

NATIONAL ASSOCIATION OF PROFESSIONAL ENVIRONMENTALISTS (NAPE)

“Summary account of Land Acquisition Dynamics in the Global South “

National Association of Professional Environmentalists (NAPE) is a national environmental advocacy and lobby Nongovernmental Organization (NGO) that was formed in 1997, registered in 2003 and works on a series of environmental and human rights challenges that negatively impact on communities' social economic development in a number of ways. The organization employs “a rights Based Approach” and her National lobby efforts are anchored on lobbying government to re-think and re-consider its approach towards Uganda's sustainable development.

The government for the past 20 years has fronted Foreign direct Investment and industrialization as an engine of growth for propelling Uganda into social economic transformation but this has come along with challenges of gross environmental and human rights abuse, food insecurity, climate change disasters, community displacements, Sexual and Gender Based Violence (SGBV) all related to the Land acquisition question. Cries and Stories of resistance from affected communities, action oriented researchers, community based reporters and leaders in various NAPE operational areas leave the following questions unanswered;

1. Where will this land grabbing communities are experiencing now end and how will the future look like in Africa and Uganda in particular?
2. Who should take responsibility of this land theft? Foreign corporates? Foreign governments. Home based governments? And how will they pay for it??
3. Shouldn't the culprits of this community land theft which is criminal in nature not be tried in international criminal courts /land tribunals?
4. After all community land has been grabbed, who will take the responsibility of providing these helpless landless people with food, shelter, waer, medicine, clothings, education and other basic services/needs? Should they be left to be refugees in their own country or they become servitudes and slaves for the corporates and their financiers?
5. Where do we leave women, girls, children, people living with disabilities, the elderly and other people living with chronic diseases in this saga after their land has been stolen?



NAPE Executive Director Frank Muramuzi, board members and senior staff at a community Based mission to assessing Land grabs in Hoima . January, 2024

LAND, DEVELOPMENT AND COMPENSATION

Richard Mugisha

Land grabbing has a long history everywhere on the African continent. The moral of development as we know it does not solve this problem, neither does the principle of individual rights. Land security depends more on strengthening Africa's sovereignty.

The writer first sketches land acquisition in select African countries as a way of giving a context to the problem we are faced with at continental level. These examples outline the popular conflicts of opinion between international corporations, African elite agents and very poor African populations. This is followed by a simple outline of the problem of development in relation to land. The writer suggests that individual land rights are limited in guaranteeing land for all the population. Beyond development, he then considers compensation to be about political, economic and cultural struggles that set African territories free and thus reduce the current general misery of land grabbing. This means that there must be true national independence where culture-specific rules and regulations of managing land are given first priority. The role of a federation is discussed as a way of allowing customary rules to govern each unit in a bigger (federated) society.

Land is a foundation of national independence or sovereignty for the natives of a modern African country. The developed world has a long-standing attitude of not respecting the idea that Africans should own land and use it according to African egalitarian principles. The current interest in Africa's land however goes back only a little less than two decades or shortly before the so-called 2008-2009 'credit crunch' that was preceded by the food crisis of 2007. These related 2007 and 2008 events destroyed America's financial sector and its real economy and then spread to the rest of the developed world. This essay discusses the international rush for Africa's farmlands as a way of solving the problem of food prices spike that resulted from that crisis. Many foreign investors are 'sinking' their money into Africa's land to protect their wealth because of the general financial collapse but this essay dwells more on land acquisition for large-scale food production for export.



Signing in Darkness – “A community Member showing how she was cheated off her land in Buliisa by Oil companies after signing land acquisition documents for the Buliisa based feeder oil pipelines she did not understand”.

“The Consent form has a disclaimer “This Consent form is made in compliance with the requirements to secure the consent of the land owners under section 135 of the Petroleum Act. It shall be signed by the landlord only as evidence of such mandatory consent .It is not and must not be taken as notice of intended use, acquisition or purchase of the described land by TEBU nor does it entitle the land owner to any payment or form of compensation .Any such claim based primarily on endorsement of this consent shall be disregarded”

“Such documents have been used by oil corporate and other land grabbers to illegally acquire land of oil host communities without Pay –Violating Article 26 of the Uganda constitution that gives the land owner exclusive rights over his or her land until adequate compensation is paid”.



Communities who have lost land over the EACOP project narrate their painful experience with Community Green radio Journalists let by Precious Naturinda-June 2024.



Stop EACOP”, “Find climate solution not destruction”, “Respect our rights”, Need for safe water, and Invest in our future”

Project Affected People (PAPs) for the Kingfisher Feeder pipeline Line Project- subcontracted to Daqing Oilfield Construction Group Limited, by the Chinese National Offshore Oil company (CINOOC) to undertake the construction of the

crucial feeder pipeline from the Kingfisher Oilfield to the export delivery point demand for climate Justice in the face of Environmental injustices caused by Oil and gas Developments In Kikuube District.-May 2024.

