THE HIGHEST BIDDER TAKES IT ALL

THE WORLD BANK'S SCHEME TO PRIVATIZE THE COMMONS

The Oakland Institute

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The Oakland Institute
PO Box 18978
Oakland, CA 94619 USA
www.oaklandinstitute.org
info@oaklandinstitute.org

Executive Summary

In 2013, the World Bank launched the Enabling the Business of Agriculture (EBA) project, aimed at guiding pro-business reforms in the agriculture sector. It was initially commissioned to support the New Alliance for Food Security and Nutrition, an initiative launched by the G8 to promote private sector-led agricultural development in Africa.[1]

The EBA scores countries on the ease of doing business in agriculture. It measures the "legal barriers" for agribusinesses and prescribes reforms across 12 topic areas, such as seeds, fertilizers, trade, and machinery. It then promotes policy reforms to remove these barriers and support agribusiness.[2] Under the World Bank's guidance, governments should, for instance, loosen regulations on seeds and phytosanitary products (fertilizers and pesticides).[3] The latest EBA report, published in 2017, introduced a new indicator: land.[4]

This new indicator comes as large-scale land acquisitions in the developing world have intensified over the past ten years.[5] In most instances, they have involved forced evictions, widespread human rights violations, environmental degradation, increased food insecurity, and the destruction of livelihoods.[6]

But these land grabs have also been met with massive resistance by millions of farmers, pastoralists, and Indigenous Peoples who oppose the takeover of their ancestral land. Many have been successful in delaying, disrupting, or stopping the establishment of plantations.[7] The land targeted by so-called investors is often used by local people who might not have property titles. Legally, it is typically either public or state land and/or land on which local communities claim customary rights. This issue is recognized by the World Bank, which has reached the conclusion that "undocumented [land] rights pose challenges and risks to investors."[8]

This may explain why the Bank, supported by the US and UK governments and the Bill and Melinda Gates Foundation – all strong proponents of the corporatization of agriculture – has used the EBA to embark upon a new, unprecedented effort to tackle the land issue in the developing world, particularly Africa.

By examining the reforms and measures that this new land indicator advocates for, this report raises serious concerns about their potential impact, if implemented by governments.

Whereas the Bank claims its intention is to protect land rights and bring more freedom and equity in access to land,[9] the so-called "good practices" prescribed by the EBA point to a drastically different agenda centered on promoting large-scale industrial agriculture at the expense of family farmers, pastoralists, and Indigenous Peoples. To regulate countries' land tenure arrangements and "enhance productivity of land use," the Bank's prescribes formalizing private property rights, easing the sale and lease of land for commercial use, systematizing the sale of public land by auction to the highest bidder, and improving procedures for expropriation.[10]

Most public land in the developing world is actually used by people as a common good, under customary laws. Communally managed natural resources such as water, forests, savannas, and grazing lands are essential for the livelihoods of millions of rural poor. In customary laws, land is also valued as an ancestral asset with deep social and cultural significance. Ignoring these facts, the Bank is driving governments towards the privatization and commodification of land to enable the expansion of more capital-intensive agricultural production.[11]

Suggesting that low-income countries do not manage public land in an effective manner, the Bank prescribes the privatization of public land as the way forward: Governments should become land brokers and transfer public lands with "potential economic value" to commercial use and private ownership, so that the land can be put to its "best use."[12]

The World Bank also pushes for the formalization of private land ownership as a way to spur agribusiness investments in capital-intensive agriculture and increase productivity.[13] Part of the process is to make land a "transferable asset" and encourage its use as a collateral for credit. The Bank's premise overlooks the high vulnerability of family farmers around the world, which is further increased when the land that they rely on for their livelihoods becomes an asset that can be traded and speculated upon. In Western economies, with "formal" land tenure systems, stories of farmers losing their land to banks and creditors abound. Expanding this model to the developing world will provide a legal avenue for increased land dispossession, land concentration, and land grabbing.

By scoring countries according to the ease of accessing land for agribusiness, the new land indicator[14] represents an aggressive push to privatize land in developing countries and facilitate private interests' access to land. By making land a marketable commodity that must be offered to the highest bidder, the land indicator will inevitably encourage increased concentration of land in the hands of a few, along with the dispossession of the rural poor who rely on it for their food security and livelihoods.[15] This will shift land from being an essential source of livelihoods and the basis of resilient farming and ecological balance, to an increasingly speculated upon financial asset that will expand corporate agriculture.

Governments have to be urged and helped to design food and agricultural policies that put family farmers, pastoralists, and Indigenous Peoples at the center to address the major challenges of hunger, environmental degradation, and climate change. Instead, with its new land indicator, the World Bank is launching an unprecedented attack on their land rights and their future. Introduced as a pilot on 38 countries in 2017, the land indicator is expected to be expanded to more countries in the EBA 2019 report. Whereas the EBA was already much biased towards industrial agriculture and agribusiness corporations, the threats that come with this new indicator make it even more important to end this harmful initiative permanently.

