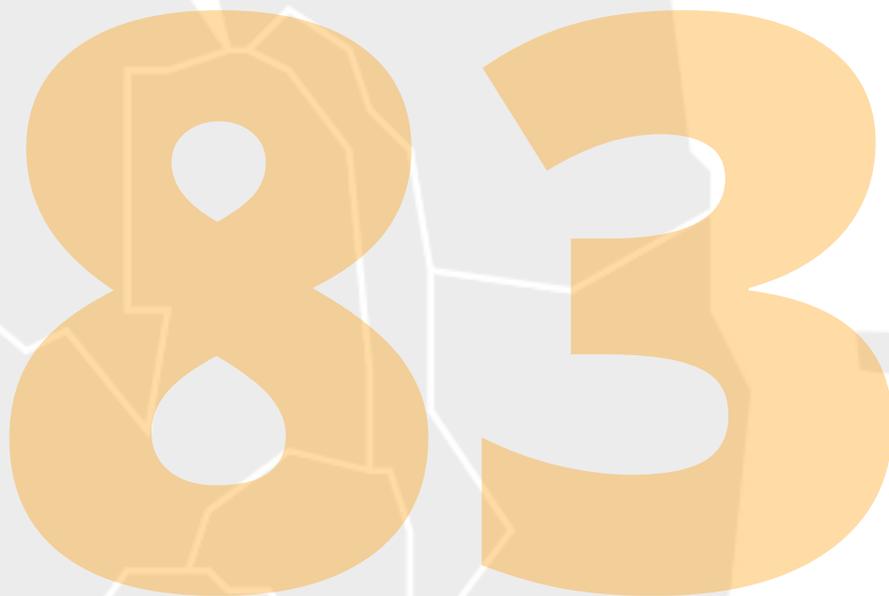


## CASE STUDY

Chikhwawa and Nkhotakota Districts, Malawi



# Media outreach campaign minimises land grabbing

In Chikhwawa and Nkhotakota Districts in Malawi, there have been grave reports of land grabbing and land related conflict, due to the expansion of sugarcane cultivation. LandNet Malawi, conducted a media campaign with journalists to raise awareness on these issues, which were reaching boiling point between 2010 and 2013, and successfully managed to raise awareness among the public, government and civil society on this matter, resulting in the minimisation of land grabbing and dispossession of inhabitants of their land.

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### PRINCIPAL ORGANISATIONS INVOLVED

LandNet Malawi

Eight media houses (The Nation, Daily times, Montfort Media, Maravi Post, Nyasatimes, Radio Maria, ZodiaK, Malawi News Agency)

### LOCATION

Chikhwawa and Nkhotakota Districts, Malawi

### TIMELINE

2013-2014

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### TARGET AUDIENCE

Communities, civil society, policy makers, governments

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### KEYWORDS

Land conflict, dispossession, awareness raising, information, sugarcane cultivation, local chiefs

INTERNATIONAL  
**LAND**  
COALITION

UNITED  
FOR LAND  
RIGHTS

**LandNet**  
Malawi

## GOOD PRACTICES

towards making land governance more people-centred

This case study is part of the ILC's Database of Good Practices, an initiative that documents and systematises ILC members and partners' experience in promoting people-centred land governance, as defined in the Antigua Declaration of the ILC Assembly of Members.

Further information at [www.landcoalition.org/what-we-do](http://www.landcoalition.org/what-we-do)

This case study supports people-centred land governance as it contributes to:

- Commitment 1**      Respect, protect and strengthen the land rights of women and men living in poverty
- Commitment 3**      Recognize and protect the diverse tenure and production systems upon which people's livelihoods depend
- Commitment 8**      Ensure transparency and accountability
- Commitment 9**      Prevent and remedy land grabbing

# Case description

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## Background issues

In 2009 the government of Malawi started promoting commercial agriculture and supporting the acquisition of land on behalf of investors interested in conducting large-scale farming. This took place profusely in areas such as the Chikhwawa and Nkhotakota districts along the Shire River and Lake Malawi respectively, whose soils are fertile and conducive particularly to sugarcane cultivation. As a result of this, pressure on land in these areas increased massively, leading to elites scrambling for land in these areas to benefit from financially (Gausi and Mlaka 2015).

This trickled down to the village level, and manifested itself in local chiefs using their power to grab land from members of their communities, and selling the land to investors and elites. This became a major problem as entire communities, in losing their land, lost their livelihood.

