

**Understanding how local community participation and
FPIC norms function in the context of land acquisition for
agricultural investment in Ethiopia: Insights for responsible
land governance**

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PRESENTATION OUTLINE

- Introduction: Background and Context
- Local community participation & FPIC : Conceptual and empirical contexts
- Research Method and Materials
- Findings and Discussion
- Final remark and Policy implications
- Take away message

1. BACKGROUND AND CONTEXT

Map of Ethiopia

- Ethiopia's economy and the livelihoods of its population are highly dependent on agriculture
 - Long history of agricultural practices and endowed with abundant natural resources
 - Out of the total land area /111.5million ha/ of the country about 74.3 million hectares is suitable for agriculture (MoA, 2009).
- However, the sector is still in its traditional and subsistence form
- GOE has identified LSAI as a Key priority intervention area for national development
 - Strategic plans endorsed since 1990s consecutively
 - ADLI – economic development strategy – 1995
 - GTP I and GTPII (2010/11 -2019/20)
 - Homegrown economic reform plan (2021-2030)

- As part of the government's commitment :
 - large tracts of land (above 3.5m ha) suitable for LSAI all over the country is identified and available in the landbank
 - approx. 2.4 m ha of land has already been allocated to approx. 6.000 both to foreign and local investors
 - The government has been also offering incentive schemes such as tax exemption for investors
- Understanding the importance of the sector and the challenges associated to the implementation of LSAI, GIZ has been implementing a program – S2RAI & II in Ethiopia to support Land Governance practices in the implementation of AI in the three regional states.

- One of the primary principles of responsible and substantial agricultural investment is local community participation and obtaining FPIC
 - Free, prior, and informed consent from local community members affected by land acquisition decisions as a means to ensure the sustainability of the agricultural investment project.
- However, little research has been conducted on how community participation and consent norms function in the context of land acquisition in Ethiopia.
 - This study, therefore, aims to offer an analytical understanding of how local community participation and FPIC norms function in the process of land acquisition for agricultural investment.

2. LOCAL COMMUNITY PARTICIPATION AND FPIC AS FOUNDING PRINCIPLE OF RESPONSIBLE LAND GOVERNANCE: CONCEPTUAL AND EMPIRICAL CONTEXTS

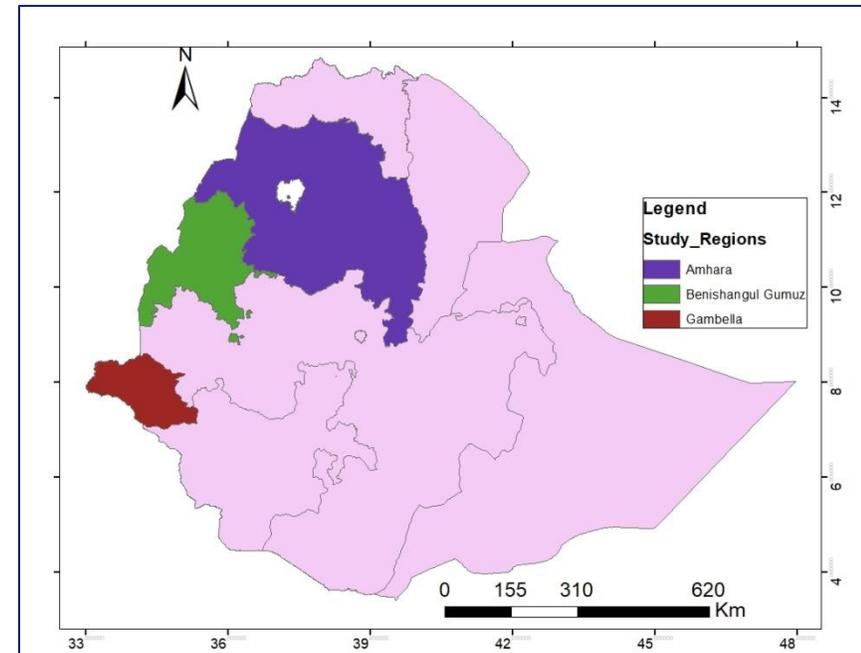
- Both Local community participation and FPIC, are considered as founding principles of responsible land governance
- Responsible Governance land is acting responsibly or desirably from a social, economic, and environmental
- FPIC as a tool to realize RLG fundamentally emphasized on how **to protect the land rights and other interests of the local community.**
 - gaining local communities' consent ([Franco, 2014](#)).
 - tool for empowering local people and ensuring full and effective participation in decisions that affect their land resources and livelihoods ([Giupponi, 2018](#))
 - crucial for inclusivity and collaboration in land development projects ([Zevenbergen et al., 2015](#)),
 - It is also about encouraging shared responsibilities and disseminating information to elevate public discourse ([Vries and Chigbu, 2017](#)).

