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Karin Gaesing

Access to land and securing of land rights
in development cooperation
Analyses and Recommendations

AVE-Study 22b/2020

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**Access to land and securing of land rights
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AVE-Study 22b/2020

Ways out of extreme poverty, vulnerability and food insecurity

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Project Background

The number of extremely poor people in many developing countries is not declining despite considerable efforts. The Institute for Development and Peace at the University of Duisburg-Essen conducted a four-year research project entitled "Ways out of extreme poverty, vulnerability and food insecurity". The aim of the project was to develop recommendations for German governmental development cooperation improving target group reach and sustainable living situations for extremely poor, vulnerable and food-insecure population groups. The research focused on analysing projects that mainly work within the following areas: (i) access to land and tenure security, (ii) value chains, and (iii) social security. Socio-cultural aspects of development, participation and gender were always taken into account as overarching crosscutting issues. In the focus countries Ethiopia, Benin, Burkina Faso, Cambodia and Kenya, good practice projects were identified for the above-mentioned priority themes and, in a second step, their effectiveness was examined on site.

Based on our fieldwork and research of the past four years, this article deals with access to land and the securing of land rights within the framework of development cooperation measures. The overwhelming majority of the poor and food insecure in developing countries live in rural areas and are primarily dependent on agriculture. Access to land and securing of land use, at least in the longer term, are therefore important for the survival of these people.

List of abbreviations

BMZ	Federal Ministry for Economic Cooperation and Development
BRACED	Building Resilience and Adaptation to Climate Extremes and Disasters
CFS	Committee on World Food Security
DC	Development Cooperation
FAO	Food and Agriculture Organization of the United Nations
INEF	Institute for Development and Peace
LASED	Land Allocation for Social and Economic Development
RAI	Principles for Responsible Investment in Agriculture and Food Systems
SDG	Sustainable Development Goal(s)
SLMP	Sustainable Land Management Project
TC	Technical Cooperation
UN	United Nations
VGGT	Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security

Summary

The majority of the poor and vulnerable population groups in developing countries live in rural areas and rely mainly on access to land for their livelihoods. After having been neglected by development cooperation for a long time, rural areas came back to the fore in connection with the problem of feeding a constantly growing world population and the Agenda 2030 adopted in 2015. The Sustainable Development Goals (SDGs) rightly define secure land rights as the key to food security and food sovereignty.

The United Nations (UN) Declaration on the Rights of Peasants and Other People Working in Rural Areas also advocates the protection of land rights and access to land for smallholder farmers in a world where land grabbing and contrary / conflicting land use interests are commonplace (UN 2019).

The promotion of a functioning and structurally strong rural area should be the overall objective of Development Cooperation (DC) measures in agricultural zones. In this area, people must be able to engage in gainful employment from which they can live and feed their families. It does not matter whether this is an agricultural activity or not. However, an important prerequisite for agricultural acquisition is that households should be able to pursue agricultural activities in permanently land secure conditions. Only then are they prepared to invest in agriculture, to develop it further and to manage their natural resources such as soil and water in a sustainable manner. Experience shows that a right of use that is secured in the long term also promotes the sustainable use of natural resources.

Not only for men, but also for women, earning an income is usually essential for survival. Moreover, the contribution of women to household income strengthens their position in the family. In rural areas, therefore, secure access to land and its long-term use is essential for women and should always be taken into account in the planning and implementation of DC projects and, if necessary, demanded through targets and indicators.

Opportunities for land access should also be created for extremely poor and landless population groups. There are the following possibilities: (i) the ecologically responsible reclamation and valorisation of previously unused or only partially used land, (ii) the implementation of land reform which redistributes land, or (iii) the priority use of land designated as common land by the poor. In all three options, it is essential that the interests of the various stakeholders are made public and negotiated. This process must be transparent and participatory. Settlement of conflicts should be made in advance and conflicts should not be left to the direct participants alone.