## Solution

LandNet Malawi collaborated with eight media houses - The Nation, Daily times, Montfort Media, Maravi Post, Nyasatimes, Radio Maria, ZodiaK, Malawi News Agency - to launch a media campaign and raise awareness nationally on this situation. Together, they visited the affected areas to hear the villagers' accounts with regards to what happened to their land, and also to find out what was being done in response to the challenges they were facing.

LandNet organised a media outreach campaign in Chikhwawa and Nkhotakota, where indigenous peoples living along the Shire River and along the shore of Lake Malawi were facing pressures on their land due to expanding commercial sugarcane farming. These communities were facing the dispossession of their land due to out-growers' associations coming through 'green belt' initiatives to promote large-scale commercial farming.

LandNet and its media partners made these stories public through radio and print media, and they began receiving much public attention and cause public uproar. Many of the village chiefs who were exposed in selling land belonging to the villagers to private investors, began to fear repercussions for the dispossession caused to villagers, often including women and children.

The media campaign was an effort to raise awareness on the injustices taking place due to the introduction of large-scale commercial farming in Malawi. However, they were not the solution to the problem. Legal reforms providing the protection of land for vulnerable communities are needed to effect change on the ground. Legislation that enshrines the titling of customary land of farmers is a pivotal step. Land laws have been proposed to address these issues, as well as to minimise the power of village chiefs over the administration of land, through the introduction of structures at the local authority level, such as a land committee, that ensure transparency and justice.

## Activities

This case study illustrates a positive intervention on behalf of the media in supporting the advocacy work towards more just land reforms. It recognises the important role of the media in pushing for a land reform agenda that is inclusive and protective of the rights of the most vulnerable against the interests of the most powerful, in contexts where often these rights are not respected. LandNet and its media partners embarked on a media campaign, which exposed the injustices committed by private investors in grabbing land belonging to economically and politically vulnerable communities. They exposed the role played by the government in facilitating land grabbing by investors, and perhaps most controversially, exposed the role played by village chiefs in taking advantage of vulnerable and unaware farmers and indigenous people inhabiting these areas. LandNet exposed that village chiefs were selling these communities' lands to investors and elites scrambling to get a hold of them, at a time of high demand for land.

LandNet's work in launching the media campaign to raise awareness on these injustices, took the following form:

- In mid-2014, LandNet received reports of alleged land grabs in Chikhwawa and Nkhotakota.
- On 16 March 2015, LandNet, through funding from the International Land Coalition, visited Chikhwawa, TA Ngowe, to raise awareness on land governance instruments. There was a common sentiment that people's rights within the area were being infringed by investors who sought to dispossess them of their land. The community appealed to LandNet to lobby for an expedited passing of new land bills, in an effort to serve as a safeguard for their tenure rights against exploitative investors.

- On 26 June 2015, again through funding from the International Land Coalition, LandNet visited Nkhotakota, TA Kafuzira, to raise awareness on land governance instruments. People expressed appreciation for the sensitisation on land governance frameworks. One participant admittedly stated he had not heard of the concept of “compensation” until that meeting.
- In June 2015, LandNet in partnership with PLAAS, the Institute for Poverty, Land and Agrarian Studies, published a policy brief that highlighted the plight of land grabbing in the districts of Chikwawa and Nkhotakota. This research study was informed by the interview conducted in the two districts that unearthed landlessness caused by large-scale land investments.
- On 17-20 May 2016, LandNet conducted a training workshop targeting the media on land governance instruments.
- On 23-28 May 2016, LandNet invited several media houses on a media tour that visited, among others, the districts of Chikwawa and Nkhotakota, where communities were interviewed on land dispossession and land grabbing.
- Following these media tours, a number of publications appeared in print and online media.

## Importance of the case for people-centred land governance

This case highlights the power of the media in exposing land rights’ violations and in being a tool to raise awareness of these violations within communities and throughout a country as a whole. The media can be an instrument through which people can reclaim their agency, and can successfully support people centred land governance by exposing injustices perpetrated by government, private investors and local traditional figures of authority such as village chiefs. Furthermore, the media campaign set in motion a process that supported changes in land tenure arrangements and land reform, promoted human dignity and wellbeing, poverty eradication, social justice and overall protection of human rights.

# Changes

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## Baseline

With the government encouraging commercial agriculture and supporting the acquisition of land for large-scale farming, communities like Nkhotakota and Chikwawa became affected by issues of land grabbing and the relevant loss of livelihoods.

