

Martina Locher

„How come others are selling our land?“ –
Customary Land Rights, Rural Livelihoods and
Foreign Land Acquisition in the Case of a
UK-based Forestry Company in Tanzania

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LDPI International Conference on “Global Land Grabbing”, 7 April 2011

Land regulations in Tanzania

“All land is public land”, vested in the President

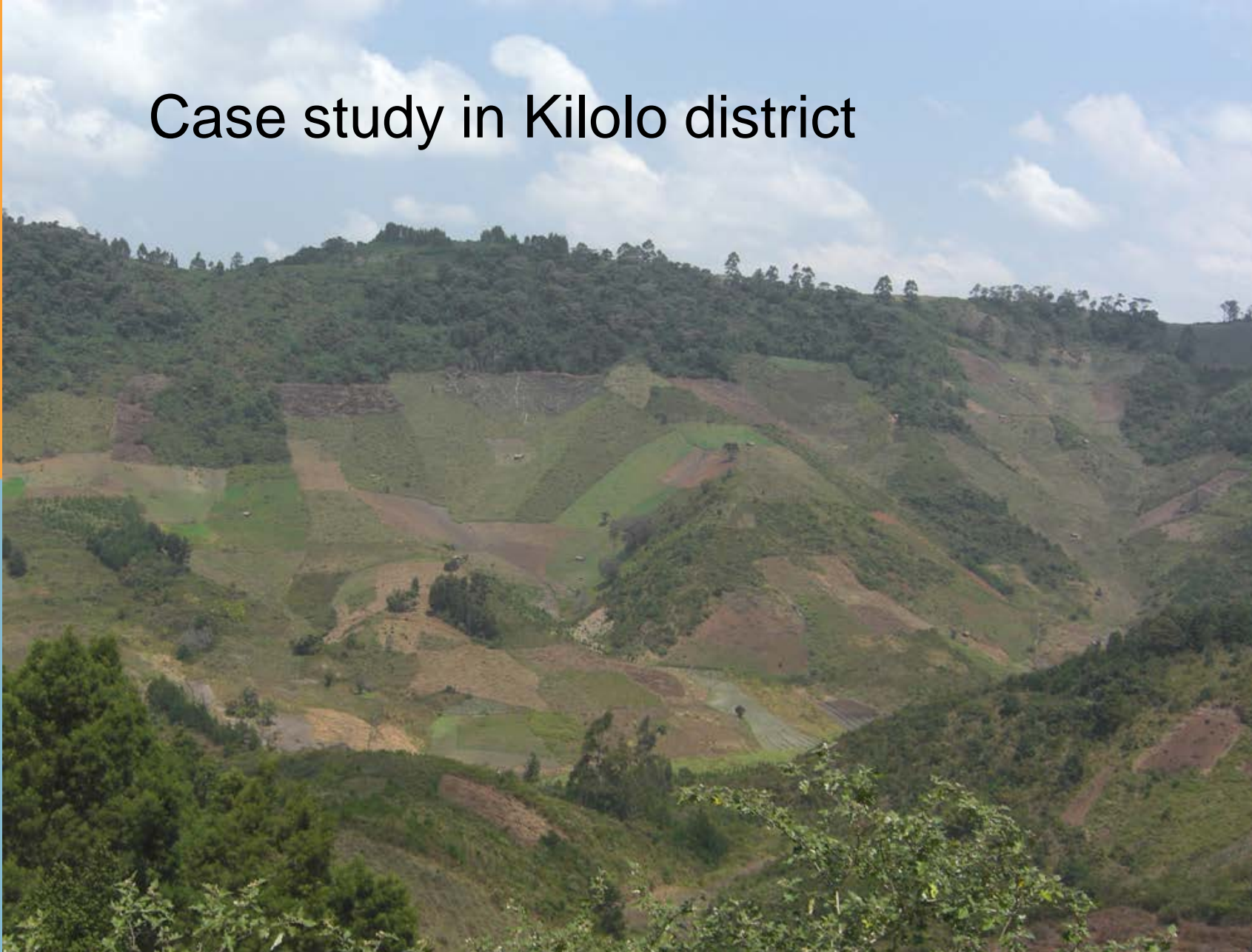
-> land holders

Village Land Act (1999): An “institutionalised hybrid” of customary and statutory law

Acquisition of ‘Village Land’ by an investor:

- Decision/Recommendation by Village Assembly
- Affected people to be informed by Village Council
- Transfer of ‘Village Land’ to ‘General Land’ by President

Case study in Kilolo district



The New Forests Company

- UK, South Africa
- Timber plantations, carbon credits (CDM)
- Around 6,000 ha land acquired in 6 villages



