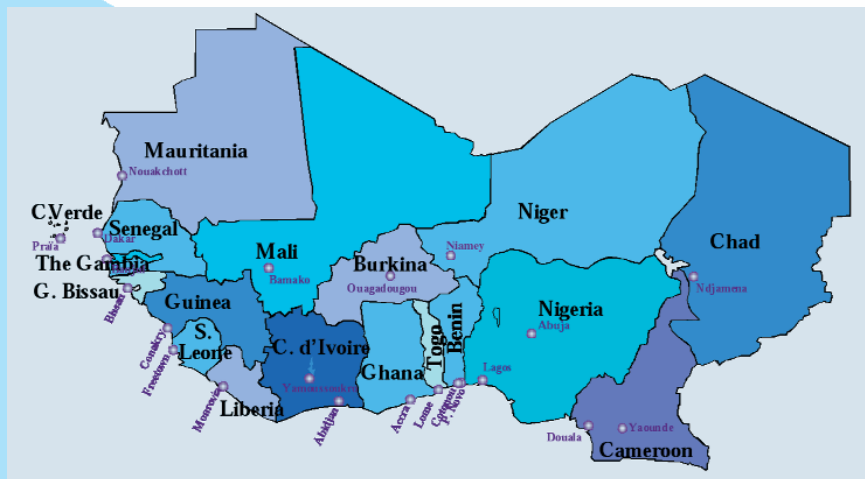


Land, agricultural change and conflict in West Africa:
Historical review to contribute to future debate and action



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THE SWAC'S AGRICULTURAL TRANSFORMATION AND SUSTAINABLE DEVELOPMENT UNIT HAS LAUNCHED ANALYTICAL AND CONSULTATIVE WORK ON LAND, AGRICULTURAL CHANGE AND CONFLICT IN WEST AFRICA. THIS WORK EXAMINES THE EXPERIENCES OF SIERRA LEONE, LIBERIA AND CÔTE D'IVOIRE AS AN ENTRY POINT TO HELP IDENTIFY REGIONAL ISSUES, POLICIES AND APPROACHES TO ADDRESS LAND AND CONFLICT ISSUES IN WEST AFRICA. THE SWAC AND ITS REGIONAL PARTNERS CONSIDER LAND, AGRICULTURAL CHANGE AND CONFLICT AS STRATEGIC ISSUES FOR ACTION IN WEST AFRICA OVER THE MEDIUM- AND LONG-TERM AND WILL WORK TOGETHER IN BRINGING THIS AGENDA FORWARD.

INTRODUCTION

The Agricultural Transformation and Sustainable Development (ATSD) Unit's approach takes into account the complex transformation processes occurring in West African economies and societies to identify opportunities, challenges and risks linked to the dynamics of agricultural change.

Four priority areas of work have been identified in order to address these issues within the ATSD Unit's Work Programme for the coming years.¹ The Initiative on "**Land, Agricultural Change and Conflict in West Africa: Regional Issues from Sierra Leone, Liberia and Côte d'Ivoire**" is one priority area and was launched in March 2005.²

This work is part of the overall SWAC work plan which aims to foster initiatives to answer the following question: **Where and how will the approximately 430 million West Africans live in 2020?** As 55% of the region's population is on average under 20 years of age, population and inter-generational issues are fundamental.

Numerous international events on key challenges in West Africa have emphasised the importance of tackling land issues, particularly natural resources conflict, equitable access and use rights for vulnerable groups³, and the need to deepen understanding of the relationship between these issues and the dynamics of agricultural transformation.

¹ See the 2005-2007 Unit's work programme at: www.oecd.org/sah/agritransformation.

² See full Outline of the Initiative at: www.oecd.org/sah/agritransformation. The Initiative was launched under the supervision of Karim Hussein, former Head of the SWAC's Agricultural Transformation and Sustainable Development Unit, and Donata Gnisci, Conflict Analyst, SWAC Secretariat (contact: donata.gnisci@oecd.org).

³ Small family farms, women, the youth and migrants, etc.