Land cleared by Saudi Star in Gambella, Ethiopia © The Oakland Institute

Land and Natural Resources under Growing Pressure in the Developing World

Some 3.1 billion people worldwide rely on land for their livelihoods, mostly as farmers.[16] Eighty percent of the food consumed in the world is produced by family farmers.[17] Despite the essential role they play, farmers and pastoralists have come increasingly under threat over the past ten years with mounting pressures over their land and natural resources by corporate interests.[18] Around the Global South, land grabs have led to dispossession and forced displacements, while posing threats to local and national food security.[19] This trend intensified with the food and financial crises of 2008, when the high volatility of food prices led to a surge of interest in large-scale agriculture and land acquisitions.[20] In 2009, less than a year after the food price spike, 56 million hectares worth of large-scale farmland deals had been announced,[21] more than 70 percent of which were in Africa.[22] By 2016, an estimated 42.4 million hectares of land had come under contract, one third of which involved land formerly used by smallholder farmers.[23]

The World Bank has played a pivotal role in promoting these large-scale land deals.[24] For years, through different mechanisms including technical assistance and advisory services to governments, aid conditionality, and business rankings, the Bank has encouraged regulatory reforms aimed at attracting foreign private investment for economic growth and development.[25] By 2014, the International Finance Corporation (IFC) – the World Bank's private-sector arm – was managing 156 projects worth US$260 million for advisory services to promote private-sector development in 34 African countries.[26]

Around the world, the expansion of large-scale farming has been the cause of dispossession and loss of livelihoods for millions, while failing to bring promised economic development and food security.[27] It has led to massive environmental degradation and loss of biodiversity while worsening climate change through deforestation and industrial agriculture, as seen for instance with palm oil in Indonesia.[28] But the past ten years have also seen countless stories of resistance by farmers, pastoralists, and Indigenous Peoples opposing the takeover of their land and the destruction of their environment. Often mislabeled as "land disputes,"[29] many of these struggles challenge the takeover of land by foreign firms that is either legally public or state land and/or land on which local communities have customary rights.[30] While some of these struggles have resulted in violent repression and forced displacement,[31] many have been successful in delaying, disrupting, or stopping the establishment of plantations.[32]

This is recognized by the World Bank, which has reached the conclusion that "undocumented [land] rights pose challenges and risks to investors,"[33] and that, in the case of Africa, the continent is "held back by land ownership confusion."[34] This may explain why the Bank, supported by the US and UK governments and the Bill and Melinda Gates Foundation – all strong proponents of the corporate industrial agriculture – has embarked on a new, unprecedented effort to tackle the land issue in the developing world, particularly Africa. The introduction of a land indicator in the EBA project is a significant move given it is intended as an instrument that prescribes policy reforms that developing countries' governments must undertake to favour agribusiness and foreign investment. Like the Doing Business Index, the EBA scores obtained by countries are intended to condition aid and investment money.[35]

The EBA – A "Doing Business in Agriculture" Ranking

The EBA was commissioned by the G8 in 2012, as one of the so-called "enabling actions" for the then newly formed New Alliance for Food Security and Nutrition.[36] Initially bankrolled by five Western donors including the Bill and Melinda Gates Foundation and the US, UK, Danish, and Dutch governments, the project was officially launched by the World Bank in 2013.[37]

The EBA's goal is to help create "policies that facilitate doing business in agriculture and increase the investment attractiveness and competitiveness of countries."[38] To achieve this, it benchmarks areas including seeds, fertilizers, markets, transport, machinery, finance, and now land, to determine whether countries' laws do or do not facilitate doing business in agriculture. The Bank recommends pro-business reforms and scores countries on their performance in applying these recommendations. The scores obtained then condition the provision of international aid and are intended to influence foreign investment in these countries. The EBA exemplifies a growing trend in international aid programs, which have become instruments to enforce market-based and pro-private sector industrial agriculture.

In 2014, a multi-continental campaign, *Our Land Our Business*, was launched with over 280 organizations, including farmers groups, trade unions, and civil society organizations joining hands to denounce the top-down imposition of policies detrimental to farmers and food security by the EBA and the Doing Business projects. Pressured by the campaign, the Dutch and Danish governments terminated their funding of the EBA in 2016.[39]

What Is the EBA's New Land Indicator?

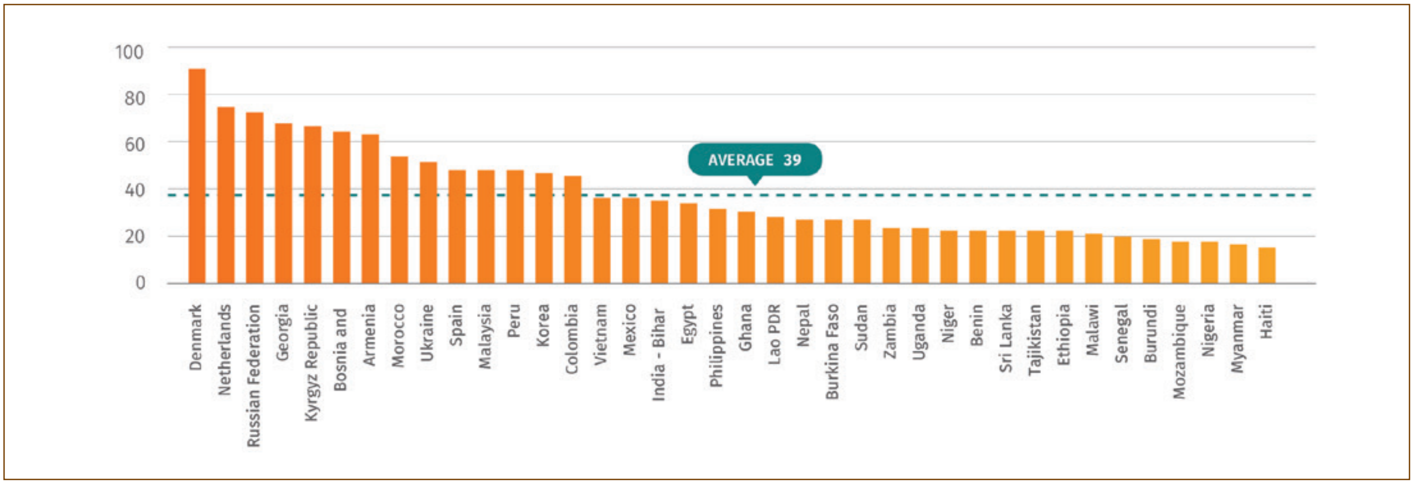
Officially, the "EBA land indicators measure laws and regulations that impact access to land markets for producers and agribusinesses."[40] The EBA identifies and evaluates the "regulatory burdens" impacting private access to land.[41] The 2017 pilot scored 38 countries according to three main sub-indicator groups:

1. Coverage, relevance, and currency of records for private land;
2. Public land management; and
3. Equity and fairness.

The first group of sub-indicators assesses the documentation and coverage of private land, for instance the presence and extent of systems for mapping private property and the existence of online records for land-related legal procedures, such as land transfers, mortgages, and land disputes. According to the World Bank, a key purpose of land records is to increase investments in agriculture and allow land owners to transfer their property to others "if they decide to take up non-agricultural opportunities."[42]

The second set of sub-indicators deals with public land management. It scores countries in terms of existing mechanisms such as state land mapping, monitoring, and the use of public tenders to transfer public land to private owners. Though the stated goal of these sub-indicators is to prevent encroachment, all of the nine questions that guide the scoring relate to processes for easing the transfer of state lands such as parks, natural reserves, forests, and other public spaces to commercial use.[43] The Bank emphasizes the "potential economic value" of public land and claims that privatizing it via public auction will "ensure that state

Figure 1: Land scores by country in the EBA 2017 report



land is put to its best uses."[44] For low-income countries to improve their poor ratings in public land management (see Figure 1), they must establish adequate tender mechanisms to transfer public land to the private sector and ensure a good price for the land sold. In other words, public land *must* be sold to the highest bidder.[45]

The third set of sub-indicators concerns equity and fairness in land markets. It recommends gender-differentiated land records as well as the lifting of "restrictions on land leasing."[46] For the Bank, encouraging the long-term leasing of land would allow "farmers with higher skills to expand and invest in more capital-intensive production methods," while "less efficient" farmers would exit agriculture.[47] Most of the questions related to equity and fairness (7 out of 12) concern procedures for expropriation,[48] so that "land rights are protected against expropriation without fair compensation."[49]

The pilot EBA land indicator ranks OECD countries highest, whereas countries in Sub-Saharan Africa are ranked lowest (see Figure 1).

> *"By allowing the productive use of land by individuals moving out of the agricultural sector, land rentals or sales can contribute to structural transformation."* –EBA 2017[50]

Throughout the EBA report, the establishment of land markets for selling and leasing land to investors is encouraged for "efficiency-enhancing" land transfers and "effective land use," which, for the Bank, consists of allocating farmland to capital-intensive agriculture.

The EBA's land indicator and associated World Bank documents[51] raise important questions about the Bank's policy prescriptions to governments. An initial concern has to do with the assumption that formalizing "private ownership" over land will secure land tenure and spur development.

Is Formalizing Private Property the Right Way to Secure Land Tenure?

While the EBA prescribes the formalization of private property as a way to increase land tenure security, it also encourages land registration in order to turn land into a transferrable asset. According to its logic, once land tenure is formalized – i.e. the rights and conditions of access of a now bounded piece of land are officially registered – landowners will be able to access credit, using their new title as collateral for loans. As a result, they will be able to invest in more "capital-intensive agriculture" or sell their land to others if they "choose" to exit agriculture.[52]

This approach raises a number of questions. First, the Bank's premise that people would freely choose to exit agriculture overlooks the high vulnerability of family farmers around the world. Their vulnerability is further increased when the land on which they rely for their livelihoods becomes an economic asset that can be traded and speculated upon. In Western economies, with "formal" land tenure systems, stories of farmers losing their land to banks and creditors abound. For instance, in June 2018 the Banking Royal Commission of Australia evidenced how farmers were forced off their land by banks: "After getting into financial difficulty, [the Bank] ANZ gave them just six weeks to sell their properties, and a week to leave. The Cheesmans begged to keep their homes and their machinery so they could earn an income and pay the debt. The bank forced them to sell it all."[53] In September 2018, protests broke out in Ireland when farmers were forced to sell their land by a so-called vulture fund, which had put farmland for sale by online auction without even informing the farmers.[54]

Irish Farmers' Association tweet

The consequences of formalizing land as a "transferable asset" are likely to be even more dire in developing countries, where farmers are highly vulnerable to environmental shocks, receive limited public support, lack crop insurance, and where agricultural prices are generally deregulated and volatile. Where tenure systems allow such sales, farmers may then be forced to sell their land in years of bad harvests or low commodity prices. This happened on a large-scale following the 2005 food crisis in Niger, when in just one season, hunger forced 8 to 14 percent of the farmers to sell or mortgage their land in order to survive.[55]