In many countries and societies, traditional land law systems often continue to exist alongside "modern" law, which is usually accompanied by the granting of private property titles. In transformation processes, it should be borne in mind that, in addition to the land "owners", other people, often the owners' wives, but also the general public have (graded) traditional rights of use for the same land. Experience shows that these rights of use are lost when land rights are formalised. Moreover, traditional land rights and the way they are handled in practice should be studied closely in order to use them as a basis for adapting to changing circumstances rather than radically replacing them with "modern" legislation and regulations.

1. Background: initial situation and challenges

Due to the currently much-discussed question of whether and how the growing world population can be fed sufficiently and adequately in the future, Agenda 2030 (Sustainable Development Goals) has once again brought rural areas into the public interest after a long period of relative neglect. Goals 1 (end poverty in all its forms everywhere) and 2 (end hunger, achieve food security and improved nutrition and promote sustainable agriculture) explicitly place the promotion of rural areas and small-scale farming back at the centre of DC. Here SDG 2.3 rightly defines land rights as the key to food security and food sovereignty. In addition, land has spiritual and cultural significance beyond agricultural use, especially for indigenous population groups.

Guidelines drawn up by the Committee on World Food Security (CFS) such as the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT)¹ already take into account the protection of traditional land rights, indigenous peoples and smallholder farmers. The CFS has also adopted the Principles for Responsible Investment in Agriculture and Food Systems (RAI)². They show the importance of promoting food security and poverty reduction in (private) investments in agriculture and call for sustainable investments in all sections of an agricultural value chain (CFS 2014). However, both directives are based on the principle of voluntary implementation and planning. As a result, they are often sidelined by corrupt or incompetent governments and authorities as well as by powerful and disproportionately profit-oriented organisations and private companies. Land grabbing is therefore common practice in many countries, and human rights violations and destruction of the environment are the side effects.

In November 2018, the United Nations also explicitly stressed the rights of smallholder farmers and other rural population groups who are increasingly exposed to hunger and discrimination worldwide. The UN Declaration was formally adopted by the UN General Assembly at the end of 2018 and above all strengthens individual and collective rights of smallholder farmers, such as the right to land, seeds and water. At the same time, it bundles and complements all rights of the existing human rights canon.³ However, the Federal Republic of Germany did not vote for the Declaration, but abstained from voting. This contradicts its commitment to the promotion of small-scale agriculture, e.g. within the framework of the BMZ's special initiative "ONE World without Hunger".

The term "smallholder farmers" is deliberately not defined in this paper because there is no universal definition to date and small-scale agriculture is dependent on the land and production. Measured in terms of the area cultivated, smallholder farmers from Brazil, for example, would be considered large, commercial farms in West African countries. We therefore refer to the concept of *family farming*, which is defined by the FAO (2019) as follows:

"Family farming includes all family-based agricultural activities. [...] Family farming is agricultural, forestry, fisheries, pastoral and aquaculture production managed and operated by a family and is predominantly reliant on family labour, including both women's and men's."

¹ Developed under the auspices of the *Committee on World Food Security* in an intergovernmental dialogue involving civil society, academia, the private sector and international organisations and adopted in 2012 (<http://www.fao.org/tenure/voluntary-guidelines/en/>)

² https://www.weltagrabericht.de/reports/Global_Report/Global_8_495.html

³ <https://undocs.org/pdf?symbol=en/A/RES/73/165>

The United Nations Decade of Family Farming 2019-2028 proclaimed in this context marks the importance of small-scale farming and calls for it to be placed at the centre of Agenda 2030 (FAO / IFAD 2019).

In the debate on how to produce enough food to feed the growing world population, one of the views expressed is that this can only be done with the help of industrialised agriculture. In contrast, studies, such as the World Agriculture Report (FAO 2014) or a World Bank analysis (cf. Ligon / Sadoulet 2007), show that small farms can produce a higher nutritional value per hectare if they have sufficient resources. This growth as a result of agricultural investments can lead to higher incomes, especially for small farms. It can also lead to greater availability of food in rural areas and among the extremely poor population groups living there – where it is most needed.