Key events include: the "Praia + 9: Rural Land Tenure and Sustainable Development in the Sahel and West Africa" Forum (organised by the CILSS in Bamako, November 2003); the "Land, Conflict and Development: What role for donors?" meeting (OECD / USAID, Paris, June 2003); the conference on "Land in Africa: Market Asset or Livelihood Security?" (IIED, Royal African Society and Natural Resources Institute, November 2004); and the Bamako meeting coordinated by ECOWAS on implementing the NEPAD agriculture strategy in West Africa (March 2005).⁴

The SWAC's work on agricultural transformation and conflict dynamics has highlighted the complexity of land issues and importance of deep and conflicting interests between actors.⁵ This work included the following activities:

- ✓ The international seminar on "Conflict and Development Policy in Mano River countries and Côte d'Ivoire: Regional Stakes for Stability and Reconstruction" (Paris, May 2003);
- ✓ The analytical and consultative work in 2002-3 on the role of family farms in agricultural transformation;
- ✓ The regional workshop on "The Transformation of West African Agriculture: Towards New Partnerships for Agricultural Innovation" (Ouagadougou, June 2004).

FOCUS, OBJECTIVES AND PROCESS

Based on this work and issues raised by West African experts and actors, the SWAC Secretariat developed this Initiative which is set out in two phases.

⁴ International Institute for Environment and Development (IIED); New Partnership for Africa's Development (NEPAD); Organisation for Economic Co-operation and Development (OECD); United States Aid Agency (USAID).

⁵ This is a factor in the delay in action to tackle underlying problems related to land at the local, national and, particularly, regional levels.

The first phase combines an analytical focus on Sierra Leone, Liberia and Côte d'Ivoire, where local, national and regional conflict dynamics are closely interlinked, with consultation on and review of West Africa-wide land reform processes. It aims to:

- ✓ Deepen the understanding of the relationships between the dynamics of agricultural change, agrarian relations,⁶ land and conflict.
- ✓ Develop proposals to feed into debate on regional agricultural, natural resource management and land tenure policies in partnership with key regional actors and organisations.

The first phase is composed of **three complementary pillars**:

1. A **Historical Overview** of the place of land in conflict in Sierra Leone, Liberia and Côte d'Ivoire. This focuses on the core mechanisms that provoke or perpetuate tensions over land and natural resource management within the three countries, and their implications for rural change, rural development and peace at the regional level.⁷
2. A **survey** of West Africa-wide initiatives, programmes and experiences supported by bilateral and multilateral development partners concerning land reform and land-related conflict in the region.
3. A **Review** of regional initiatives to address land issues and land reform in West Africa to highlight strengths and weaknesses and begin identifying regional synergies. This review involves close collaboration with LandNet, the West African regional network on land issues.

The process will involve on-going consultation and exchange between field-level actors in the three countries, experts and decision-makers involved in land issues in the rest of the West Africa region, and OECD experts and officials interested in land, agricultural change and conflict in West Africa. ECOWAS, the CILSS, the WAEMU and ROPPA (the SWAC's main strategic partners in West Africa), as well as the

⁶ The term "agrarian" refers to societal systems based primarily on capitalising on agriculture, taking into account the power structures and relations between people that determine how productive factors located in rural areas can be accessed, and for which purpose.

⁷ The historical overview is being implemented by key experts on land and agricultural change in West Africa with assistance from local experts from each of the countries. The international specialists are: Paul Richards, Wageningen Agricultural University, The Netherlands and Jean-Pierre Chauveau, IRD, France.

FAO, OECD Directorates and Networks (e.g. the ENVIRONET and Conflict Peace and Development Co-operation Networks) and LandNet will be regularly informed and consulted regarding key stages and outputs of the Initiative.⁸

Based on the results of the first phase, and depending on availability of funds and sufficient demand from regional partners, a **second phase** is foreseen. This would be undertaken in close collaboration with regional organisations, e.g. ECOWAS and the CILSS. The second phase might concentrate on promoting a regional debate to identify principles and frameworks for coherent land reform processes which build subsidiarity between rules, regulations, practices and institutions at the local, national and regional levels.

LAND AND CONFLICT ISSUES IN WEST AFRICA

Five sets of issues and questions are at the heart of this SWAC Initiative.