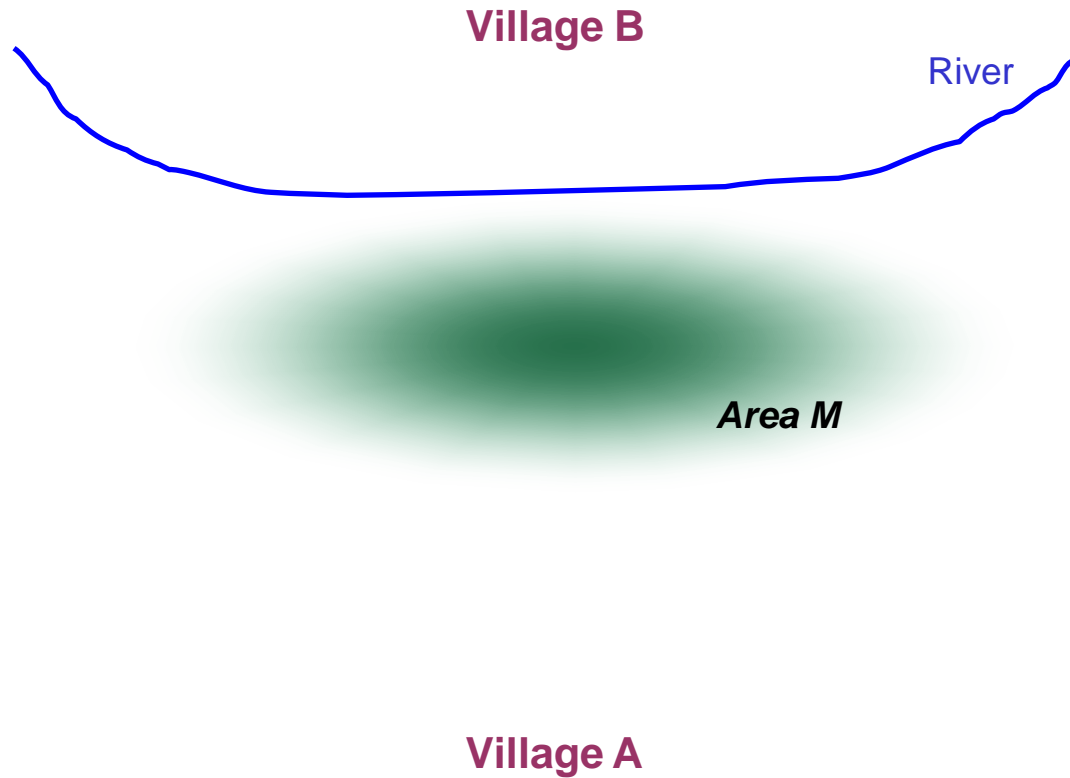


Land acquisition in case of NFC

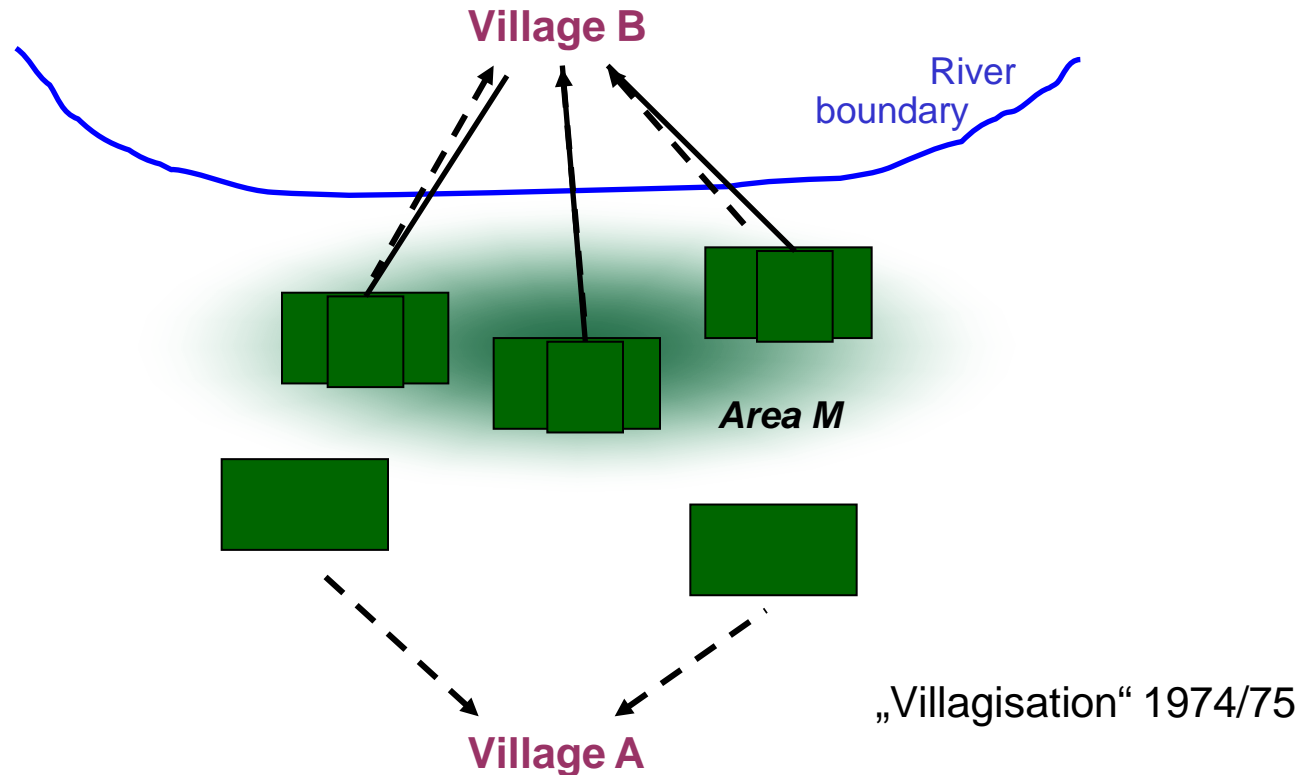
2006 Assembly of Village A: sell 'village land M' to NFC

