



CURATED CONFERENCE REPORT

Fair Transitions and the Politics of Land. Institutions and Imaginaries for Inclusive Futures

IOS Fair Transitions/LANDac conference
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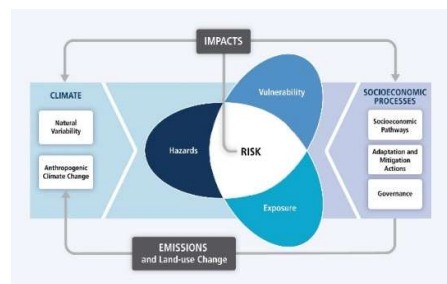
1 INTRODUCTION

Questions about how land is governed and controlled in the context of multiple crises are key to debates about fair transitions. The energy transition, net-zero ambitions, nature protection, and food system transformation all involve claims on land, water, and forests. How these claims are framed, analysed, and governed, how access to land is organised, and who gets a seat at the table to discuss key decisions are questions of urgent concern from both a fair transitions perspective and a land governance perspective. Key note speaker Prof. Mark Jackson (University of Bristol, UK) questioned the idea of the table as institution and presented the audience with an alternative imaginary of a gathering around the palaver tree for inclusive participation and freedom to conceptualise topics such as land and transition, and to include nature as actor in the conversation. As he posited: “Land is alive”. Dr. Fatima Denton (Director of United Nations University Institute for Natural Resources in Africa) contrasted the theoretical approach by presenting the many practicalities faced by communities living on and from the land: Land is life. Together, the key note speakers set the stage for the conference and the main discussions on who sets the narratives, what is fair, and what is the role of land governance in the current debates on climate change?

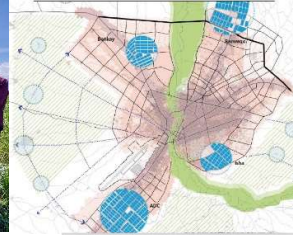
2 CLIMATE RESILIENCE



Communities in developing countries are increasingly exposed to the effects of climate change. They are faced with events that undermine their food security, such as droughts and floods, but also increased pressure on land due to climate-induced migration. A central question for this conference is how land governance can contribute to effective climate change mitigation and adaptation and increased climate resilience, and vice versa. A starting point is the IPCC AR5 framework that depicts how climate and socio-economic processes impact on hazards, vulnerability, exposure and consequently risks. Context is important in terms of climate hazards, community vulnerability and levels of extent of exposure. Climate change and poor land governance have different direct effects, but they result in similar secondary effects such as displacement, conflict, food insecurity and loss of biodiversity.



Land governance tools used for building climate resilience are land-use planning both in rural and urban contexts (Somalia, Mozambique), and community-based management of wetlands that suffer from encroachment of agricultural activities (Uganda). Increasing tenure security for indigenous communities who apply sustainable land practices, documenting indigenous knowledge, and engaging these communities in land use planning is supported in Colombia. General lessons are that community engagement in planning processes and decision-making is vital to capture their knowledge, create awareness, and empower them.

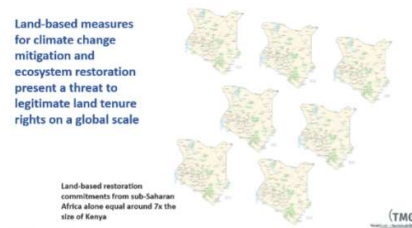


Although they contribute little to greenhouse gas emissions, many communities are at the forefront of climate change and the associated extreme events. In the context of Somalia, where an immense stream of climate-induced migration leads to rapid, unplanned urbanisation, it can be argued that the question of how strengthening land governance aligns with fair climate transitions is not even relevant.

“Fairness, from the Somali perspective, is elusive as they effectively bear the cost of climate change impacts on a significant scale. Nevertheless, for local populations, effective land governance can mitigate the adverse effects of climate change and serve as a form of compensation, making the transition a somewhat fairer process” – Karel Boers, IOM Somalia.

3 CONTINUED PRESSURE ON LAND

After the land rush for agricultural land some 12 year ago, a new surge in demand for land is taking place for the energy transition: solar and wind farms, carbon offset projects, but also extractive investments. Additional pressure on land is driven by population growth and rapid urbanisation. Land degradation, and climate hazards reduce the availability of productive land, and trigger conflict and migration, putting further pressure on scarce land. This development is similar to the earlier biofuel hype and likely to generate the same kinds of local impacts. The energy transition is a continuation of the narrative of economic growth that puts a monetary value on natural resources such as forests and water. The livelihoods of vulnerable groups such as pastoralists, indigenous communities, women and youth in particular are threatened.



“Land-based measures are at the heart of climate change mitigation and biodiversity protection. Whether these will have a positive or a negative impact on rights, lives and livelihoods depends on the actions taken now. Currently, there is a strong indication of negative impacts.” – Dr David Betge, TMG Systems.

Additional pressure on local communities comes from the state and local elites. It was demonstrated that land governance processes and land reform initiatives serves as a way of dispossession. Once again, the central question is: who determines what the desired outcome is of the energy transition, and what kind of state are land reforms forming?

4 BUILDING FAIR CONTEXTS

Many discussions centred on the legal frameworks as institution to achieve justice. In his key note Christian Lund (University of Copenhagen) addressed the role of law in a situation of rightlessness. He presented three injustices: law puts government over its citizens, deliberate complication of the structure, and it has been captured by the elite. Nevertheless, people access the law as they assume it will give their claims an air of legality.

