



Frequently Asked Questions (FAQs)

*These Frequently Asked Questions (FAQs) summarize some of the key findings and analysis of the Oakland Institute new report, *Driving Dispossession: The Global Push to “Unlock the Economic Potential of Land.”* The full report is available at <https://bit.ly/DrivingDispossession>*

The report warns of an “unprecedented wave of privatization of land” underway around the world. Why is this a cause for concern?

As much as 65 percent of the world’s land area is stewarded by communities under customary systems. Whether it is on legally recognized public land or customary land, billions of people rely on communally managed farmland, pastures, forests, or savannas for their livelihoods. This collective management of resources, viewed as an obstacle to investment and business, has prompted many governments around the world to adopt the Western capitalist notion of private land ownership. Instead of taking meaningful action to combat the escalating climate crisis and work to promote access and control over natural resources by communities, governments, corporations, and international institutions are actually “doubling-down” – wanting to exploit more land through a euphemism-based narrative of putting it to “productive use” for economic progress and “development.” To attract private investment, governments in the Global South are thus marketing hundreds of millions of hectares of land as being “available” without regard for those whose livelihoods depend upon it. This new report sounds the alarm on the scale of this unprecedented wave of privatization and on the dramatic consequences it will have on people and the planet.

How is the United States involved in this push to privatize land?

The US plays a major role in pushing the privatization of land around the world through a variety of channels. First, the US has inordinate financial and political power over international institutions such as the World Bank and International Monetary Fund (IMF) that promote policies and regulations to privatize the commons for the benefit of the private sector. In Ukraine for instance, the IMF conditioned desperately needed financial support upon the creation of a land market. Similarly, the Millennium Challenge Corporation (MCC), a US

government entity with the stated mission to “reduce poverty through growth,” has a documented history of pushing countries to transfer land from family farmers to investors for industrial agriculture. In Sri Lanka, the MCC compact intends to map and record up to 67 percent of the country to “promote land transactions that could stimulate investment and increase its use as an economic asset.” Contrary to USAID’s own research, which has long recognized the value of customary systems, the agency is playing a prominent role in financing and leading private titling projects worldwide. Finally, US corporations are directly involved, as seen with a subsidiary of Overstock.com behind a blockchain-based land titling program in Zambia (see below).

Blockchain technology is being presented as a promising new tool to secure land rights. How effective is the new technology?

Proponents of using the blockchain technology for land administration argue that it has the potential to improve the security and transparency of land registries by storing all information on property boundaries and owners in an immutable, online source. However, for blockchain technology to bring about improvements in the security of land tenure, claims over land ownership first have to be determined and verified. As a result, implementing this technology requires countries to move towards systems of private land ownership, which will require registration and digitalization.

The Zambia case study in the report demonstrates how blockchain is used to privatize land and access natural resources. Patrick Byrne, the former CEO of Overstock.com, the company involved in blockchain titling in Zambia, made his motivations clear when he said that the goal of the project was to unlock trillions of dollars in global mineral reserves that are inaccessible due to unclear land governance systems. The day after the Overstock.com’s subsidiary signed its MOU for the blockchain program for land titling in Zambia, it also penned an agreement with the World Bank to collaborate on similar projects in dozens of other countries.

Why were these six countries chosen as the case studies and how are they indicative of what is happening around the world?

The six countries illustrate the variety of ways that this wave of privatization is being pushed across multiple continents. In Brazil, Jair Bolsonaro is explicitly disregarding Indigenous rights and the value in protecting natural resources in favor of accessing mineral wealth, expanding ranching, agribusiness, and commercial forestry. Others hide the ultimate motive of acquiring land and natural resources behind the guise of promoting development. The claim that countries will develop by opening their lands to attract investment is seen in the MCC compact in Sri Lanka, Myanmar’s “Vacant, Fallow, and Virgin” (VFV) law, and Papua New Guinea’s so called “development” strategy.

The six cases are only examples of a broader trend across the world – with countries rushing on the path of land privatization. The report also reveals that marketing by governments and public investment agencies of hundreds of millions of hectares of land as being “available” or “unused,” ignores that millions of livelihoods are dependent on this land. This trend is not just limited to the Global South. In the United States, Donald Trump has made several moves to put public lands for sale. This includes the June 2020 nomination of William Pendley – a long time staunch advocate of selling off public lands to the highest bidder – as the head of the Bureau of Land Management, the department responsible for nearly 100 million hectares of federal land.

If large portions of land are unused, shouldn't the governments make it available to investors to help spur economic growth?