The Bank's approach thus provides a legal avenue for increased land dispossession, land concentration, and land grabbing. This agenda is made obvious as the Bank encourages governments to prioritize formalizing private land rights in "high-potential agricultural areas."[56] The Bank only considers other forms of land tenure arrangements, such as communal or customary land tenure, "in rural areas with lower levels of agricultural potential."[57]

Moreover, the Bank's assertion that private titles constitute a necessary building block for eradicating poverty and achieving development[58] is challenged by its own Independent Evaluation Group (IEG).[59] A 2016 IEG review of the Bank's land projects from 1998 to 2014 found that most projects failed to deliver on development promises and did not even target the poor and marginalized groups in the first place.[60] Furthermore, the same review found weak evidence of enhanced credit access as a result of titling and registration.[61]

The IEG review adds to a growing body of evidence on the ineffectiveness and devastating consequences of the Bank's approach to land.[62] As in the case of land titling projects in Brazil or Guatemala (see Box 1), "formalizing land rights" may well favor land grabbing instead of securing access to land for farmers and Indigenous Peoples.[63]

Box 1: World Bank-funded Titling Projects and Land Grabbing
A World Bank-financed land titling program in the Brazilian state of Piauí risks legalizing existing widespread land grabbing by agribusinesses and land speculators in the region.[64]

The project focuses on offering individual land titles in the region, claiming many of the same "benefits" that the EBA posits: that formalized titles can facilitate access to credit, be a vehicle for investment and wealth accumulation, and ultimately address poverty.[65]

But the reality in Piauí couldn't be more different.

In recent years, as monoculture soy plantations and land speculation in the region have increased, so have the illegal land grabs. According to ActionAid, as many as 11,000 farmers face eviction as four million hectares of land is privatized and acquired by international companies.[66] The investors behind this push to acquire land include foreign pension funds like the US-based Teachers Insurance and Annuity Association-College Retirement Equities Fund (TIAAF), Harvard University endowment, and others.[67]

Against this backdrop, the Bank's titling project is not securing land rights of small farmers, but rather risks legalizing massive land grabs.[68] The project has also completely disregarded the collective forms of tenure that are common in the region, focusing instead on issuing individual land titles.[69]

In December 2017, the Brazilian Public Prosecutor's Office asked the Bank to suspend the project and instead consider traditional collective titling that ensures communities' First, Prior, and Informed Consent regarding land in the region. The Bank was also asked to "adopt measures to assess and correct the negative effects" of its program in order to prevent and remedy land rights violations of the traditional peoples and communities.[70] The Bank never responded.[71]

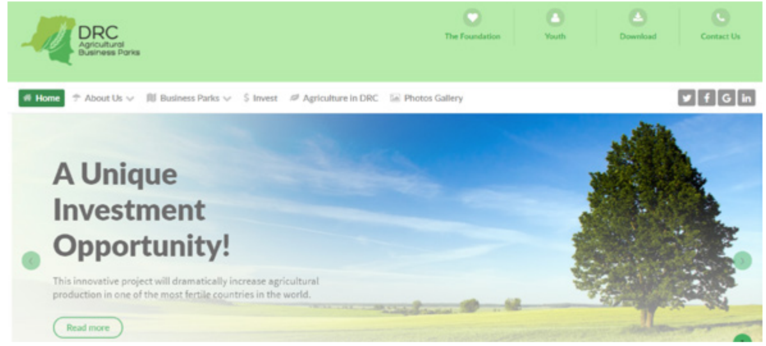
This is just one example of many World Bank land titling programs that have been used to dispossess people in countries around the world. In Guatemala, Indigenous communities in Alta Verapaz have likewise lost their land to palm oil plantations following the implementation of two World Bank land administration projects costing US$100 million.[72]

Preventing Encroachment of Public Land: A License for Land Grabbing

The World Bank claims that the primary objective of governments regarding the management of public land should be to "prevent encroachment."[73] But the majority of so-called "encroachment" in the developing world is actually the use of public lands by pastoralists, smallholder farmers, and Indigenous Peoples for their livelihoods.[74]

It is estimated that as much as 65 percent of the world's land area is stewarded by communities under customary systems.[75] Throughout history, large expanses of these lands have been claimed by colonial and later independent states under statutory laws.[76] After their independence, a number of formerly colonized countries adopted legal systems establishing that all land was owned by the state.[77] Communities were allowed to maintain customary tenure systems and could still access and use public land and natural resources, while the state reserved the right to transfer or lease land for "public interest" purposes. Examples of this form of arrangement can be seen in Tanzania's Land and Village Land Acts of 1999,[78] Ethiopia's Constitution of 1995,[79] Mozambique's 1997 Land Law,[80] Zimbabwe's Land Acquisition Act of 1992,[81] Zambia's Lands Act of 1995,[82] and Mali's Land Code of 2000,[83] amongst others.[84]

Maasai herders in Loliondo, Tanzania © The Oakland Institute



Screenshot of the Agro-industrial parks website, Democratic Republic of Congo

Public land is therefore often land that is used under customary arrangements. Communally managed natural resources such as farmland, water, forests, and savannas are essential to the livelihoods of millions of pastoralists, fisherfolk, and family farmers, and generally also valued as ancestral assets with deep social and cultural significance. In Africa, it is generally customary arrangements that organize cultivation and grazing, as well as fallows and reserves, the gathering of wild food, timber, fishing, and hunting.