1. Land is a key factor in agricultural transformation in West Africa. Secure and equitable access to land is fundamental for producers to obtain credit and access innovation, to improve livelihoods through the development of agricultural and non-agricultural activities, increased capacity to invest, and opportunities to improve productivity. Land is also a main asset for the development of agribusiness. Land privatisation and allocation of land to agribusiness has raised discontent among family farmers, the majority of farmers in West Africa, in some parts of the region and increased their sense of vulnerability. The economic efficiency of such approaches in Africa is also questioned, given complex overlapping land use rights. Indeed, such initiatives could contribute to political instability in the long term under certain conditions. **How have land legislation and policies attempted to address these issues across the region? How have they evolved to respond to the emergence of new opportunities and risks? What are their strengths and weaknesses?**
2. Tensions over agrarian and production relations between different socio-economic actors have often contributed to violence in West African countries - particularly in rural areas. Furthermore, the politicisation of land

⁸ Food and Agriculture Organisation (FAO); OECD Development Assistance Committee's (DAC) Network on Environment (ENVIRONET).

issues has at times contributed to the eruption or exacerbation of violent conflicts in the region. Different countries tend to have distinct problems with land and conflict according to the specificity of each context. However, if land has been a conflict issue in the past, it is likely that it will continue to be so in the future, given rapid population growth coupled with social transformation and inter-generational tensions. **To what degree have land and land-related issues contributed to violence in specific conflict settings? At what stage of the conflict did land become a key factor and why?**

3. There is consensus on the need to reform land tenure systems to achieve more equitable access and address insecure or overlapping rights. In the WAEMU countries, recent reform processes have targeted land capitalisation, sustainable development, and harmonisation of land regimes. These reforms have strengthened the primacy of statutory versus customary regimes and recognised individual ownership of land.⁹ Apart from Côte d'Ivoire and Guinea Bissau which exclude it, legislation in West Africa does not explicitly address the question of land ownership by foreigners. To date, however, many States have not implemented necessary land reforms. Moreover, national reforms have hardly ever been undertaken within the framework of agricultural policies. Conflicts of interest between different actors have arisen at the local, national and even regional levels when attempts are made to adapt existing land regimes.¹⁰ These can heighten tensions and at times trigger violence. **What lessons can be drawn from the dynamics of change in customary and statutory institutions that govern land regimes? How have they adapted in relation to conflict and emerging from conflict contexts? What are their key regional dimensions?**
4. Development partners play critical roles in shaping land regimes on the African continent, namely through the promotion of and support for land reform. They are also involved in conflict resolution, peacebuilding, demobilisation and reconstruction. **Which approaches to land reform have been promoted in West Africa during the last two decades? How have these interacted with conflict dynamics? What experiences have been gained from support for land**

⁹ Except for Guinea Bissau where land belongs only to the State.

¹⁰ The regional dimensions of conflict are outlined in a series of SWAC initiatives and outputs available at: <http://www.oecd.org/sah/governanceconflict>

reform in situations that are peaceful or emerging from conflict?

5. The CILSS, the WAEMU and ECOWAS have begun coordinating their respective agendas on agriculture in recent years. These regional organisations have also made significant steps forward in setting the regional agenda for land management and land reform under the leadership of the CILSS. **What is the most appropriate type of support for the implementation of this agenda in the coming years? How can issues of context, diversity and subsidiarity between land regimes be fully integrated into analysis and frameworks for action concerning equitable access to land?**

TOWARDS A FRAMEWORK FOR ANALYSIS OF LAND AND CONFLICT ISSUES IN THE WEST AFRICAN CONTEXT

A brainstorming meeting between international and regional specialists on land issues in West Africa and the SWAC Secretariat (May 2005) provided an opportunity to share experiences across the region, develop a shared analytical framework and clarify ways forward for implementing the overall work, and particularly the Historical Overview.

Without attempting to suggest a common explanation of the conflicts in Sierra Leone, Liberia and Côte d'Ivoire vis-à-vis the role of land issues, the Historical Overview will focus on how social cohesion has historically broken down and how land issues have interplayed with social breakdown in the three countries. It will examine these three cases and identify regional issues, focusing on the following land issues and their interactions.