According to a metadata analysis by Jayne et al (2016), medium-sized farms with efficient production are gaining ground in many African countries. However, according to their findings, most of these farms have not developed from small-scale farms, but have been set up by politicians, administrative officials, teachers and other members of the middle class, often urban dwellers.

Negative outgrowths of this type of agriculture are capitalist profit-seeking farms, which can be found in many North African and Latin American countries, but also in parts of South and Southeast Asia (see Bliss 2012). In many cases, large landowners farm their land only to a small extent and, moreover, in an inefficient manner with the help of wage labourers, whose interest is their payment, but not the harvest achieved or sustainable measures to increase yields.

In German development cooperation, rural areas have been back in the spotlight for a few years now, which has led, among other things, to the special initiative ONE World – No Hunger. In measures in favour of land access and improved land rights, German DC is currently largely (with a few exceptions, such as in Namibia) foregoing land reforms understood as redistribution of land and is largely focused on rather apolitical, technical support in the areas of land administration and land use planning (see Herre 2014). New land projects are also significantly reduced in scope, partly due to the devastating ecological impacts of earlier projects (e.g. devastation of thousands of hectares in Dafur, Sudan in the 1980s).

Furthermore, although community land in the sense of common land is addressed in development cooperation with regard to indigenous peoples in Latin America, among others, it is somewhat neglected in other regions of the world with the exception of Cambodia or Bangladesh, even though the majority of indigenous groups live in South and Southeast Asia.

What has long applied to development cooperation also applies to many partner countries. The promotion of rural areas is not the focus of development strategies. Similarly, national development strategies and sectoral policies in the majority of countries in Africa, Asia and Latin America are not geared to the sustainable development of small farms into viable enterprises that enable their owners to feed themselves adequately and produce marketable surpluses. Rather, they explicitly allow rural areas to be exploited by the production of export goods for foreign exchange and thus profits are not reinvested in rural development⁴.

⁴ A prime example of this is Côte d'Ivoire, which has achieved considerable prosperity and progress by skimming off the profits from coffee and cocoa production. However, the profits have not been invested in development of the rural area, to which it owed this prosperity, but in urban prestige projects.

Ultimately, the neglect of rural areas leads to impoverishment, vulnerability and food insecurity for large sections of the population. But it also indirectly supports rural exodus to the cities and migration to (supposedly) more prosperous neighbouring countries as well as to Europe and the USA and, to a lesser extent, to Australia.

Characteristics of extreme poverty and its relation to land

Extremely poor families in rural areas are predominantly to be found in the rural worlds 3, 4 and 5 defined by the OECD, i.e. in subsistence households, micro-agricultural enterprises and landless households (OECD 2006). A high proportion of these are female-headed households, which often either own smaller areas of land than male-headed households, or do not have the manpower to cultivate their land adequately.

However, remedying the lack of labour is only one starting point for effective support of small (micro-) enterprises. Equally important factors are land security and a reliable supply of inputs such as tools, seeds and loans, which are essential to make farming possible or more efficient.