The Bank's policy recommendations and its stated goal to "prevent encroachment" thus transform customary land users into "squatters," "encroachers", or "trespassers" on their own lands that they have protected and used for generations. This is exactly how local communities have been labeled in a number of cases of forced evictions documented by the Oakland Institute in recent years.[85] "This land belongs to the state" is a recurring argument used by governments to grab the land from their own citizens for the benefit of foreign business ventures as documented in the case of Indigenous communities in Ethiopia,[86] the Maasai in Loliondo, Tanzania,[87] and the villagers who lost their land to the Bukanga Lonzo agro-industrial park in the Democratic Republic of Congo.[88]

By dismissing community-based customary rights, the EBA land indicator imposes a neoliberal agenda that views individual private property rights as functionally superior to collective rights. By doing so it negates the reality of millions around the world who recognize land, just like water, as a common good that should not be privatized and rely on collective land rights for their livelihoods.

Protest against land grabbing in Pomio, Papua New Guinea © Paul Hilton / Greenpeace

"Eighty-five percent of the population in Papua New Guinea, some 7 million people, live in rural communities on their own 'customary' land. For these people their land is their supermarket, hardware store, pharmacy and cash machine. The land provides food to eat from gardens and hunting, water, medicines, fuel for cooking, materials to build houses and make ropes, fences, baskets, tools and weapons. The land also binds families, clans and communities together. It provides social cohesion, sustains cultural identity and underlies spiritual beliefs. All of this self-sufficiency is lost when customary land is given over to corporations or governments." –Effrey Dademo, ACTNOW!, Papua New Guinea[89]

Box 2: Customary Land Rights for the Maasai in Tanzania

The EBA land indicator almost exclusively focuses on formalizing individual private property rights to land, despite the fact that millions around the world reject private rights to land, advocating for and using customary rights instead. With numerous groups, communities, and organizations calling for customary rights as their chosen way to secure their rights to their land, new models that prioritize communal ownership over land are emerging.

One particularly innovative model has been developed by Maasai pastoralists in Northern Tanzania. Certificates of Customary Right of Occupancy (CCROs) is a type of land titling that has taken off under the leadership of the Ujamaa Community Resource Team (UCRT). Made possible by Tanzania's Village Land Act of 1999, CCROs can be granted to individuals or entire communities.[90]

Community CCROs are unique in that they "allow entire communities to secure indivisible rights over their customary lands and manage those territories through bylaws and management plans. By formalizing communities' land holdings and providing legal documentation, CCROs ... help them protect their land rights and ensure the environmental stewardship of their territory for future generations."[91] Once granted, community CCROs last for life, meaning that they cannot be sold, traded, or subdivided without full consensus from the entire community.[92]

Unfolding the Bank's Agenda: Privatization of Public Land in the Developing World

The Bank emphasizes the "potential economic value" of public land, as if this land is universally idle and available.[93] In a rather cynical posture, oblivious of centuries of colonial and neocolonial exploitation, the Bank claims that poverty in Africa is largely due to its poor land governance: "Despite its abundant agricultural land and natural resources, Sub-Saharan Africa is still mostly poor and has been unable to translate its recent robust growth into rapid poverty reduction."[94] The continent is "held back by land ownership confusion," the Bank claims.[95]

> *"The difficulty of accessing land for enterprise development has emerged as one of the main complaints by private sector operators in a large number of enterprise surveys in African countries."* –EBA 2017[97]

For the World Bank, in order to improve low EBA ratings, developing country governments should enforce transparent public tender mechanisms to offer land to private investors at the highest market prices. The Bank considers that fairness would be ensured by such transparent sales of land to the highest bidder, while ignoring that in a world rampant with inequality, this is likely to drive further land concentration. The highest bidders are likely to be the most powerful economic interests, such as corporations and rich individuals.

> *"To ensure that state land is put to its best use, any transfer of state land for commercial purposes (excluding social concerns) should be via public auction."* –EBA 2017[96]

The use of public auction to sell public land is posited as the way to "ensure that state land is put to its best uses."[98] Once public land is transferred to commercial use, investors will ensure "economically valuable" land is used with "efficiency."[99] The Bank fails to provide a definition for "economically valuable land" nor what it means by its "best use," or "efficient use."

This is highly problematic. Who gets to assess and decide what the "best use" of the land will be? Using what criteria? Will communities living on that land have a say? And who will benefit eventually?

Who will determine which "high-potential agricultural areas" will be privatized? The Bairaman River and surrounding forest in Papua New Guinea
© Paul Hilton / Greenpeace

Brazil's new far-right president, Jair Bolsonaro, is following the World Bank's doctrine to put "economically valuable" land to use with his declared intention to abolish protected Indigenous lands in order to expand ranching, industrial agriculture, and resource extraction.[100] Considering that "where there is Indigenous land, there is wealth underneath it,"[101] Bolsonaro is threatening the very survival of the hundreds of Indigenous communities living on that land, whereas his plans are likely to lead to more deforestation, an acceleration of the climate crisis, and increased environmental degradation, posing a major threat to billions of people around the world.

Brazilian President Jair Bolsonaro, credit: Rogério Melo / PR (CC BY-NC-SA 2.0)

Given the massive threats to land rights around the globe, it would be commendable if the World Bank prescribed measures that actually increased equity and fairness in access to land. However, what the Bank recommends to governments falls short of what is required to achieve these goals. Instead, its measures could contribute to increased concentration of farmland in the hands of a few.