Specifically, in Nkhotakota local chiefs (Kanyenda and Kafuzila) began using coercive methods and intimidation to force their people to accept the cultivation of sugarcane in their villages against their wishes. The chiefs mobilised the police to ensure the villagers’ compliance. Altercations between police and villagers turned violent as villagers

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“We are happy that this corrupt chief has been suspended as she made us slaves on our own land. This land was sold dubiously to foreigners without consultations but only telling us that it was the government which allocated it to green belt initiative although it was not the case.” - Muhammad Chingomanje, Concerned Citizen Grouping's Publicity Secretary at TA Bibikulunda

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physically resisted tractors entering their lands to plough for sugarcane cultivation. There were reports of deaths of some villagers.

Similarly in Chikhwawa, local chiefs sold villagers' land without their knowledge or authorisation. When the communities discovered their land, amounting to about 20,000 hectares, was in the process of being leased, they commenced legal battles against their village chiefs and the buyer.

No baseline survey was conducted prior to launching the media outreach campaign. However, the approach adopted was primarily to expose the effects of exploitative large scale land-based investments on affected communities.

## Achievements

The media campaign essentially highlighted a multi-layer process and revealed all the different actors' roles - national government, private commercial investors, local elites and village chiefs - in committing grave injustices on the populations living along the Shire River and on the Lake Malawi shore. LandNet used its expertise to train the media on how to report land related conflicts to garner the attention of policymakers as well as the wider public. The process of awareness raising initiated by LandNet and its partners, created such public indignation that it resulted in the proposal of new land legislation aiming to eliminate land dispossession of farmers in favour of large-scale commercial farming, and protect the land rights of indigenous women and men living in areas of high commercial land value.

The media campaign ushered in an investigation into the land grabs, initiated by the president of Malawi. This process resulted in the passing of four key new land laws in June and July 2016 that serve to safeguard tenure rights of smallholder farmers. The expansive media coverage called on government, policy makers and members of parliament to expedite the process of enacting the new land laws to mitigate the plight of smallholder farmers in the wake of a proliferation of large-scale investments.

In Nkhotakota district, following wide media coverage and community sensitisation on their tenure rights, affected smallholder farmers referred the land grabbing case to a court of law. The court ultimately ruled in favour of the smallholder farmers who have now resumed agricultural production on their parcels of land.

## Evidence

Mbwana, L. (2016) *Chiefs and DC's perpetuating land grabbing in rural Malawi*. The Malawi Post <http://www.maravipost.com/chiefs-dcs-perpetuating-land-grabbing-rural-malawi/>

Phiri, B. (2014) *Land tussle leaves villagers landless*. The Nation <http://mwnation.com/land-tussle-leaves-villagers-landless/>

Nyawa Times (2015) *Malawi investigates land grab report by multinationals* <http://www.nyasatimes.com/malawi-investigates-land-grab-report-by-multinationals/#sthash.3MJlKfeP.dpuf>

The Maravi Post (2015) *Landnet Malawi upbeat ahead of Land bill enactment in addressing land grabs* <http://www.maravipost.com/landnet-malawi-upbeat-ahead-of-land-bill-enactment-in-addressing-land-grabs/>

Kapoto, L. (2016) *LandNet grills Malawi govt officials on responsible land governance*. Nyasa Times <http://www.nyasatimes.com/landnet-grills-malawi-govt-officials-on-responsible-land-governance/#sthash.6qUf069l.dpuf>

Mpaka, C. (2016) *Irrigation displaces 14,000 Malawians*. The Times Group <http://www.times.mw/irrigation-displaces-14000-malawians/>

Mthawanji, D. (2016) *Banking hopes on new land law*. The Nation <http://mwnation.com/banking-hopes-on-new-land-law/>

Mzembe, N. (2016) *NGO campaigning for Malawi's 'infamous' land bill*. CapitalFm <http://www.capitalradiomalawi.com/news/item/6645-ngo-campaigning-for-malawi-s-infamous-new-land-bill>

# Lessons learned

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## Lessons for civil society

First of all, media is one of the best instruments to use for advocacy. Because of its far reach, it can help to change mind sets and perceptions of certain issues across social spheres.

Secondly, to maximise its impact, advocacy works best when there is a participatory approach integrated into it, where affected people speak for themselves about the challenges facing them and the solutions to these challenges. LandNet attributes the success of its media campaign in part also to the fact that it provided a platform for communities to voice their stories and impact the public directly.

Finally, civil society has a great responsibility to monitor the holders of power and their actions - government and its initiatives and practices - to ensure they do not result in victimising vulnerable people. As a result, media should be used in a sustained manner to monitor and report government actions and their effects on the public.

