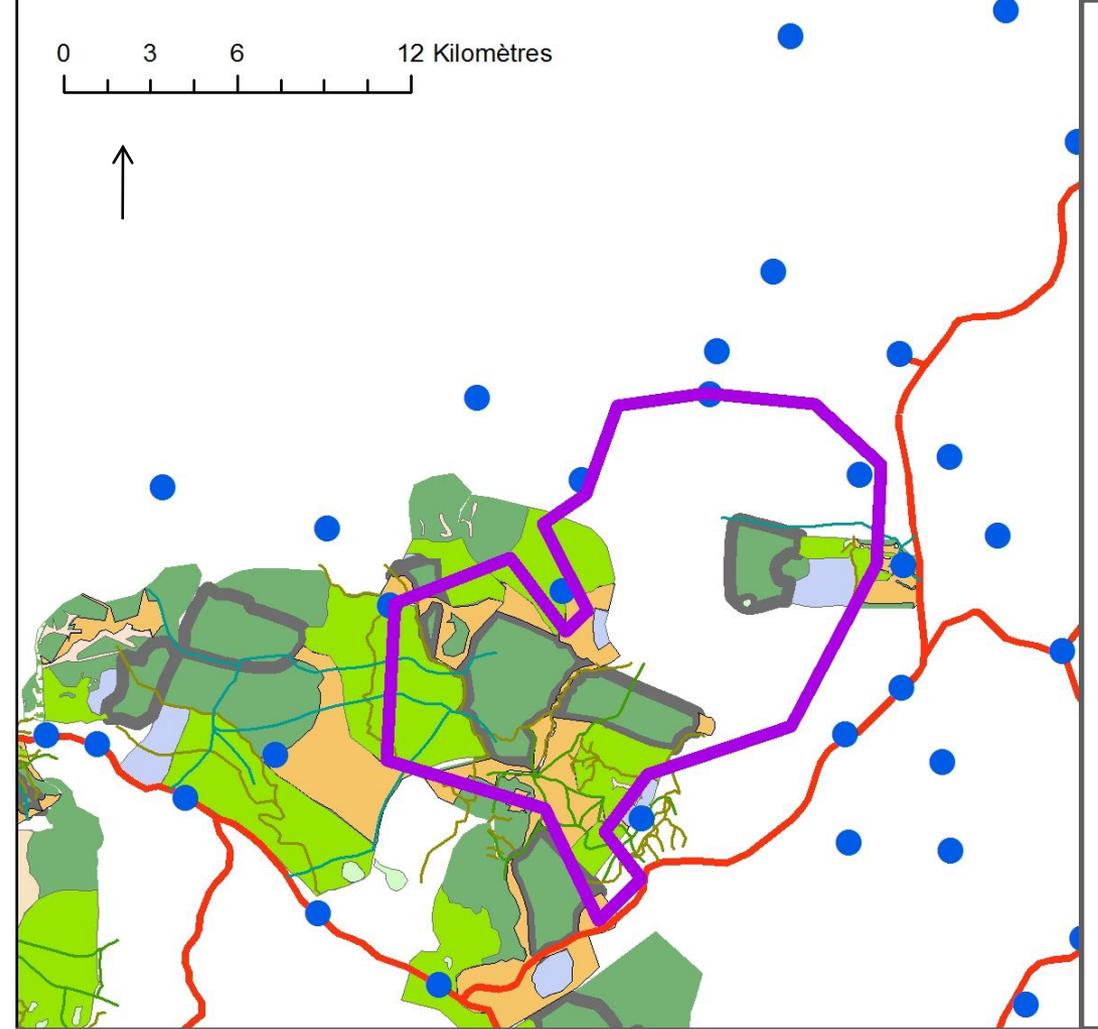
Titled private properties in the name of private landowners

State owned land or Occupied land ? But no certificate..

Layer 2 = local rights



Layer 3 = legal use rights (VOI rights)



-  villages
-  roads
-  crops
-  savannah and pastures
-  VOI zone
-  coal production zone
-  Project delimitation

3. Land access, legal forum and tensions

Land access	Main Interlocutors	Legal forum	Claims	Tensions
<p>Legal procedure</p>	<p>State and local elected representatives (mayors)</p>	<p>Domain of positive laws</p> <p>But illegal parts of the process denying land rights.. even those secured by a title</p>	<p>Few claim</p> <p>Only drawing on positive law arguments</p>	<p>Between investor and local groups</p> <p>Amongst local groups</p> <p>Between State's services</p>

4. Private projects welcomed in the same way as international aid

Private investments develop in a way that makes them look very much alike international aid projects.

- investors commit themselves to building social infrastructures and to favoring local recruitment,
- from some mayors' point of view= a means to compensate for the deficiencies of the welfare state (school, wells) and to increase the local budget (land fees),
- members of the investor's team coming from the "development" sphere

Mayors become thus **brokers of international private investment project**

- try to attract, control and redistribute 'private investment revenue'
- mediate between investors and local groups
- find trade-offs

=> **Become the main interlocutor to the detriment of more communication with local landholders**

Conclusions

**Legal recognition of right is necessary but not enough to empower local population
(Vermeulen & Cotula, 2010)**

=> consolidation of the land reform, through the expansion and the consolidation of the network of local land offices, is central to continue the difficult power redistribution in terms of land management.

=> larger information and negotiation at local level

=> Urgent need to produce of full information on these projects and to assess land tenure and land uses with the different stakeholders

=> first studies led by the Malagasy land observatory gathering investors, NGOs, representative of the civil society and research teams to feed the debate and negotiation about land access and to strengthen the respect of local land rights