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Large-Scale Land Acquisitions by Foreign Investors in West Africa: Learning Points

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Abstract

Recent reports indicating that large portions of land (estimated 50-80m hectares) have been bought by international investors in middle- and low-income countries, with roughly two-thirds of those purchases occurring in sub-Saharan Africa, calls for a cursory appraisal of the implications of the trend of land grabbing for West African food security. This study reviews cases of land grabbing by foreign investors in West Africa, identifies the possible drivers of large-scale land acquisition by foreign investors in the region, and discusses the implications of the findings for agricultural and land policy reforms in West Africa. Land transactions involving foreign investors have increased in the area over the past 10 years. Over 100,000 ha have been documented in Nigeria. Ghana and Mali have many significant transactions on land by foreign investors. Several investors have more than 100,000ha. Burkina Faso has one significant land transaction (200,000 ha) while Niger and Senegal have relatively small land transactions. Most lands grabbed in West Africa were profit driven (by biofuel investors) and were made under the guise of using the lands acquired for agricultural investments. There were noted dangers in the deals with respect to food security drive, food safety, environmental safety, employment generation, and land tenure threats, which endangered peace, sovereignty, and the economic wellbeing of citizens. We recommend applying a regional approach by African countries, implementing land reforms that will involve the local communities who own the land, stopping long-term leasing beyond 50 years, building capacity, and creating awareness about land transactions of large magnitudes.

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1. Introduction

Land tenure and investment in land have far-reaching economic and social implications and are therefore key issues for small family-operated farms and their relations with agribusiness (Sahel West Africa Countries, SWAC/OECD 2010a). Land is defined as a physical entity which includes natural resources: soils, minerals, agriculture, and forests. These components are essential to maintaining the productive capacity of an economically sustainable environment (Food and Agricultural Organization, FAO, 2003). According to the FAO, many problems which are now being recognized in natural and agricultural land systems have arisen out of the use of inadequate technologies for assessing and monitoring land resources, preventing land pollution, and rehabilitating contaminated lands.

Large-scale land acquisition deals take many different forms and proceed in a wide diversity of contexts. According to Cotula, Vermeulen, Leonard, and Keeley, transactions labelled as "large-scale" may involve between 1,000 and 500,000 hectares (2009). Land grabs are accelerating the development of industrial farming, with multinational companies producing for the world market and further marginalizing small-scale producers and local markets (Sawyer 2010). Increasing evidence is emerging to affirm that the problem of large-scale land acquisition by foreign investors in Africa is following a dangerous trend, which needs to be monitored. Farming Matters noted that, in Africa, large tracts of agricultural land are being bought or leased by foreign investors for far below-market prices (2011). They added that whatever the shape these transactions take, they all illustrate one major development: land has become currency in the hands of politicians, investors and speculators, just like food and water. Land is the basis of existence for 400 million small-scale farm families. The Earth is their "mother" and needs to be respected and cared for. Thus, farmers will be the first victims of the present rush for land. Global Development (2010) reported that research findings have indicated that a million Chinese farmers have joined the rush to Africa, and that some of the world's richest countries are buying or leasing land in some of the world's poorest to satisfy their insatiable appetites for food and fuel. In the new scramble for Africa, the report added, 2.5m hectares (6.2m acres) of farmland in five sub-Saharan countries have been bought or rented in the past five years at a total cost of $920m (£563m). According to a recent report by the International Fund for Agricultural Development (IFAD), land that only a short time ago seemed of little outside interest is currently being sought by international investors to the tune of hundreds

of thousands of hectares. The report described the huge deals reported to date as "the tip of the iceberg."

The above scenario is even more disturbing when one further notes that FAO (2010) also indicated that access to arable productive land in Africa has been in decline due to the pressure of growing population trends and worsening land degradation from climate change. Many low-income rural households are dependent on land to access limited sources of credit, with land providing the only means to accessing financial markets. Recent high-profile land purchases encompassing thousands of hectares of prime agricultural land have raised concerns over equitable land access (FAO 2010). Sub-Saharan Africa, especially Nigeria and other West African countries, are not exempt from this development (see Cotula, Vermeulen, Leonard. and Keeley, 2009). Such a trend is more disturbing when considered alongside the future of food production from SSA land, where FAO (2003) put the estimated share of arable land in total agricultural land at only 15.6 per cent as of 2000. The FAO report indicated that the total agricultural area in the world amounted to 5.0 billion ha. Of this, about 1.5 billion ha (30.4%) is arable land and land under permanent crops. A decreasing growth rate of 0.3% has been noted over the ten-year period. Response indicators show that the value of agricultural production per hectare of agricultural land is highest in South Asia, at I$ 720.6, while Sub-Saharan Africa trailed behind, globally ranking lowest with a value of I$ 71.8.