The report's analysis makes it clear that while land is marketed as “vacant,” or “unused,” this is generally not the case. For example in Myanmar, the VFV law aims to boost economic development by opening “unused land” to commercial agriculture and mining. But the VFV lands that cover nearly a third of the entire country are far from vacant. Farms, gardens, orchards, productive forests, and communal village land with numerous innovative Indigenous land governance systems are found throughout these areas. The land said to be unused actually plays a crucial role in millions of livelihoods.

This blinkered approach ignores that Indigenous People have an extensive use of the commons for a range of community benefits - sustainable farming, grazing, use of shared community forest resources for medicinal purposes and other products. Moreover, the benefits are generational and planetary as Indigenous communities are the last line of defense against ecologically destructive practices adopted by corporations and governments.

But don't these countries need private investment in order to develop?

While western donors and international finance institutions claim that attracting private investment for the extraction of natural resources or expansion of industrial agriculture is the way for countries to “develop”, there are a myriad of paths that governments can follow that don't require privatizing the land used by family farmers, pastoralists and Indigenous communities. This report dispels the notion that exploiting more land is necessary to spur economic growth. Around the world, there are many examples that demonstrate how investments in production, processing, and marketing can improve livelihoods without alienating land.

In West Africa for instance, investments into various stages of the dairy value chain have increased local production without affecting the customary tenure systems governing nearly 50 million nomadic herders and agro-pastoralists. As a result, local dairy production increased by over 50 percent between 2000 and 2016.

In Brazil, between 2004 and 2015, agricultural production increased while deforestation fell when land and resource rights were granted to Indigenous Peoples and communities under customary systems, alongside a strong network of protected areas, land use planning, and enforcement.

In Papua New Guinea, the informal economy and the agriculture sector highly depend on the maintenance of the customary land tenure system, which provides home and livelihoods for the vast majority of the population. Whereas in recent decades logging and mining have had devastating human and environmental consequences, there are clear alternatives to these extractive activities – for example establishing in-country processing of wood rather than exporting round timber, investing in domestic trade, storage, and transformation of agricultural and forest products, promoting high value export commodities such as cocoa or vanilla. None of these activities require changes to existing customary land tenure systems.

The report is critical of private titling efforts. But isn't secure land tenure key to development and an effective way to prevent land grabs?

The report does not dispute the vital importance of land tenure security. What is disputed is the claim that private titles are the path to tenure security. It compiles evidence from USAID and the World Bank showing that customary systems can provide adequate tenure security and that past efforts to convert customary systems into a western private title system can result in social and economic displacement. The idea that privatizing land will bring development comes in part from the – now largely debunked – claims of Peruvian economist Hernando de Soto, that “securing land rights” via private titles would improve access to credit, agricultural investment, and environmental stewardship. Research reveals that private titling has not increased access to credit and loans. The often repeated claim that private titles offer tenure security while customary systems remain insecure, is not substantiated by any evidence.

On the other hand, many customary systems actually do provide tenure security and land rights, as well as mechanisms for sharing and preserving natural resources for future uses. These don't consider land as an individual's property that can be bought or sold but instead value it as a common good – an ancestral asset with deep social and cultural significance, which must be preserved for future generations.

While research has long shown the value of customary systems, some Western aid agencies and financial institutions fail to recognize the evidence and continue to advocate for and support the privatization of land and the creation of land markets. The lack of evidence of development outcomes associated with private titling, along with these individual examples of the detrimental impact on people and communities, makes it clear that the privatization of land has nothing to do with fighting poverty or improving livelihoods. It is just another avenue for

further colonization and exploitation of natural resources for the benefit of few private interests and corporations.

But are customary tenure systems perfect? Don't they disadvantage women and other marginalized groups?

Customary tenure systems are diverse. Some are in place in societies where women and minority groups are marginalized. There are also examples where individuals have misused customary systems to strike deals with corporations at the expense of their own community. However, the claim that private titles will address these issues is misleading, as individual titles will not address the systemic issues that create inequity and marginalization. The United States is one of the countries where most of the land is privately owned, but this has not eliminated socio-economic inequity and marginalization. It is rather the opposite given the high level of concentration of wealth and power.

So what needs to be done?

The dire consequences of this ongoing commodification of land must be confronted as a part of any solution to challenge growing inequities and climate crisis. Returning to normal is not an option as unfettered capitalism has brought us to this disaster.

From family farmers in Ukraine to Indigenous groups in Brazil and rural communities in Sri Lanka or Myanmar, the report shows how people are resisting the attempts to privatize land and natural resources. While sometimes portrayed as being anti-development, it is essential to recognize the righteousness of these ongoing struggles. These are essential to preserve sustainable livelihoods and create a truly green economy that protects natural resources for future generations and is able to curb carbon emissions and climate change.

Governments must support, build or expand systems that incorporate a diversity of ownership and tenure systems and focus on a development path that serves people instead of one that takes the land away from them for corporate profits.