

COMMITMENT 9



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LEARNING FROM ILC DATABASE OF GOOD PRACTICES

INTERNATIONAL
LAND
COALITION

EFFECTIVE ACTIONS AGAINST
LAND GRABBING

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EFFECTIVE ACTIONS AGAINST LAND GRABBING

ILC's **Commitment 9** seeks to prevent and remedy land grabbing, respecting traditional land use rights and local livelihoods. **ILC's Database of Good Practices** provides concrete examples and guidance to Coalition members and partners on how to achieve this commitment.

What processes, tools, and methods have ILC members successfully used to overcome some of the challenges they face in preventing and remedying land grabbing? Learn about:

ADVOCACY AND CAMPAIGNING

How ILC members and partners have strengthened transparency in large scale land acquisitions, led evidence-based campaigns for the restitution of minority land and engaged with media whilst using innovative online tools to link international and local campaigns.

PROJECT DESIGN AND IMPLEMENTATION SUPPORT

How ILC members have prevented land dispossession by supporting land rehabilitation and utilisation and by strengthening livelihoods and the resilience of communities.

LEGAL ASSISTANCE, LEGAL EMPOWERMENT, AND ACCESS TO JUSTICE

How ILC members and partners have offered technical

legal support and used judicial review to challenge laws and administrative actions that violate the rights of indigenous peoples.

USE OF MEDIA AND COMMUNICATION

How ILC members have strengthened accountability by linking national and international media campaigns and capacitating journalists.

ESTABLISHMENT AND STRENGTHENING OF LOCAL INSTITUTIONS

How ILC members have established and strengthened the capacity of local institutions to recover lost land and to negotiate for compensation.



ADVOCACY AND CAMPAIGNING

► Campaigning for transparent supply chain management

in the food and beverage industry can encourage multinational companies to adequately examine the extent to which their suppliers' businesses respect the land rights of local communities. It can raise awareness on their responsibility to respect the rights of those living and working in and along their agricultural supply chains. **Oxfam International (C0041)** led the "Behind the Brands" campaign, ranking the ten largest food and beverage companies on their public commitments and sourcing policies around seven themes, including land and transparency. Oxfam International used traditional print media and public stunts, social media, investor engagement and evidence-based advocacy. As a consequence, four companies made far-reaching commitments to land rights, including zero tolerance for land

grabs, and eight committed to adhering to Free, Prior and Informed Consent. Coca-Cola and PepsiCo disclosed their top sugar suppliers in an effort to increase transparency in their supply chains.

► **Evidence-based advocacy** plays a vital role in remedying land grabs through the protection of cultural minorities' land rights and the restitution of their land. It can be used to influence governments to repeal and replace unjust laws and to implement new laws for the benefit of cultural minorities. In **Bangladesh (C0040)**, **ALRD** worked with local communities and researchers to advocate for the repulsion of a discriminatory law and its replacement with a just and restitutive one, that recognises the land rights of cultural minorities. ALRD and its partners used research to support their advocacy work and assess for potential loopholes in the new law. Based on the studies they produced, the government passed further Statutory Instruments that assisted in speeding up the court cases lodged

by people enforcing their land rights. ALRD also contributed to the implementation of the new laws by supporting the setting up of new statutory bodies, tribunals and land committees tasked with ensuring the restitution process. Eventually 450,000 acres of titled land were returned to cultural minorities.

PROJECT DESIGN AND IMPLEMENTATION SUPPORT

► **Land rehabilitation and utilisation** strengthen community livelihoods and income and, as a consequence, improve resilience to land grabbing. Based on a preliminary needs assessment **ACAD (C0127)** has worked with the Beit Skarya community in the occupied territories of **Palestine** to prevent confiscation of their land by the Israeli government through land rehabilitation and utilisation. Women and young farmers were supported in the establishment of agricultural cooperatives. They received technical and vocational assistance in adding value to their farm produce so as to gain access to local markets. The strengthening of livelihoods and agribusiness capacities improved socio-economic conditions and incomes; contrasting emigration and land dispossession. In total 3 hectares of previously unused land were rehabilitated.

LEGAL ASSISTANCE, LEGAL EMPOWERMENT, AND ACCESS TO JUSTICE

► **Sustained legal action** and access to justice strengthen communities' ability to use the court system to defend their territories against land grabbing by social elites. In **Bangladesh**, CDA (**C0033** and **C0034**) mobilised local community members into Peoples' Organisations (POs) that worked to revert land to landless peasants. POs approached the District Court for relief, complementing this with a media and signature campaign to draw local and international attention to the case. 100 000 signatures were collected, in favour of reversion of their traditional (Khas) land to the communities. As a result, after twenty years of legal struggle, the court ruled in favour of the local communities and ordered the government to issue land titles to the landless peasants. 120 community members received land titles over 115 acres of land and 7 water bodies for collective management.