## Lessons for policy makers

It is important for government to realise the needs and aspirations of all segments of society - not just the wealthy and economically profitable segments. Governments have to be aware when their plans are in conflict with the needs of members of their society, specifically the economically marginalised and politically disregarded such as farmers and indigenous people, the communities least listened to.

Secondly, people holding positions of power such as positions in traditional authority, should ensure to be involved in transparent transactions with regards to land, as these have direct bearing on the communities they are intended to safeguard.

From the activities undertaken in Chikwawa and Nkhotakota that sought to raise awareness on land governance instruments, it became apparent that the problem was not necessarily that the people were docile but rather that they lacked the necessary

information. Once these communities were sensitised on both international and local land governance frameworks and encouraged to apply these frameworks to their everyday land transactions, they actively defended their rights.

In both Chikwawa and Nkhotakota, communities endeavoured to defend their tenure rights once they became enlightened about these rights. In Chikwawa, community members took the investor to court for land dispossession and ultimately won the case. In Nkhotakota, the community members confronted the Traditional Authority and demanded answers for the land grabbing that was facilitated by their chief.

The pertinent lessons from Chikwawa and Nkhotakota hinge on the active participation of communities in demanding and defending their rights. People were equipped with the relevant information and provided with the right platform (the media) to demand their tenure rights. They did not depend on civil society to actively defend the community members' rights, they did it on their own through the media.

## Challenges

LandNet encountered several challenges, among which being branded as an organisation causing "disturbance in the community". This was a claim on behalf of the traditional authority Kafuzila who reacted this way to LandNet's activities. Some of the journalists who covered the stories made public by LandNet on the media, received threats from the leader of this traditional authority. The traditional authority went on to say they would sue them for "bad publicity". They launched a complaint to government authorities and threatened the coordinator of LandNet to cease further advocacy activities related to land dispossession of farmers and indigenous people, as they attracted political interest, which would prove to be problematic as many of those involved in these transactions were politicians buying land from the chiefs.

In 2016, LandNet conducted a regional sensitisation meeting on international and land governance frameworks for district commissioners. The District Commissioner (DC) and Director of Planning and Development (DPD) from Nkhotakota were deliberately invited to these meetings in an effort to restore a semblance of collaboration between LandNet and the Nkhotakota District Commissioner's office. At this meeting LandNet clarified its role as a civil society organisation in mitigating land conflicts perpetuated by land grabs. During this meeting, LandNet dialogued with the various district commissioners including those of Nkhotakota, and highlighted the importance of collaboration and support between their offices and LandNet. Following this meeting, both Nkhotakota and Chikwawa have welcomed other land governance projects being implemented by LandNet.

Another key challenge was concerning access to justice on behalf of the affected people. It was difficult to provide the affected communities with legal support to protect their land, as LandNet simply lacked capacity to do so.

## Follow-up

Some organisations such as the Centre for Human Rights and Rehabilitation (CHRR) and the Centre for the Development of People (CEDEP) are supporting the community in Chikwawa in accessing legal representation as they continue to fight for their land

rights and reclaim their lands. These follow-up activities are on-going and are having positive results.

# Supporting material

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## References and further reading

Mlaka, E., Kmfunda-Mthunzi, F. and Chihana, T. (2014) *Media Outreach Campaign Minimises Land Grabbing*. LandNet Malawi.

Gausi, J. and Mlaka, E. (2015) *Land Governance in Malawi: Lessons from large-scale Acquisitions*. Policy Brief 40. Institute for Poverty, Land and Agrarian Studies  
[http://www.plaas.org.za/sites/default/files/publications-pdf/PLAAS\\_ADC%20policy%20brief\\_Malawi\\_Web.pdf](http://www.plaas.org.za/sites/default/files/publications-pdf/PLAAS_ADC%20policy%20brief_Malawi_Web.pdf)

## Photos, videos

LandNet Documentary on Land Grabbing (2015)  
<https://www.youtube.com/watch?v=WAgY52VKD-I>

**Picture 1** - Land rights awareness raising campaign - media tour - National Engagement Strategy facilitator Joseph Gausi addressing the community of Nkhotakota on land rights



Photo: LandNet Malawi

Picture 2 - Journalist from Times and National newspaper interviewing Traditional Authority Maganga



Photo: LandNet Malawi

Picture 3 - Land rights awareness raising campaign - One of the participants explaining how their life were affected by sugarcane growers in Nkhotakota district



Photo: LandNet Malawi

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**ILC** is a global alliance of civil society and intergovernmental organisations working together to put people at the centre of land governance. The shared goal of ILC's 207 members is to realise land governance for and with people at country level, responding to the needs and protecting the rights of women, men and communities who live on and from the land.

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