“Legitimate rights, I don’t know what they are. People are legitimizing claims to try turn them into rights. If you take the rights too far, other people will feel their claims are being undermined” – Dr Christian Lund.

Discussions evolved around the law as a tool for dispossession, but also the only tool to defend rights. It is therefor that many participants argued in favour of building awareness of legal rights among communities, and building the capacity of the state to execute its role in formulating and implementing laws and regulations in a fair and accessible manner. As much as strengthen formal legal systems is important, there is a necessity to work with informal systems. The Abunzi system in Rwanda was used as a potentially successful example. Traditional systems are not an alternative but can be complementary and provide essential support.



Eviction in Indonesia (Christian Lund)

In line with the overall conference theme, the question in one of the sessions was raised: “Who has conquered the domain of legality?”

“Fair compensation in the context of Large-Scale Land Acquisitions (LSLAs) can be fundamentally unfair for vulnerable and marginal groups of indigenous people and local communities affected by land-based investments.” – Dr Marcello de Maria, University of Reading.

5 GENDER SPECIFIC CONSEQUENCES



Women suffer from lack of access to, decision making over, and use of land. At the same time, climate change disproportionately affects women. Indeed, women do suffer from climate change in a gendered way: they are burdened with additional on-farm work, are left vulnerable as their husband migrate to the city in search for alternative livelihoods, and they have to manage with scarcer resources. In times of flooding schools close, and during draughts daughters are taken out of school to help with farm and household work. This further hampers the education of future generations of women.

Land gives women a source of income and identity. Women have knowledge. Case studies illustrated that women invest more in land restoration, agro-ecological practices and avoidance of land degradation. Thus, women's land rights are key to ensure socio-economic development and sustainable use of resources. Legal frameworks recognise equal rights for women. But, for transformation, the root causes of gender inequality must be identified. These relate to unequal power relations, discriminatory social institutions, and rigid and negative gender norms.



“Men come to collect what they have not toiled for” - Jordana Wamboga, UCOBAC

Women should be seen as agents of change but traditional thinking, both among men and women, and low priority on the political agenda hamper empowerment. Raising awareness of women's rights, and legal support to protect these rights are vital. This also requires working with male champions. On-the-ground analysis before an intervention is important to identify the underlying root causes of gender inequality that need to be addressed, rather than tackling the visible outcomes. Frugal innovations can enable female smallholders to improve their climate resilience.

6 SCALING

Responsible scaling calls for a reflexive approach, including posing ethical questions about scaling. What is the purpose, what visions of the future are at stake, whose visions, and who ultimately benefits? – Dr Marja Spierenburg, Leiden University.

Scaling is a central theme for LAND-at-scale. At the conference it was highlighted repeatedly that scaling should not be a goal in itself. Rather, questions should be asked such as can or should we scale? Scale what, and for whom? This goes beyond the technological approaches, such as land registration or using draught resilient seeds, where the idea is to scale what works. Indeed, scaling is not value free, with different visions on desirable outcomes.

Scaling should be approached as an iterative process in which locally-based interventions are evaluated, as well as the changes that occur when interventions are scaled. It is vital to assess

when scaling is deemed possible. This approach directs our attention to the possible unintended/negative impacts of scaling, and emphasizes the need to establish interlinked, but also inclusive networks of stakeholders and partnerships to coordinate scaling.

The importance for scaling lies, among others, in closing the gap between policies and their implementation, underlining the important role of government. Donors are concerned with increasing the impact of their funds. The question of money, and the associated power, is important. Whereas there might be potential to work with the private sector to fund scaling, how is it organised that they not set the agenda?

Lastly, it was stressed that every land governance intervention must prioritize but we cannot look away from those that don't benefit and what effect the interventions may have on these groups.

"The goal is not access for all, but peaceful co-existence" – Maria-Clara van der Hammen, Tropenbos Colombia.

7 CONCLUSION

Several conversations were regularly heard during the IOS Fair Transitions/LANDac conference:

Climate change leads to conflict, to displacement and to additional pressures on land through investment (the new, green, land grabbing). Whereas we can learn from the last decade, and progress has been made through initiatives such as the VGGTs, it illustrates that business as usual is not viable. Monetizing natural resources is an exclusionary process that leave vulnerable groups even more vulnerable, and it will not result in either a transition to a healthier planet nor in fair processes and outcomes.

Women's (land) rights in particular are still problematic and become more important in the face of climate change. Whatever the efforts, they do not get priority on the policy agenda. Sustainability of equitable land rights is hard to put in place because it threatens what men consider as theirs. Interventions are short-term, while longer structural changes require long term commitments.

Western, or neo-colonial, visions often do not consider and integrate local ways and knowledge on natural resource management. What if we can make them work together? What if we can take the time to understand how resources have been managed historically in order to avoid empowering the very ones that might dispossess the most vulnerable, and also to build real networks at the local, regional and national level. What do local communities want?

The state is a crucial actor in bringing about fairness and transitions. It is a powerful stakeholder that has its own visions on what fair is, and what transitions it aims to achieve. This is not necessarily aligned with its citizens, who often are sceptical in their relationship to government.

To conclude, the conference urged participants to look beyond the established "colonial", anthropocentric approaches and ways of seeing and hearing. We need to acknowledge pluralism in many ways: in rights, in ways of communicating, in ways of seeing, and ways of being.

This curate conference report captures key themes that are particularly relevant to the LAND-at-scale programme. For more insights from the IOS Fair Transitions / LANDac conference, visit the Land Portal (<https://landportal.org/node/113504>).