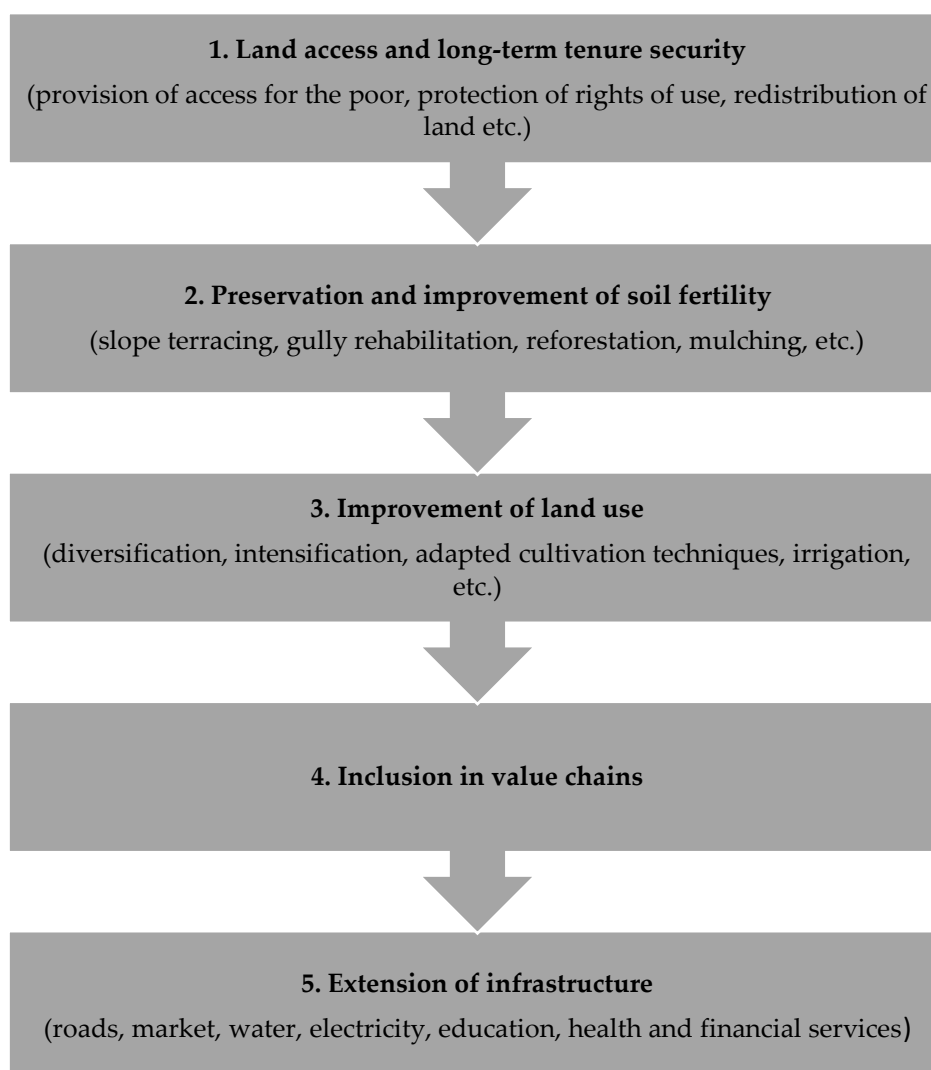
Landless households, on the other hand, can be helped by access to land. However, it should be borne in mind that many of these people have no experience of agriculture and need to be trained in it first. Small farming households are generally particularly vulnerable to land grab, but also to shocks such as droughts, because they do not have the reserves to bridge these shocks or have no alternative sources of income.

2. Objectives, targeted effects and approaches

The **overall objective of rural development measures** should be to promote a functioning and structurally strong rural area in which people can work, whether in or outside agriculture, to earn a living and feed their families. Such a rural area necessarily includes the existence or development of physical (e.g. roads, markets, water supply, and electricity) and social infrastructure (e.g. health, education, finance) and the promotion of value chains.

A basic prerequisite for this is that the people who live on agriculture as the basis of the rural economy can pursue this activity in permanently secure conditions. Only in this way are they in a position to build up resilient farms and to be prepared to invest in agriculture, to develop it further and to protect their natural resources such as soil and water in a sustainable manner. Ideally, this is done in the sequence of steps shown in Figure 1, which should be supported by DC. Here, however, it is more important that all five steps are considered holistically than that they follow each other in the order shown.

Figure 1: Five steps to building resilience in small farm households



The following recommendations for objectives refer primarily to the first step, i.e. access to land and the need for long-term security of land use as a prerequisite for functioning agriculture. However, steps 2 and 3 are also addressed, since they are inseparably linked to this. Sustainable rural development is inconceivable without the other steps and is often linked to them in projects identified as good practice. Under these conditions the following objectives can be formulated:

Objective 1: Taking account of the VGGT and RAI guidelines

In accordance with the policy called for in the VGGT and RAI guidelines, smallholder farmers must be guaranteed permanent management rights for their land. Particularly in the course of large-scale agricultural investment projects (which very often involve land grabbing) it is necessary, from a human rights perspective, to protect the rights of smallholder farmers on site and other land users. Compliance with guidelines should be taken into account throughout the design, planning and implementation of national and DC measures.