3. LOCAL COMMUNITY PARTICIPATION AND FPIC IN THE NATIONAL LEGAL AND POLICY CONTEXT OF ETHIOPIA

- Various legal and policy frameworks have been endorsed by GoE to recognize and create an enabling environment for community participation
 - Citizens have the right to participate in the national development agenda ([FDRE, 1995](#)), article 43(2)
 - Due attention given to community participation is also given to other legal and policy frameworks
 - Expropriation proc. (FDRE, 2019), according to Art 4(4), community participation is considered as a primary principle of expropriation
 - Drafted the Social and Environmental Code of Practice (SECoP)
 - Land administration and Use proclamation and other legal frameworks
 - *However, there are concerns in Ethiopia about how community involvement norms and requirements are being put into practice, particularly when land is being acquired for agricultural investments.*

4. RESEARCH METHOD AND MATERIALS

- A mixed and descriptive research approach, using both qualitative and quantitative data, was employed to achieve the purpose of this study
- Both primary sources and secondary sources of data used
- The study covers three project regions
 - **Gamblla RS, BG RS & Amhara RS**



5. LOCAL COMMUNITY PARTICIPATION AND INFORMED CONSENT IN PRACTICE

- **Local communities as right-holders are expected to be placed at the center of planning and decision-making and allowed to define their priorities in meaningful and self-determined ways.**
- The trend of community participation and consultation in the core processes of large-scale agricultural investment.
 - Land identification and verification,
 - environmental impact assessment,
 - business plan preparation and approval are the key activities that need community engagement and consent.

5.1. LAND IDENTIFICATION AND TRENDS OF LOCAL COMMUNITY PARTICIPATION PRACTICE

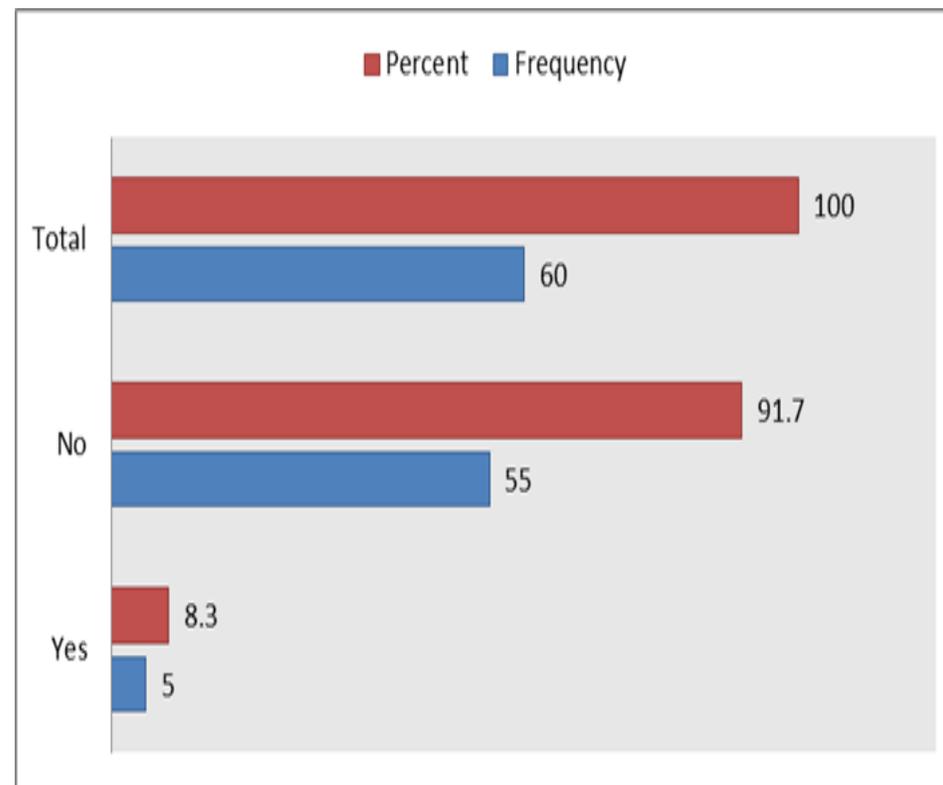
- Land identification and verification as a key activity
 - But about 91.7% of the local community representatives reported that they have never participated and been consulted in the process
 - they also added that the decisions were made only by the government officials.
 - very little emphasis was given to consulting the local community about the availability and suitability of land
- Discussants in FGD and key informants confirmed in a similar way