Dynamics of agricultural transformation. Several factors underlie rapid change in West African agriculture, which puts stress on existing agrarian relations. In rural areas, access to land and natural resources for the small family farms, that constitute the majority¹¹, usually depends on local and traditional authorities. Within the household, women, migrants, and the youth tend to be disadvantaged in the allocation of productive resources and factors.

¹¹ Family farms are dominant in West Africa despite the emergence of agribusiness. They are often characterised by extended households living together and managing productive resources and activities in a coordinated way, undertaking diverse activities based on complex livelihood strategies designed to manage risk and uncertainty in a changing environment. See www.oecd.org/sah/agritransformation.

Land and agricultural innovation. Access to agricultural innovation is a key factor behind maximising the contribution of agriculture to increasing value-added and improving livelihoods and economic development.¹² Equitable access to land and agricultural innovation, especially for women and the youth, is indispensable to create sustainable work opportunities in rural areas. Land also provides a basis for investment in agriculture. Increasing access to agricultural innovation and opportunities to add value in agriculture can also contribute to avoiding the resumption of violence in situations emerging from conflict and during reconstruction.

Access. Land users hold different land rights that at times can overlap or compete with each other. Legal literacy and empowerment as well as circulation of information between the national and the local levels are all important to clarify conflicting claims and secure land rights of specific groups and individuals.

Exploitation of natural and mineral resources. The labour management system in the natural and mineral resource sector (e.g. alluvial diamond mining in Sierra Leone, rubber tapping and logging in Liberia, coffee and cocoa plantations in Côte d'Ivoire) is also based on exploitative forms of low-skilled labour and *métayage*. Therefore, this sector has not represented a viable alternative to agriculture for young rural-based labour to improve their living conditions. This is demonstrated by the seasonal and semi-permanent migration of youth between farms and mines as work opportunities arise or decline in the respective sectors.

Urban property and employment. Rural change in West Africa has occurred in the context of rapid urbanisation during the last four decades. Change processes in rural and urban areas are closely interrelated. This is mirrored by the circular mobility of populations between rural and urban areas to meet different needs, e.g. sale of agricultural produce, better access to services, uptake of non-agricultural activities and employment, diversifying investment etc. This trend is not likely to wane in the long term; it is even likely to increase in situations that are emerging from conflict, where population resettlement and socio-economic reconstruction are occurring.

¹²Three types of innovation are considered: (i) institutional and organisational; (ii) physical and material; (iii) knowledge and practices. See SWAC work on agricultural innovation: <http://www.oecd.org/sah/agritransformation>.

Security. Physical and human aspects of security are equally important. This is so, in particular, in relation to the implication of ex-combatants and generally the youth involved in the conflict as well as to their reinsertion in society through Disarmament, Demobilisation and Reintegration schemes, and resettlement and socio-economic reconstruction processes.

In addition to the above factors, **three cross-cutting themes** are also taken into account in the examination of linkages between land, agricultural change and conflict in a historical perspective: (i) issues related to the political economy; (ii) regional and cross-border dynamics of conflict; and (iii) the changing strategies of actors over time in response to evolving contexts and opportunities.

WAYS FORWARD

Two elements have emerged from the work carried out by the SWAC Secretariat in recent years. First of all, long term failures by institutions have intensified causes of conflict in Sierra Leone, Liberia and Côte d'Ivoire. It is important to take into account this situation within the aftermath of violence. Regional peace building and socio-economic reconstruction require a process of building new institutions that are responsive to local issues and the need for change, particularly of young generations.

Second, in countries at peace, the recent thrust toward land policy and reform processes also accounts for the need to provide appropriate, clear and innovative answers to the following key questions: To whom does land belong? What mechanisms does the State put in place to protect people's land rights? How can sustainable management and use of natural resources be ensured? How can conflict related to land be managed?

To face challenges and meet expectations arising in both contexts, profound reform processes appear to be necessary. It would be important to explore how these processes could go beyond the State and be organised according to three levels, with regular feedback between each level.

- ✓ **Local:** building upon integration of decentralised statutory and customary practices and frameworks to allow for secure and equitable access to natural resources including land (e.g. through the *Chartes foncières locales* or local land charters).