2009 village land transferred, NFC starts operating
-> complaints from Village B

Land property and use rights in area 'M'



Land property and use rights in area 'M'



Interviewee in B: „M' is our land. Of course, in terms of boundaries, it belongs to Village A, but it is our land“.

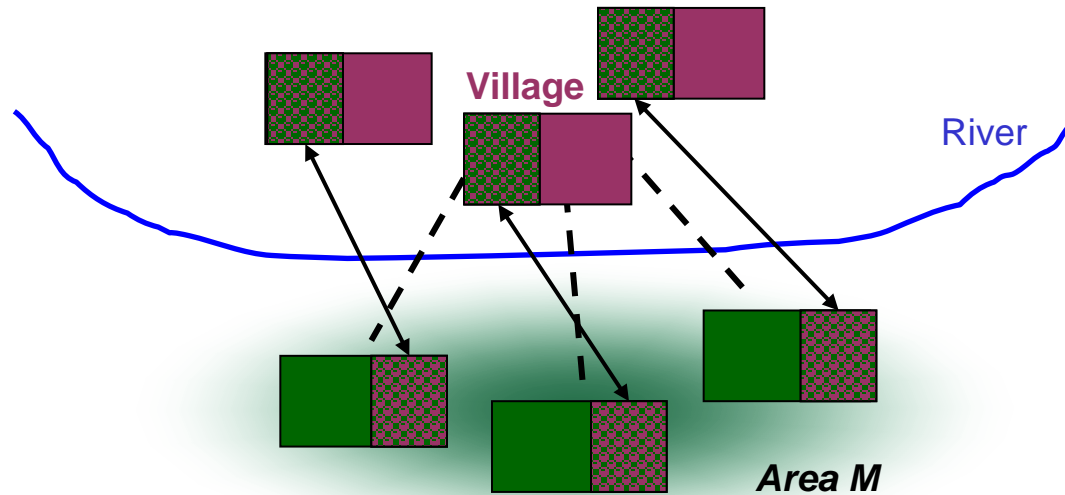
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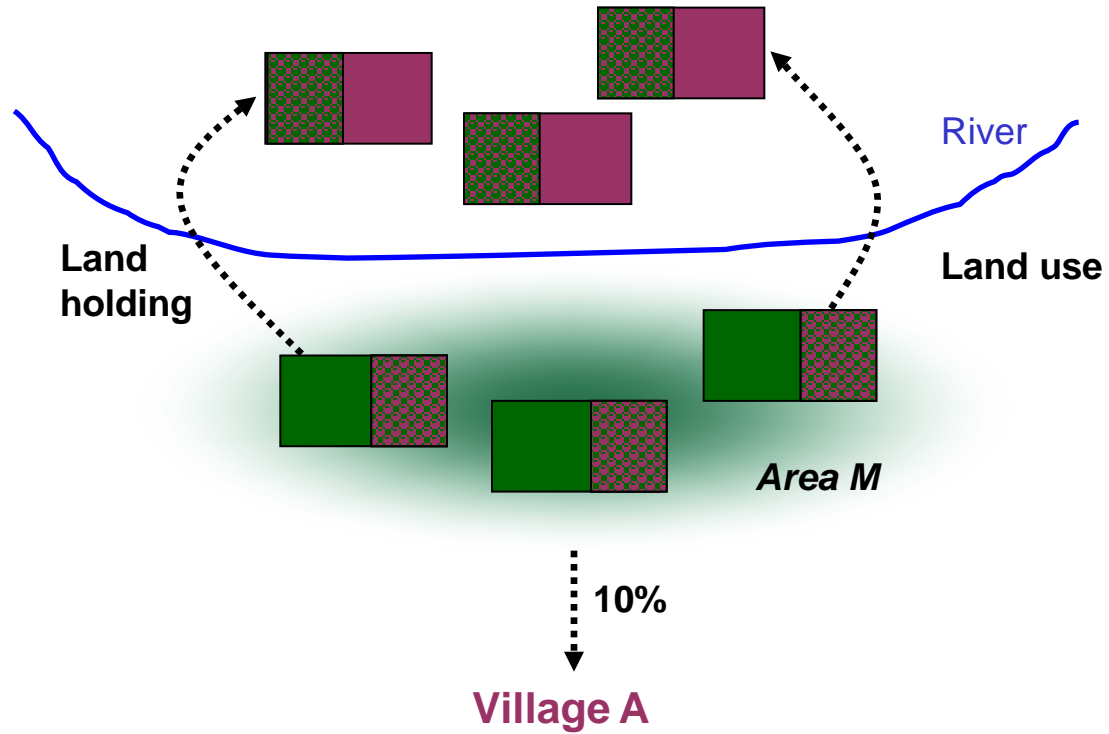
2010 complaints (partly) recognised