Table 1: Did you get the opportunity to take part and express your opinions about availability and suitability of land for agricultural investment?

Responses		Percent
	Yes	8.3
	No	91.7
	Total	100.0

- Prior information disclosure about the type of investment, the required land for it, and investor operations including lease/contract terms and other issues related to agricultural investment (FAO, 2016).
 - important for community-level consensus about the new investment;
 - to give or withhold consent and to negotiate the conditions under which the project will be designed;

Figure 2: Attempts to obtain prior consent from local community



5.2. THE TREND OF PUBLIC DISPLAY AS PLATFORM FOR COMMUNITY PARTICIPATION AND CONSENT

- According to the Ethiopian investment directive, the identification of potential land for investment needs to be supported by a map or sketch
 - *Good international experiences also show that the draft map with all details needs to be displayed in a public place for comment*
- But this assessment study shows that the practice of is completely top-down, and the chance to get views and comments from the local community and other stakeholders' is almost non-existent.
 - no experience of posting maps or sketches at a public place.
 - the concept is new and it has never been done in the study areas

5.3.BUSINESS PLAN AND EAI PREPARATION & LOCAL COMMUNITY PARTICIPATION IN THE PROCESS

- To obtain land and to enter into a land lease contract, an investor has to secure an investment license, provide a business/project proposal and EIA document

Business plan is a guide that enables the investor and the community to get benefits out of it.

- the feasibility of the business shall be evaluated by all stakeholders
- But the local community representatives involved in the questionnaire survey have reflected that they have never seen a forum/workshop organized to present the business plan to the local community
- Similarly EIA studies have never been presented and shared