<https://www.independent.co.ug/kikuube-residents-strike-against-chinese-company/>

Africa's Idle land

Adventiono Banjwa

The notion of Idle land in Africa has a long history in colonialism, today it subjects the state to commercialization and it goes beyond the physical grabs to knowledge loss of the victims.

Banjwa thinks through the idea of “idle land”, an idea that is common among largescale agricultural investment and state actors when it comes to acquisition of land for development in the global South. The idea that Africa and much of the global South has too much ‘idle’ but highly productive land has continuously attracted investors who claim they can put it to productive use for the benefit of local people. In its current form, such land is often defined as ‘waste-land’, ‘idle land’ and ‘unused land’ among other descriptors. Well-documented cases of displacement of communities through land grabs by armed state agencies make it clear that such lands have never been ‘idle’. What is not clear however, and of core interest to this essay, is why states, corporations and international financiers continue to talk of idle land when referring to most arable lands in the global South. Banjwa makes three core arguments in the chapter.

First, he argues that the notion of idle land goes back in history, and has been used to serve different political and economic objectives in modern times. Thus, this notion of idle land is more of political idlization; and Banjwa argues

that, looking back, it is colonialism that defined ‘idle land’ as we know it today.

Second, he argues that today, in the era of dominant market and privatization economics across the world, political idlization is used to justify more unfair land market and privatization through land grabbing. Today, ‘land talk’ reveals and strengthens the alliance between the post-independence African state and global market forces all subsumed in the African state whereby not only the remotest piece of land is dragged into the market but the state itself is subject to being privatized and made to function like a market. Examples: ‘state capture’ and ‘demand-driven services approach’

Finally, Banjwa argues that the extent of political idlization, under the current market principles, can be understood to have peaked even in the field of knowledge. Now this takes our understanding of how the market culture has affected historically diverse, dynamic, context-specific and generally none-marketizable ways of traditional knowing related to land and its use in the Global South. Banjwa therefore, as a scholar of decolonization, proposes that land grabbing or ‘displacement’ should be understood not only as a physical factor, as it is commonly understood, but as a double-edged problem that far-reaching consequences for the knowledge of victims.

Uganda: Women, Land and patriarchy

Theresa Auma

The arguments that customary land tenure should be abolished because it is patriarchal and denies women's rights, that women should be incorporated into commercialized land tenure systems is more rhetoric than reality.

The Constitution of the Republic of Uganda 1995 (as amended), recognizes customary land ownership as a form of land tenure among others namely, Mailo, Freehold and Leasehold systems. On the other hand, Women's Movement in Uganda has been involved in a heated debate, on customary practices and land tenure, arguing that it does not allow women to own land. This argument started during the writing of the 1998

Land Act and has been going on throughout the subsequent amendments in 2000, 2004 and 2010. As their contribution towards ensuring that the legal framework in Uganda protects women's land rights, the Women's Movement working within the context of Civil Society Organizations (CSOs) called for the abolition of customary land tenure, arguing that it is patriarchal by its customary nature and will not support wom-

en's right to land, and proposed that the 1998 Land Act includes clauses that allow women to co-own land with their husbands and/or own land individually. While the 1998 reform process provided an impetus for the movement to argue for women's access rights to land, it was also a turning point for the promotion of commodification (through individual holdings, markets and investments) of land, which this paper argues has had more negative

consequences for women's rights to land than what is suggested in the rhetoric of patriarchy, hence discrimination, against women rights under customary land tenure. The paper therefore calls for an examination of the extent to which the emergence of market forces has actually hindered women's right to land.



"NAPE, Rosa Luxemburg team with Corneille the Germany Member of Parliament on a field mission in the oil communities. ROSA supports to boost food security in the face of Oil induced land grabs"



Women demonstrating in Bugoma forest against Hoima Sugar Limited



The oil Central Processing Facility (CPF) plant constructed on Uduku 2 and Kasenyi villages –Gwedo community land that displaced more than 640 community residents from 5 villages –Buliisa District".

South Africa: Time to change approaches to land

South Africa once favored white minority ownership over black majority landless; the current inclusion favors black middle-class farmers leaving out majority of poor South Africans. It is time for collective access for all.