The first EBA policy prescription to improve "equity and inclusion"[102] in land rights consists of having gender disaggregated land records.[103] Though gender discrimination in terms of access to land is a big problem globally, it is unclear how gender disaggregated land records will address the issue. Furthermore, this ignores land concentration derived from historical power asymmetries and colonization, including land concessions to settlers, slavery of colonized populations, and others.[104] While the Bank's focus on gender is commendable, it fails to recognize other groups whose land rights have been systematically marginalized, such as pastoralists and Indigenous Peoples.[105]

The second EBA recommendation for fairness and equity focuses on the "freedom of leasing" land, i.e. removing regulations and restrictions on leasing.[106] According to the Bank, "leasing is critical for structural transformation" and "restrictions on its use" should be removed to allow "efficiency-enhancing land transactions" and "more effective land use."[107] The positive sounding "freedom of leasing" recommendation is promoted as a way to allow land transfers for "farmers wishing to grow into the commercial sector, but also for those wanting to exit agriculture."[108] Yet, as discussed earlier, many farmers don't exit agriculture by choice but are forced to do so because of social marginalization, poverty, conflict, climate, lack of institutional support, and more. In this context, promoting the "freedom of leasing" is geared towards easing large-scale land acquisitions and land concentration in the hands of corporations, influential individuals, and those with more resources.

Not lacking cynicism, the third EBA prescription for equity and fairness on land relates to expropriation. The land indicator assesses "laws that ensure expropriation is limited to public purposes, implemented transparently and with effective appeal mechanisms."[109] It is meant to ensure that when expropriations take place, adequate compensation is provided and due process followed. But it is hard to ignore the contradiction in bringing together the very notion of equity and fairness and the act of expropriation. Instead of providing policy guidance that could prevent the loss of land for farmers, the Bank suggests that farmers losing their land

A woman facing eviction from her home for the Senhuile project in Senegal
© The Oakland Institute

to large-scale agricultural schemes or to land speculators is an inevitable outcome of agricultural development and thus recommends how expropriations should occur in a supposedly fair way. Furthermore, it is important to ask what constitutes "public purpose" and "public interest" in the context of the development of agribusiness and large-scale agriculture in the developing world. The fact that the Bank features a section of the EBA report on expropriations suggests that the Bank believes that displacing people for large-scale industrial farming constitutes public interest.[110]

It is important to ask what constitutes "public purpose" and "public interest" in the context of the development of agribusiness and large-scale agriculture in the developing world. The fact that the Bank features a section of the EBA report on expropriations suggests that the Bank believes that displacing people for large-scale industrial farming constitutes public interest.

The World Bank has a long history of encouraging developing countries to favor foreign investments by fast-tracking procedures and dismissing consultations that might "burden" investments.[111] The EBA's guidance on ensuring "fair" expropriation mechanisms logically complements the Bank's policy advice towards the privatization of public land and the promotion of large-scale agribusiness, which will both result in dispossessing people from their ancestral lands on which they work and live.[112]

The Bank's Approach to "Effective" Land Use

The Bank stresses that "to encourage investments that can increase productivity, rights to land must be secure and transferrable."[113] There are two main arguments behind this premise. First, that farmers will have access to credit to invest in more "capital intensive" agriculture by using their land as collateral.[114] Second, that land markets will allocate land to the most "efficient" producers who are able to invest in capital-intensive methods, while less profitable farmers will supposedly "choose" to exit agriculture.[115]

Yet, it is highly questionable that giving land away to private investors or developing more "capital-intensive agriculture" will lead to more efficient land use. The World Bank itself has documented that the expansion of large-scale industrial farms has little impact on poverty reduction compared to increasing access to land and water for smallholder farming communities.[116] Furthermore, given the climate crisis, the rapid depletion of natural resources, and land degradation that is increasingly affecting soils around the planet, the Bank's definition of "effective" land use must be challenged. The effectiveness of land use should not only consider yields per hectare but should also incorporate sustainability in social, environmental, and economic terms.

Whereas the EBA pushes governments to facilitate "efficiency-enhancing" land transfers – i.e. farmland sales or leases to agribusinesses – it also urges them to deregulate the import of chemical fertilizers and the production and marketing of industrial seeds.[117] In this sense, the Bank's recommendations on policies for "effective" land use are intimately linked to the expansion of industrial agriculture. Although presented as the main solution for increasing food production while lifting millions out of poverty, the Bank's evangelizing of more "capital-intensive" modes of production is based on yet another widely refuted assumption that overlooks some key realities.

In terms of productivity and food security, as early as 2009, the International Assessment of Agricultural Knowledge, Science and Technology for Development (IAASTD), a multidisciplinary study involving over 400 scientists and co-sponsored by the FAO, UNDP, UNEP, and the World Bank itself, widely discredited the supposed benefits of capital-intensive, industrial agriculture.[118] The report urged all actors involved in agricultural development to shift their support toward agroecological practices that are less dependent on capital and external inputs. The IAASTD also called attention to the negative environmental impacts of intensive agriculture, which are hardly taken into consideration by the Bank's current policy advice.