- ✓ **National:** providing for nationally coordinated ‘umbrella’ legislation developed through policy dialogue and consultative processes that involve all relevant actors (e.g. interest based groups, producer organisations, private sector, etc.). Developed legislative frameworks provide principles within which local regulations are devised and are subject to validation by citizens, preferably through democratic processes. They need to be adaptable over time to suit emerging priorities and needs.
- ✓ **Regional:** providing a loose coordination framework for land policies and fostering multi-actor policy dialogue to develop general frameworks and principles based on practical experience of country-level land regimes.

Interaction between local and national levels of land management and administration is provided for by the majority of West African land legislation and policies. States and non-state actors rarely see the relevance or need for action on land at the regional level given the high, political sensitivity of national land issues and prefer to maintain sovereignty over land policy. This partly explains why reforms do not often tackle demographic realities head-on, such as historic long term or temporary mobility of specific population groups to cultivate land or use natural resources across the region, or the emergence of informal land markets particularly in cross-border areas.

Thus, **three areas seem to exist to begin to address land issues at the regional level** taking into account subsidiarity between local, national and regional regulation frameworks.

1. Consider questions of equitable access to land and secure land rights for migrants in the current debate on the free movement of persons and the rights of residence and establishment of West African citizens in any ECOWAS Member country.

2. Implement a regional legal framework for transhumant pastoralism, building on the creation of transhumance corridors and rangeland management initiatives in cross-border areas (e.g. in Burkina Faso and Ghana). In this context, it will be important to identify examples of where such cross-border land management initiatives have successfully reduced conflict between different users.
3. Facilitate information-sharing on national land legislation and reform processes in comparison with country experiences in land management and reform in order to identify what has worked and what needs to be improved.

Beginning with this Initiative, the SWAC Secretariat will support West African partners in their efforts to identify concrete ways forward in these three areas.

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BACKGROUND ON THE SAHEL AND WEST AFRICA CLUB (SWAC)

The Club was created in 1976 at the initiative of Members of the Organisation for Economic Co-operation and Development (OECD) and some West African leaders from the Sahel in response to the devastating droughts and related food security crisis in the Sahel.

In 2001, the SWAC's Strategy and Policy Group, its Governing Board, decided to enlarge the mandate of the Club du Sahel to cover the whole of West Africa to take into account the interdependence and complementarity between the Sahel and the other West African countries. The Club du Sahel thus became the Sahel and West Africa Club. Its activities cover the 15 ECOWAS Member states plus Mauritania, Chad and Cameroon, occupying an area 7,800,000 km² with a population of approximately 290 million, or 43% of the population of sub-Saharan Africa.

The Club works within a network involving West African government representatives, actors from civil society, the private sector, as well as development and research agencies. It works in close collaboration with West African development partners and with international and regional organisations including ROPPA, the CILSS, the WAEMU, and ECOWAS, its main partner in the region. As a member of the OECD Development Cluster, the Club has also developed synergies with other OECD Directorates.

The Club's Secretariat is financed through voluntary contributions from a large part of OECD countries. The Club is led by a Secretariat composed of a small technical team based in Paris. It benefits from the support of a network of partners from inside and outside the region.

The SWAC Secretariat concentrates on four core areas of interest to the region and the international community: medium- and long-term development perspectives; agricultural transformation and sustainable development; local development and the process of regional integration; and governance, conflict dynamics, peace and security (see <http://www.oecd.org/sah> for more details on the SWAC's mission, Work Plan and outputs).

As a facilitator, moderator, leader of open constructive exchanges, the Club plays a bridging role, an interface between West African actors and OECD Member countries. Its main objectives are to:

- ❑ Help identify strategic questions related to medium- and long-term development in West Africa;
- ❑ Contribute to mobilising and strengthening African capacities within a network approach;
- ❑ Support initiatives and efforts by West Africans to promote medium- and long-term development in the region;
- ❑ Facilitate exchanges between regional actors and OECD Member countries;
- ❑ Promote constructive debates that lead to innovative decisions within and outside the region aimed at building a better future for the region.

For more information on the SWAC Secretariat's activities concerning land, agricultural change and conflict, please contact Donata Gnisci: donata.gnisci@oecd.org



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