South Africa is one of the most unequal countries in the world, and this is the consequence of colonial and apartheid-era race-based property laws that transferred 80% of the land to the white minority who make up only 10% of the population. Blacks make up 90% of the population but they had to make do with the remaining 20%. After winning the country's first democratic elections in 1994, the African National Congress vowed to quickly correct the injustice of unequal land ownership as well as the legacy of poverty, inequality and unemployment among black South Africans. A plethora of programs has since been implemented to advance the transformation agenda with moderate success. The slow pace of reform is due mainly to underinvestment, constant chopping and changing

of programs between presidential terms and an overly-narrow focus on creating a class of black large-scale commercial farmers while neglecting millions of food-insecure blacks – especially women, many of whom already farm for subsistence. – As long as this persists, the clamor for land by blacks will only grow louder. The urgency of climate change has further complicated this picture with unprecedented droughts, rainfall and sweltering heat affecting parts of the country in the last few years. In this essay, we posit that it is time to review what land and development means, especially in the context of climate change. We posit that the urgency of a South African social contract based on access to universal basic services (land, roads, hospitals, schools, internet, community leisure facilities, mass transit...) requires quick action on the part of the government.

Acquisition and politics of climate change

Muhammed Lunyango

The crisis of 2008 added a new twist to old capitalist land grabbing. Not only land can be grabbed – forests, green cover and the atmosphere can also be grabbed. Climate change adaptation and mitigation has been used to devastate communities and the environment in West Africa.

The 2007-2008 crisis is argued to have affected the world and especially the global north and some countries in the middle East. Countries with capital but limited land and those with huge populations but uncertain food futures are likely at the fore front of looking for alternative places to invest. Food-importing countries with land and water shortage but rich in capital, such as the Gulf States, are leading investors farmland abroad. In a bid to get alternative pathways to food production, these countries are forced into what has been termed as land use displacement. The food crisis however, did not start land grabbing, the crisis just provided a new dynamic and a sound justification since land grabbing is as old as the capitalist system. Land grabbing is part of the larger global capitalist

project and global powers have put a lot of pressure on African governments to allow large-scale land acquisition against the will and interest of their own people. It is documented that grabbing keeps on changing targets, especially when the assets being grabbed are challenged in one way or another, new resources are taken on. Here, other formerly untouched resources like green cover and the atmosphere may become new targets.

In this sense the concept of green grabs means that what may be acquired is not just the soil but also the forests, and recently, water and the atmosphere. This essay draws on existing literature to show that land grabbing has adopted a language of climate change such as 'climate change adaptation and mitigation.' Indeed, some mitigation and adaptation strategies like wind farms and bio fuels end up securing land, including forests, for simple commercial interests. After 2008, investors flocked to Africa in

search of land for large-scale agriculture and industrialization. These are supported and funded by the International Financial Institutions like the IMF and World Bank, and of recent **Smart Agriculture**. This wave is life in West Africa where **SOCFIN**, a palm oil company, following this logic and financial support, made its way to these countries including Sierra Leone. Its activities there have had devastat-

ing effects on communities, the environment and on climate. Adaptation and mitigation measures that have been established to deal with climate change, have instead ended up fueling land grabbing and exacerbating the suffering of people in the hands of an alliance between global capital and the local state.

Senegal: Grappling with Africa's resource extraction

Ibrahima Thiam & Roland Kwain Ngam

Africa must not continue exporting its rich natural resources at the expense of the environment while at the same time keeping its population poor. It should suspend this export and develop the industrial and political capacities for the benefit of its population first.

The author invites us to ask ourselves if resource extraction really leads to Africa's development. The author questions the benefits from the continent's underground resources have been and whether these benefits have been worth the environmental destruction that goes with the extraction. Using the example of Senegal, he puts these questions thus: In a country where the per capita income does not exceed \$1640, where the poverty rate, despite all the economic efforts made since independence (1960), cannot adequately meet social demand, and young people, who account for more than 60 percent of the population, seek greener pastures through illegal and risky immigration by journeying across the Mediterranean into Europe and the Atlantic to the Americas; where agriculture, which employs 70 percent of the population, is unable to guarantee food self-sufficiency; where the unemployment rate has reached 21 or even more; and where economic policy is subject to the austerity policies imposed by international financial institutions such as the World Bank

and the International Monetary Fund (IMF), would calling for a halt to exploiting our resources be judged as suicidal? The author then asserts that throughout Africa, 'there is no country that we can honestly point to and say that they have used their resources to develop in a sustainable and proper manner.' He does not suggest that Africa's natural resources are a curse, he rather emphasizes the good management of the resources for the continent's economic growth. On this basis, he suggests that this oldest continent should rather focus on unlocking renewable energy potential, meanwhile preserving the resources until they are ready for proper management? Instead of maintaining the continent's unprocessed export paradigm 'forever'. Increased beneficiation for local use before export is proper and preferable, which effectively means Africa refraining from exploiting its resources until it is ready.



Kasemene, Gunya, Jobi, Mpyo Oil wells on L. Albert and deep in Murchison falls National park -Buliisa and Nwoya districts threaten the Lake Albert and River Nile ecosystem