Another comprehensive study, carried out by the World Bank's own research staff in 2009, deconstructed the fallacy of the economic efficiency argument that is used to favor the privatization of land and expansion of land markets.[119] According to the Bank's experts, the creation of land markets ultimately leads to land concentration for industrialized agriculture and monocultures in large mechanized land holdings, which are less productive than family farms.[120]

> *"In reality, nearly a century of research by agricultural economists all over the world has produced a counterintuitive stylized fact: small-scale farmers generally use land, labor, and capital more efficiently than do large-scale farmers who depend primarily on hired labor."* –The World Bank, 2009[121]

The Herakles Farms' palm oil nursery in Cameroon
© Jan-Joseph Stok / Greenpeace

In addition, large industrial farms often lead to much higher economic burdens for farmers (e.g. debt) and health and environmental damage (e.g. loss of biodiversity, soil depletion, contamination of water sources by chemical fertilizers, food insecurity/lower nutrition intake).[122] Overall, the World Bank's own experts assert that land markets not only fail to distribute land to the poor, but also do not make economic sense in terms of enhancing productivity. Beyond productivity, the expansion of plantations also affects the livelihoods and the food security of the rural poor as illustrated by the history of the Afar region of Ethiopia (see Box 3).

Industrial plantations in Southern Africa © The Oakland Institute

Box 3: The False Narrative of Privatizing Land for Land Use "Efficiency:" The Case of Ethiopia's Afar Region

Contradicting what the Bank considers as the "best use" of land, Ethiopia's Afar Region provides a valuable example of the negative impacts of large-scale plantations on people and the environment. Over the past five decades, over 400,000 hectares of land in the Afar Region have been seized by the government for various purposes, including plantations, national parks, wildlife conservation areas, and hunting lands.[123] Afar has a population of over 1.7 million people, 90 percent of whom are pastoralists whose livelihoods rely largely on herding mixed stocks of camels, cattle, sheep, and goats, and are mobile to adapt to the environment and maximize available resources. However, the expansion of large-scale plantations has had dramatic negative impact on Afari pastoralists. The loss of grazing land has been a key factor in growing food insecurity and increased vulnerability to droughts with the loss of vital dry season pasture land.[124]

Meanwhile, a 2013 study by the International Institute for Environment and Development compared the productivity per hectare of industrially grown sugarcane and seed cotton against pastoral production in Afar.[125] Looking at the output of a herd of animals (milk, meat, and other animal products) on one hectare of land, the researchers found that output and net return of pastoralism was equal to or higher than both the production of cotton and sugar. At the same time, contrary to the destructive impact of monocrops on soil and water resources, pastoralism, when properly managed, provides a range of ecological benefits, including soil fertilization with manure.[126]

Concentrating land in the hands of the most "efficient" producers has little positive impact, if any, on employment generation and poverty reduction.[127] The Oakland Institute's series of reports on large-scale agricultural investments in Africa shows that transferring farmland to the hands of corporations does not ensure wealth for the majority.[128] On the contrary, job creation and labor conditions on large farm holdings generally fail to match the revenue, quality of life, and employment levels generated by small farms and rural migration towards over-populated cities does not guarantee employment or improved livelihoods.[129]

The Bank's focus on foreign investment and large-scale agriculture for export stands in complete opposition to evidence-based approaches that increase self-sufficiency and food security of the poorest farmers. As confirmed in the Oakland Institute's series of agroecology case studies,[130] agricultural yields, farmers' incomes, and food security can be drastically increased with practices and policies that encourage crop diversification, require less external inputs, enhance soil fertility, and increase biodiversity.

In the name of land use efficiency and improved tenure security, the EBA's policy advice on land, such as formalizing private property, privatizing public lands, and ensuring "fair" expropriation, bet that the marketability of land will ensure equitable development. But in the real world, the Bank's assumptions have been continuously proven wrong. Despite this evidence, the EBA continues to be guided by a few Western powers in their efforts to force their neoliberal pro-corporate agenda on the world.

"The advocacy for formal titles is an example of the persistent quest for ideational hegemony. Were African politicians to set up an international commission to impose African cultural and legal practices on the 'developed' world there would be profound surprise. There would be surprise because imperialism flows downhill, as it were, and so it seems natural to us that poor countries must desperately need what it is we have in rich countries. They must become like us in all their legal and cultural practices so that they can then become rich like us. [...] The point here is to remind us of the nature and scope of what is being advocated when high-placed individuals launch global initiatives to facilitate the imposition of institutional arrangements that have been artificially naturalized by those doing the imposing. Lost in this quest for universal solutions to particularistic affairs is any modest reflection that the imposition of alien legal and cultural practices into any setting rarely works as imagined."

– Daniel W. Bromley in *Formalising Property Relations in the Developing World: The Wrong Prescription for the Wrong Malady* [131]

A Western Donor-Driven Vision

The three remaining donors of the EBA – USAID, the UK's DfID, and the Bill and Melinda Gates Foundation – have long promoted their corporate-driven vision of industrial agriculture.[132] While pushing for policy reforms in developing countries through initiatives like the EBA and the New Alliance for Food Security and Nutrition, the EBA donors support agribusiness corporations that sell products and services or invest in farmland.[133] This bias is even more obvious when looking at the EBA's advisory group, which is mainly comprised of multinational agribusiness and chemical corporations such as Monsanto, Bayer, Cargill, and Syngenta, among others.[134]

The EBA's policy agenda is largely influenced by DfID whose official vision for agriculture "is based on the assumption that sustained wealth creation and a self-financed exit from poverty depend, in the long-term, on economic transformation and the majority of the rural poor finding productive and better paid employment outside of primary agricultural production."[135]