Land property and use rights in area 'M'

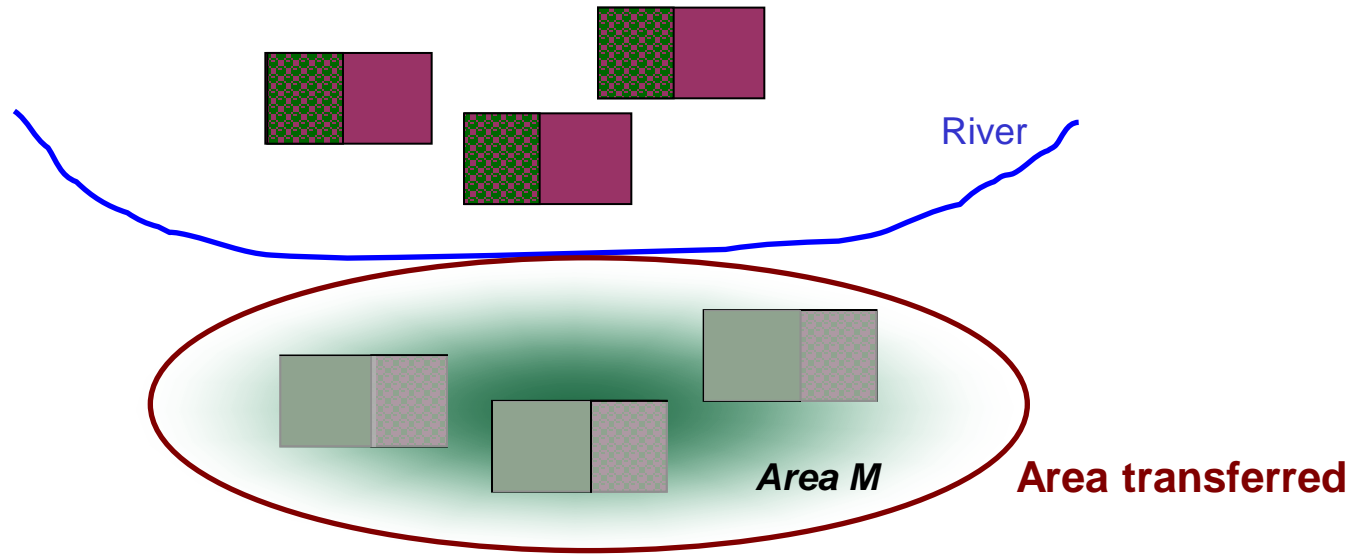


„Villagisation“ 1974/75

Compensation of area 'M'



Implication for land holders of area 'M'



Land acquisition in case of NFC

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Implications for land holders of area 'M'

- Loss of land against own will
- Reduced compensation for landholdings
- Cancellation of earlier customary agreements
- 'Indirectly' compulsory resettlement (but no compensation)

Summarizing

Coexistence of customary and statutory law in area 'M'

Decision regarding land transfer: customary rights of non-members of Village Assembly not protected

-> Careful analysis of local land property situation necessary

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south
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