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Home ▶ All Journals ▶ Global Development ▶ The Journal of Peasant Studies ▶ List of Issues ▶ Volume 37, Issue 4 ▶ Over the heads of local people: consulta ....

## The Journal of Peasant Studies >

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# Over the heads of local people: consultation, consent, and recompense in large-scale land deals for biofuels projects in Africa

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### **Abstract**

Highly publicised large-scale land deals for biofuels are raising prospects for macro-level benefits in recipient countries, but also carry the threat of appropriation of land and natural resources from the poor local people who depend on these assets. This paper examines the extent to which local people are party to land allocation processes, considering both the procedural issues of consultation and consent, and the distributive issues around compensation. Current evidence is that local people's capacity to bargain or give free consent to investments is limited by their lack of access to economic and institutional alternatives. While host governments may offer policy support to local rights and claims, government agencies tend to align with the interests of large-scale investors when tested in real negotiations.

Keywords:

Africa biofuels land tenure land grab land transfer lease consultation consent compensation

# Notes

<sup>1</sup>FPIC is formalised through article 32 of the 2007 UN Declaration on the Rights of Indigenous Peoples. Its fundamental principle is that indigenous people have the right to approve or veto proposed developments on their lands, based on full information, representative institutions, and iterative, culturally sensitive negotiation, backed up by effective systems for grievance, redress, and mitigation (Colchester and Ferrari 2007).

# Additional information

Notes on contributors

<sup>&</sup>lt;sup>2</sup>Based on FAO definitions and estimations of land suitable for agriculture.

<sup>&</sup>lt;sup>3</sup>Interview with Sudanese government official, 22 February 2009.

<sup>&</sup>lt;sup>4</sup>Interview with government official, 18 February 2009.

<sup>&</sup>lt;sup>5</sup>Tanzania's Land (Amendment) Act 2004 introduced another land access arrangement – the establishment of joint ventures between foreign investors and local groups (under Article 19(2)(c) of the Land Act, as amended). Under this arrangement, local groups retain land rights while the investor obtains lesser land rights from the local group.

<sup>&</sup>lt;sup>6</sup>Interview with an FAO country officer, 11 February 2009.

<sup>&</sup>lt;sup>7</sup>One US dollar is about 30 meticais.

<sup>&</sup>lt;sup>8</sup>The lowest recordable level on the records sheet; most are likely to offer considerably fewer than 50 full-time equivalent jobs.

<sup>&</sup>lt;sup>9</sup>Written note submitted on data sheet, 13 March 2009.

### Sonja Vermeulen

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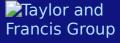




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