Objective 2: Creating access to land for poor and landless people

For (extremely) poor and landless population groups, especially women, access to land should be increased. In rural areas, farming is often the only way to secure a livelihood. There are various ways of promoting access to land: one possibility is the redistribution of land through land reform, in which large areas are (partly) allocated in small proportions to a large number of people with little or no land. Another possibility is the ecologically responsible reclamation of land that has not been used to date, or has been used for other purposes, for the purpose of creating cultivable land and allocating it to the poor. This has been done in Cambodia, for example (see Chapter 3, Good Practice 3). Of course, long-term use of the land should also be guaranteed.

Socio-cultural aspects and gender concerns must also always be taken into account. In West Africa, for example, access to land for women is easier to obtain in a group than individually, if it is not through their husband. A village chief or landowner is more inclined to give a piece of land to a group of women who want to grow vegetables together, for example, than to a single woman.

Objective 3: Use of community land (commons) in the interest of the poorest

Community land exists in many forms and is currently also used in a variety of ways, often as grazing land or as a source of firewood, grass to cover roofs and other natural resources. As a rule, traditional societies have a management system for their commons. However, these systems are not always effective today due to population pressure and other circumstances.

There is the possibility of making unused or only partially used commons available to very poor population groups or, specifically, to young people without work for income-generating activities such as agriculture, animal husbandry, beekeeping or the like. However, this must by no means be decided without consultation of the local population, but must be carried out in a transparent and participatory manner. For instance, a binding agreement should be reached between the community and the new users, including the specific conditions of use of the land. For example, planting perennial crops on this land can be problematic. But often the commons also include heavily eroded land (e.g. large erosion gullies) and other marginal sites. If these areas are left to private users, it should be regulated by whom and in what way these areas can be used if they are returned to a productive state.

Objective 4: Respecting rights of use and adapting existing systems when transforming traditional legal systems into "modern" land law

In the transformation of traditional legal systems of land access and land use into "modern" land law with its normally individual ownership titles, community rights (e.g. clan land) as well as secondary rights of use (e.g. women's collecting rights or herders' grazing rights) are often ignored. For this reason, the traditional land rights norms and their practical application should be carefully examined before a reform process is initiated. Building on this, an adaptation of the current legal systems to changing circumstances should be sought and anchored normatively, rather than radically replacing them with "modern" legislation and regulations. In addition, several land law and land management systems often coexist in one country and should consequently lead to different solutions. This is the case in Uganda, where GIZ promotes such different solutions in an exemplary manner. Not only individual land rights, but also the rights of use and ownership of communities should be considered as measures to secure land use rights in the long term.

Often traditional rights of use such as the right to collect shea butter nuts, medicinal plants, wild fruits and the like are not included in the land titles when the land thus used is transformed into private land. As a rule, only the property rights are registered there, and these are usually only in the name of the man. It is not usually noted that his wife, as well as any other women in the village, have the right to collect shea butter nuts, which they urgently need to generate their own or the family income. Accordingly, this use could be completely withdrawn from the women in the future.

Objective 5: Avoiding use of land or land titles as security for loans

In Ethiopia, in the course of land title registration, donor organisations are encouraging to allow the land titles to be used as security for the granting of loans, following the Western model. However, the Ethiopian government has so far rightly resisted this. The danger that farmers will lose their land and thus their livelihoods as a result of this practice is very great. Particularly in countries with (extremely) poor governance, there is a danger that small farming families will be driven off their land due to ignorance of legal consequences of loans that are not serviced or are serviced too late, by the postponement of loan agreements or simply because of arbitrary decisions. Even where loans are to be used to purchase adapted technologies in agriculture, the undifferentiated classification of land as security must be rejected.