Building on this premise, the framework calls for a twin strategy: "On the one hand, promoting agricultural transformation focused on commercialisation and agroindustry development, to create jobs and raise incomes and, on the other, facilitating a long-term rural transition from subsistence agriculture to off-farm job opportunities."[136] This linear trajectory toward commercial and industrial agriculture development contradicts a large body of evidence-based publications – including work published by World Bank economists – on the long-term productivity and efficiency of family farms.[137]

To put this vision into practice, the UK has contributed £600 million to the G8's New Alliance for Food Security and

Bill Gates and World Bank Group President Jim Yong Kim at the 2016 World Bank / IMF Spring Meetings © Simone D. McCourtie / World Bank

Nutrition, a partnership between international donors, ten African countries, and multinational companies, which uses the Doing Business and EBA reports as its main progress indicators.[138] A crucial requirement for this partnership, and an important conditionality to receive aid, is that African countries commit to reform their land policies to be more attractive to foreign investors.[139]

Like the UK, the US has been a key donor of the New Alliance, which was launched under its leadership in 2012.[140] Similar to the New Alliance, the US Feed the Future (FtF) program also emphasizes partnership between recipient governments and corporations. It has brought together over 60 US agribusiness corporations and 12 developing countries.[141] Between 2010 and 2014, FtF received over US$11 billion from USAID and other federal agencies for activities around food security and agriculture development.[142]

USAID finances aid programs aiming at land titling in 23 countries,[143] including Ethiopia, Central African Republic, Colombia, Tajikistan, Kosovo, and Liberia, among others.[144] These projects are accompanied by strong advocacy for the privatization of land. For instance, in Mozambique, US officials have advocated for many years for a reform of the country's land laws that would allow for the privatization of land.[145] In 2011, the US Millennium Challenge Account made transferability of the right to use and develop land a condition of further aid to Mozambique.[146]

The Bill and Melinda Gates Foundation (BMGF) is also a major player in international aid for agriculture. The BMGF is best known for using its money to push for an agricultural "Green Revolution" in Africa, based on the use of synthetic fertilizers, chemical inputs, and genetically modified and patented seeds. This agenda largely benefits the agribusiness corporations that dominate input markets and global agricultural value chains. The Gates Foundation's trust invests in the same companies it serves through its development programs, including Monsanto, BASF, Coca Cola, PepsiCo, Unilever, and many others.[147]

At a World Bank panel discussion in spring 2016, Bill Gates blamed developing countries' regulatory systems for deterring investment and advocated for "expertise conditionality" to drive their development choices. This vision is the basis for the BMGF's support to the World Bank's EBA project. In 2015, over 12 percent of the BMGF's agriculture-related grants (US$56 million) went to policy and advocacy programs, indicating the Foundation's intent to influence the narrative around food and agriculture development.[148] The Foundation's controversial hiring of a PR firm to manipulate UN debates on gene drives[149] and its ongoing funding of Cornell University's Alliance for Science[150] and Ceres2030[151] projects further demonstrates its push to control the narrative around agricultural development globally.

Conclusion

Since the EBA's inception in 2013, the World Bank and its donors have defended the project as a tool to guide policymakers on the best regulatory practices to support thriving agricultural sectors and "inclusive agricultural transformation."[152] However, the Bank oscillates between politically correct messages about the need to support smallholder farmers and the actual promotion of large-scale, industrial agriculture.[153]

The EBA's guidance is heavily skewed in favor of large-scale agribusinesses and the project is anything but inclusive of developing countries' and farmers' interests. With the introduction of the land indicator, the Bank encourages the commodification of land, more land grabbing, and land concentration, while accelerating the dispossession of the rural poor across the developing world.

Governments should be urged and helped to design food and agricultural policies that put family farmers, pastoralists, and Indigenous Peoples at the center to address the major challenges of hunger, environmental degradation, and the climate crisis. Instead, with its new land indicator, the World Bank is launching an unprecedented attack on the land rights of the most vulnerable and their future. Introduced as a pilot on 38 countries in 2017, the land indicator is expected to be expanded to more countries in the EBA 2019 report. Whereas the EBA was already much biased towards industrial agriculture and agribusiness corporations, the threats that come with this new indicator make it even more important to end this harmful initiative permanently.

Endnotes

1 The New Alliance for Food Security and Nutrition was launched in 2012 by the G8 with ten African governments and a variety of corporations, development organizations, and aid donors. This controversial partnership aimed to "unlock private investments in agriculture in Africa" and lift 50 million out of poverty. It has been criticized for promoting the expansion of multinationals such as Monsanto, Syngenta, and Yara into African seed, pesticide, and fertilizer markets to the detriment of smallholder farmers' seed diversity, seed saving and exchanging practices, and independence from chemical inputs. The initiative is also linked to Grow Africa, a USAID-funded platform created to strengthen commitments between African countries and private sector investors in agribusiness. For more information please see: https://new-alliance.org

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10 *Ibid.*

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12 *Ibid.*; See also questions and data for the land indicator in 38 countries at: World Bank. *Enabling the Business of Agriculture. Additional Indicators*. http://pubdocs.worldbank.org/en/669591534213851309/EBA2017-Land-Data.xlsx (accessed June 14, 2018).

13 World Bank. *Enabling the Business of Agriculture 2017. Op. Cit.* pp. 109-110.

14 As detailed later, the EBA has created a suite of indicators under the theme of "land". We use the term "the land indicator" to represent this group of sub-indicators throughout the report.

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