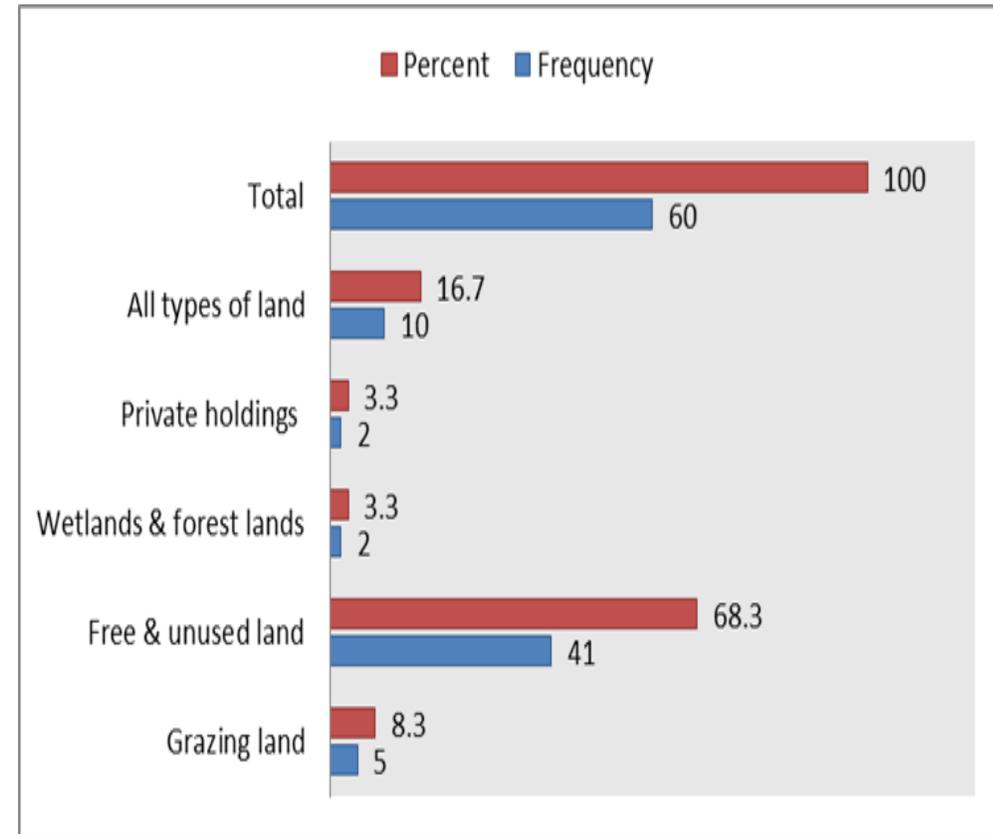
Similarly, FGD discussants and KI commented that EIA is presented by the investor after agricultural land has acquired and it does not have any impact.

- Majority of investors have been undertaking agricultural investment without conducting actual EIA.
- Many investors prepare EIA documents without considering the realities and the context.

Specially in Gambella and BG Rs large tracts of land has been transferred to investors without knowing investors financial and technical capacity

5.4. CONTROVERSIES ON THE PRINCIPLE OF UNUTILIZED OR UNOCCUPIED LAND AND CONFLICTS WITH THE LOCAL COMMUNITY INTERESTS

- The basic underlying principle of the land identification process exclusively relies on the **hitherto unutilized or unoccupied land**
 - But the practice shows that the principle of transferring free and unutilized land to investors seems not fully respected
- all types of land have been transferred to investors: **grazing, hunting ground, shifting cultivation**



5.5. LOCAL COMMUNITY - INVESTOR RELATIONSHIP

- There is a wider feeling within the local community that investment projects have contributed nothing to the betterment of their livelihood
 - The majority of the investors are not welcomed by the local community
 - There are instances of conflicts between the local community and investors.
 - investors' failure to stick to the promises they made
 - involvement of investors in illegal or uncontrolled occupation of grazing and forest lands,
 - boundary conflict between investors and neighboring smallholders,
 - blockage of road access of the community by investors
 - the absence of adequate and continuous dialogue and engagement between local community and investors

6.1. FINAL REMARKS AND POLICY IMPLICATIONS

6.1. *Final Remarks*

The status of the implementation of RAI principles in Ethiopia is assessed

- The study shows the implementation of agricultural investments in the study areas failed to place local community interests and rights at the center of the development planning and decision-making process
 - Land identification and transfer to the investors has been largely top-down
 - limitations to obtain FPIC, and public display practices
 - the principle of transferring free and unutilized land for investors is not fully respected
 - It largely has not been guided by a land use plan and suitability study
 - Local community–investor relationship is not as expected and promised
- The practice of land acquisition largely failed to operate in accordance with the international and national norms of responsible land governance

6.2. POLICY IMPLICATIONS

Policy implications :

- Sensitization and Promotion of Responsible Land Governance principles and guidelines to the implementing agencies
 - Organizing and facilitating continuous awareness creation trainings
 - *Empowering the local community*
- Incorporating VGGT-RAI principles in the national and regional legal and policy frameworks, as well as in the recruitment/ evaluation criteria of investment projects
- Address political decision-makers via policy briefs and familiarization programs

TAKE AWAY MESSAGE

- **Future Research attention and area of collaboration :**
- **Responsible Land Governance, Climate Resilience and Societal Transformation in Ethiopia**
- **Responsible Land Governance – inclusive and participatory Peri-urbanization**

Thank you