Objective 6: Long-term rights of use promote ecologically sustainable land use

Both a long-term right of use and a right of ownership create the security for farmers to invest in their land. But erosion control measures or measures to improve soil fertility also require the use of labour and often financial resources. Poor people are only willing to invest these if they can be sure that the land treated and improved in this way will continue to be available for use. On the other hand, practice shows that they are willing to invest in their land if they have understood and can be sure that the investment will really bring them lasting added value.

Objective 7: Negotiating conflicts of use and jointly seeking for solution strategies

Conflicts over land use are an everyday occurrence in many regions. Especially in areas where agriculture and livestock farming coexist, conflicts often occur. On the one hand, traditionally used grazing land can be cut back by farmers in the context of crop expansion. On the other hand, the harvest and, for example, erosion control structures in farmer's fields can be destroyed by the grazing livestock of transhumant groups.

In the immediate vicinity of urban areas, on the other hand, there are often conflicts of interest between the expansion of settlement and commercial land and agricultural use. There is not always a kind of land use plan, and if it exists, it is not always adhered to.

In these and other cases of conflict, it is necessary to analyse existing, latent conflicts and those to be expected as a result of the changes in the context of the conception, planning and implementation of DC measures, and to include strategies for resolving such conflicts. This is important, for example, when planning irrigation perimeters in areas that are generally used by nomadic livestock herders, as is the case, for example, with the Office du Niger in Mali. Only a joint identification and negotiation of possible solutions, involving key stakeholders and particularly legitimate leaders, can lead to sustainable success.

3. Implementation proposals based on empirical findings

In the following, project examples are presented that already put some of the intended effects and objectives into practice and can be described as good practice projects in this sense. The five steps for building resilience in farms are also at least partially taken into account in the following examples. The intended effects and objectives are not only based on the findings of research into the projects identified as good practice, but are also derived from literature research, numerous discussions with development cooperation experts and the authors' own experience. Hence not every objective is automatically illustrated with a project example. The examples are mainly intended to illustrate how the formulated objectives are put into practice in different contexts.

Good practice 1: Social land titles for extremely poor families can provide a sustainable way out of poverty (related to objectives 2 and 3)

The project *Improving Livelihoods and Food Security* in Cambodia supports access to agricultural land for extremely poor population groups, formerly mostly landless or very poor families of day labourers. On the basis of the 2001 land law, the state can grant previously unused land or returned "economic land concessions" to poor families. These in turn can retain the land as registered property for five years if it is adequately used.

The tendering procedure supported by the World Bank initially began with a largely false start in 2008. The so-called LASED programme (*Land Allocation for Social and Economic Development*) had supported the selection process of the new farmers and had built some basic infrastructure in the areas where initially around 3,200 families each received between 1.5 and 3.0 hectares. However, the external support measures were almost discontinued before the families were able to establish themselves in the new villages. Accordingly, in the agricultural year 2014-2015, fewer than 15% of the families were actually settled in individual villages.

In this situation, a German Technical Cooperation (TC) project was set up to provide bridging aid (mainly food aid, but also food-for-work contributions), equipment and, above all, training and further training measures to motivate the new farmers to actually cultivate their land and thus fulfil the conditions of the land law for the transfer of title. The effects of TC activities in 2017-2019, which were examined by the INEF research project, showed that the bridging aid, especially with supporting income-generating measures, has indeed enabled the majority of families to live in the new villages today. In addition, from the 2018-2019 growing season onwards, a large number of sustainable agricultural enterprises have been established.

However, the study confirmed another important but often neglected finding: the distribution of land to extremely poor households can – better than any other measure – lead them out of poverty in the long term. However, the initially inexperienced farmers must first be trained for agricultural work in the respective context. It is imperative, however, that bridging aid be planned at least until the first harvest, and preferably up to about six months later. This is essential, as poor people often do not have the financial reserves to cope with the time span from the abrupt cessation of their contract work until the first proper harvest (Hennecke / Bliss / Schell 2018).