► **Legal empowerment** of scattered communities can strengthen their efforts to prevent land grabbing by powerful institutions. Local communities whose livelihoods depend on land sometimes lack knowledge of their land rights, leaving them susceptible to land grabbing. In **Cameroon**, the Catholic University of Cameroon was granted a Temporary Grant of

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Rights over 46 hectares, 38 acres and 98 metres of land by the Minister of State Property and Land Tenure. However, the University was claiming 300 hectares of the Mbororo Community land. **MBOSCUA (C0017)** worked with paralegals and lawyers to mobilise the community and to file a lawsuit against the University for illegal occupation of Mbororo Pastoralist Community land and against the Minister, challenging the legality of the Grant to the University. Prior to the intervention of MBOSCUA, the Mbororo were disorganised and likely to lose their land to investors and land grabbers. However, based on the understanding of their land rights, the Mbororo Community resisted bulldozers sent to evict them from their land, thus physically securing their ancestral land. In response, the University withdrew their claim for the land, reverting the entire 300 hectares of Mbororo community land.

▶ **Judicial review of administrative actions** is instrumental in enforcing indigenous peoples' land rights, and free, prior and informed consent (FPIC). Since indigenous peoples' land rights are inherited collective rights, there is a risk for governments to bypass the FPIC requirement and grant logging and mining concessions over land belonging to indigenous peoples. Judicial review in a regional court was used to hold the State accountable in **Suriname**. **FPP**, in partnership with the Association of Samaraka Authorities (ASA) **(C0004)** lodged a petition for the recognition of the land rights of the Saramaka Community, and their inclusion in the decision to grant mining and logging

rights in their community and commission the construction of a hydropower dam on their land. The Court ruled in their favour, ordering the State to delimit, demarcate and title land belonging to the Saramanka, and to seek their FPIC for any construction in their community.

USE OF MEDIA AND COMMUNICATION

▶ **Linking international and national media campaigns** through international tours and publication on the media can strengthen advocacy. It can draw attention to the violations of land rights of indigenous communities, and influence governments to intervene in land grabs. In **Guatemala**, **Oxfam Guatemala**, **Oxfam International**, and **Oxfam Intermón (Spain) (C0091)** worked with local NGOs to strengthen the visibility of their media campaigns against land grabbing affecting 769 families due to the expansion of biofuel agriculture.

Through coordination of a local and an international campaign, they created a campaign that challenged the Guatemalan Government to intervene and return titled land to 140 rural families.

▶ **Training journalists** can be the basis for a successful **media outreach campaign** that uses multiple media approaches. In **Malawi (C0083)**, **LandNet Malawi** first sensitised local

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journalists on the land rights of communities and the media's role in holding land grabbers accountable. For a practical experience, LandNet Malawi conducted field visits and media tours with the journalists. The media tour was used as a platform for the collection of information from the communities and for sensitising them about their land rights. The findings from the tour were used to draft a policy brief highlighting the need for new legislation that protects communities from land grabbers. Through the publication of their findings and the policy brief, LandNet Malawi was able to influence the government to intervene and pass new legislation for the protection of local communities' land rights from large scale monoculture investors.

ESTABLISHMENT AND STRENGTHENING OF LOCAL INSTITUTIONS

► Community mobilisation and formation of **Peasant Committees** (PCs) in local communities enhances the capacity of grassroots organisations and strengthens their ability to remedy land grabbing. In **Senegal**, (C0078) **CICODEV** worked with the Diokoul Ndaiwrigne rural community to challenge land grabbing by private investors and the administrative actions of the Rural Council that authorised a 400 hectare concession over land belonging to the community. CICODEV focused on capacity



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building and institutional strengthening so as to make the PCs able to enforce community land rights and hold the Rural Council accountable for failing to discharge their administrative duties. Through negotiations, the PCs and CICODEV managed to recover 350 hectares and compensation for the remaining 50 hectares.

► **Community Land Associations** (CLAs) can play a vital role in ensuring that mining and tourism investors are accountable to the local communities in which they operate. They ensure inclusive decision-making and the capacity for communities to claim fair compensation for land that is lost to mining and tourism companies. **ULA (C0043)** facilitated the formation and registration of 52 CLAs in **Uganda** to prevent and remedy land grabbing in the Karamoja area. ULA worked with the CLAs to strengthen their institutional capacity to negotiate with investors in order to recover community land. CLAs were instrumental in blocking a tourism company which fraudulently acquired land by forging signatures and negotiating fair compensation for 400 acres of community land occupied by a mining company without the consent of community members.

The ILC **Database of Good Practices** is organised around the **10 commitments for people-centred land governance**. The case studies in the Database provide concrete examples and guidance to the members and partners of ILC on how to achieve each of these commitments.