Good practice 2: Access to common land for extremely poor young people creates income opportunities (related to objectives 2 and 3)

In order to provide poor landless young people in rural areas with the opportunity to earn a living and thus to secure their food, the Multi-Dimensional Food and Nutrition Security project in Amhara in Ethiopia gives them a piece of communal land for use with the consent of the village community. There they can build a stable for sheep and let them graze on the common land, or as an alternative income-generating activity they can keep bees on the land. The use of communal land by the groups is formalised by a document signed by the group members and the local authorities. A positive side-effect of the measure is that many groups – in order to increase the value of the land in the long term – carry out erosion control on the heavily eroded common land (Gaesing / Gutema 2019a).

Good practice 3: Comprehensive land registration and land title allocation on a family basis strengthens women's rights (related to objectives 2 and 4)

In six regions of Ethiopia, particularly in the Ethiopian highlands, where intensive agriculture is practised continuously on often very small areas, the Ethiopian authorities have been registering fields throughout the country for several years. This has been accompanied by an individual allocation of land titles. The special feature of this title allocation is that in the case of married couples, the husband and wife are entered in the certificate as owners with equal rights. This is intended to create legal security for wives in the event of divorce or widowhood. Where it used to be common practice in such cases for women to be forced out of the land they had worked for many years together with their husband, they now receive half of the family land in such cases. This type of land registration is supported by some DC projects, including the Sustainable Land Management Project (SLMP) of German TC (Gaesing / Gutema 2019b).

If the women do not work the land themselves, they can lease it or have it worked by hired labourers. In this case too, they benefit from registration and thus from the long-term security of land access. In general, the granting of titles thus provides security for farmers when investing in their land, in case of conflicts with neighbours and in the event of investors expressing interest in their land.

Good practice 4: Sustainable access to land is also possible for women in West Africa (related to objectives 2 and 4)

In most West African countries, women are responsible for certain household expenses and must generate their own income. As a rule, a woman is given a piece of land for cultivation by her husband when she marries. The way in which this land is used is usually left up to her. Often, however, the women's fields are of inferior quality and are also located far away from the village. In the global project "Soil Protection and Soil Rehabilitation for Food Security" of German TC in Benin, in addition to the main measures to improve the soil, an explicit attempt is also being made, through the targeted involvement of women in the project activities, to enable them to make better use of their fields than in the past, and thus generate higher yields.

For example, when implementing measures to rehabilitate and maintain soil fertility, a participation rate of at least 30% women is required for the initial training measures. In order to increase the effects for women, during the current phase the "share of women" was changed to the "share of land in women's hands", which is an almost revolutionary step in view of the usually small areas of land owned by women. If 30% women take part in further training, this

does not mean that the women will be able to apply what they have learned in their fields. With the new indicator, however, implementation is measured directly.

Through the formation of mutually supportive women's groups and the public discussions on gender issues initiated by the project, the women now publicly resist the idea that their husbands or older sons take the laboriously fertilised land back from them after the harvest and assign them a new field (Gaesing / Bliss 2019).

A similar phenomenon can be observed in Burkina Faso. There, the Building Resilience and Adaptation to Climate Extremes and Disasters (BRACED) project explicitly distributes improved seeds to women. As a result, the husbands feel compelled to actually give their wives a piece of land in order to be able to use these seeds. The high-yield harvest of the women's fields convinced many men of the benefits of this measure. The process is supported by accompanying joint training courses for men and women. Not only has the economic situation of the families improved as a result of the women's fields, but the reputation of women in the family and village community has also risen significantly as a result of their economic contribution to household income and the training courses they have completed together (Herold 2019, as well as an evaluation of the project carried out in 2019).

Good practice 5: Municipal land titles guarantee economic and cultural survival of indigenous societies (related to objective 4)

In the northeast of Cambodia live some ethnic minorities or indigenous societies. In their case, communal land use is still widespread, but in recent decades it has been thrown off course by various historical events (especially the Khmer Rouge phase, later by land grabbing). Legal and illegal so-called "economic land concessions" as well as the first individual land titles are gnawing away at the land. They are also undermining the self-conception of the indigenous people and damaging their forest and arable land, which is important for their survival. In addition, they impair their access to sacred places and burial grounds as well as the general spiritual connection to the land of their ancestors.

Against this background, the (re-)establishment of municipal land rights via legally secure, registered land titles is extremely important for the people. This is made possible by the Cambodian land legislation of 2001, which provides for the registration of land titles in the name of the village community. However, the process is very complex, which is why many indigenous groups depend on external support.

Assistance was and still is provided by local and foreign (including German) non-governmental organisations. The main challenge is first to register the village community as an indigenous group in order to define the village area (in demarcation and coordination with neighbouring communities) and then to steer the procedure through the regional representations of four participating ministries.

The fact that the process often takes several years is attributable to the Cambodian bureaucracy, but also to the fact that the support of many villages by NGOs was not intensive enough. Land surveyors together with moderators could define the borders in a fraction of the time needed without them, and if lawyers were present on site, the process could be shortened considerably. Nevertheless, the results show that the commons can be secured or even restored despite the commercialisation and individualisation of land, as well as open land grabbing. For indigenous societies, this securing of land titles means their cultural survival in addition to their physical and economic survival (Hennecke / Schell / Bliss 2017).

Good Practice 6: Transformation from traditional land law and land management systems to a modern land law must be designed in a fair, transparent, discursive and conflict-sensitive manner (related to objectives 4 and 7)

In the example already cited from Ethiopia (Good Practice 1), the transformation of land titles aims at processes which are speedy and cost-effective or free of charge, and are also accessible and feasible for marginalised population groups and illiterate people. This seems to succeed for several reasons: (1) the registration of land with land title allocation is carried out by the state on a nationwide basis; (2) the activity is supported by several donor organisations within their programmes and is partly used as an incentive for participation in project activities (e.g. through the SLMP and the Livelihood for Transformation Project) and (3) the allocation of titles to private land is widely accepted by the affected population because the benefit of a certificate is obvious to them. In addition, (4) the initiative for land title allocation is not left to the farmers, but is actively proposed to them and (5) it is almost free of charge for them.

As part of the procedure, village assemblies are first convened in the villages, where detailed information is provided on land registration and the subsequent issue of certificates and a precise timetable is set. In the further process, this gives all farmers the opportunity to be present during the surveying of their land and the determination of the borders with neighbouring properties and to make corrections if necessary (Gaesing / Gutema 2019a, 2019b; Gaesing 2018).

Good practice 7: Promoting sustainable agriculture on which value chains can be built (related to objective 6)

The project “Multi-dimensional food and nutrition security in Amhara” in Ethiopia shows in an impressive way that a sustainable contribution to poverty reduction can be made with a meaningful interaction of different activities to combat poverty, vulnerability and food insecurity in a region. The almost comprehensive land title allocation in the project area gives farmers the security that they will be able to continue farming their land in the next generation and make long-term (land-related) investments. Initially, soil fertility is restored or increased through sustainable resource management measures such as terracing of slopes and the use of compost and cow dung for fertilisation. Subsequently, the project will intensify land use, e.g. by establishing a simple irrigation system, introducing new crops such as potatoes and other vegetables and providing improved seeds for barley and other cereals. The project also supports the construction of access roads, without which the marketing of the products would be considerably restricted.

The farmers emphasise that through sustainable management and a change in land use without expanding their areas, they can now achieve three harvests a year, compared to one harvest previously. The farmers can market their barley to a brewery in the region through a well-organised cooperative. This creation of local value chains is also explicitly supported by the Ethiopian government. The measures are rounded off by promoting the formation of reserves and the provision of inputs and tools through the establishment of savings and credit groups and the integration of improved animal husbandry into the project. Nutrition courses for men and women and training courses on peaceful conflict resolution methods at household and village level also make a valuable contribution to the sustainability of the programme (Gaesing / Gutema 2019a).

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