Under this scenario, worrying over the growing trend of large-scale land acquisition by foreign investors—who are, at best, interested in growing crops that can only contribute to food security and economic growth of countries outside SSA—while the limited land available for African farmers is diminishing in the face of lingering hunger and poverty is justified. Cotula et al. observed that despite the spate of media reports and some published research, international land deals and their impacts remain little understood (2009). While pressure on land is not a recent development, the increased pace of such pressure is unprecedented. Recalling the opportunities (relating to the flows of public and private investment which West African agriculture, and particularly the family farming sector, need) and the risks (relating to the management of natural, food, and financial resources) of such investments, the President of the SWAC, Mar. de Donnea, stressed that many of the solutions had to be sought at the regional level if there was to be any hope of achieving practical results (SWAC, 2010). The SWAC report is a step towards filling this knowledge gap. It specifically focuses on discussing key trends and drivers in land acquisitions, the contractual arrangements underpinning them and the way these are negotiated, as well as the early impacts on land access for rural people in recipient countries within West Africa, especially in Nigeria, as gleaned from current literature that aims to inform useful measures for Nigerian agricultural and economic policy reforms. The report looked at large-scale land acquisitions in sub-Saharan Africa, especially the West African region, as this is the region in which a majority of land deals are being made (World Bank, 2010a), and which has been promoted internationally as having an abundance of under-utilised land and water for agricultural development: a "sleeping giant" ready to be awakened by commercial agriculture (World Bank, 2010b).

2. Drivers of Land Grabbing in West Africa: An Overview

According to Sahel and West Africa Club (SWAC/OECD) (2010), land transactions have increased in many West African countries over the past 10 years. In some countries, large-scale land acquisition is not new and was even more important in the 70s. National populations continue to be the most important investors in land in West Africa. The scale of land acquisition by foreign investors varies between West African countries: Ghana and Mali have many significant land transactions by foreign investors, with several investors owning more than 100,000 ha. Burkina Faso has one significant land transaction (200,000 ha), while Niger and Senegal have relatively small land transactions. Respectively, these transactions have recorded land acquisitions of 600,000 ha (in Ghana), 410,000 ha in Mali, 213,000 ha in Burkina Faso, 16,000 ha in Niger Republic, and 12,000 ha in Senegal.

Table 1.0 gives instances of some of the major investors in West African countries' lands as recorded by Sahel and West Africa Club (SWAC)/Organisation for Economic Co-operation and Development (OECD) (2010). Investors came from Europe, Africa, and Asia.

In Sierra Leone, Addax Bioenergy, a Swiss company, obtained 26,000 ha for sugarcane, while in Ghana, the Italian company Agroils obtained 105,000 ha. A United Kingdom company, Jatropha Africa, acquired 120,000 ha; ScanFuel (Norway) cultivated 10,000 hectares and had contracts for ca. 400,000 ha. Galten (Israel) acquired 100,000 ha. In the Republic of Benin, there is a proposal to convert 300,000-400,000 ha of wetlands for oil palm production by a foreign investor.

Table 1: Major Investors in West African Land

Countries of Origin of Investors (Selective List)	**Examples of Companies/Investors**
France	Agroed
Germany	Flora Ecopower
Norway	Biofuels Africa and Scan Fuel Ltd
India	Hazel Mecantile
Sweden	Svensk Etanolkemi AB (Sekab)
Italy	Agroils
China	N Sukala
South Africa and UK	SOSUMAR/CANCO; LONHRO
Saudi Arabia	FORAS, Al Tamini Khaled Alhil International, Groupe Bin Taleb international

Source: SWAC/OECD (2010)

3. Land Grabbing: The Case of Nigeria

In Nigeria, it has been reported by Friends of Earth for Africa and Friends of Earth for Europe (2010) that recent land acquisitions by the state using foreign capital and expertise are estimated to amount to 100,000 ha. Such land acquisitions were mostly brokered by the state-owned Nigerian National Petroleum Corporation (NNPC) with foreign capital and expertise, the report added. Examples of such acquisitions are summarized in Table 2.

Table 2: Selected Indices of land grabbing in Nigeria

Company	Land Acquired	Crop Type	Source
NNPC	200 Sqr Kms	Sugar Cane	Local Information
NNPC	20,000 ha	Sugar Cane	Fadare, Sola, "Gombe Alternative Source of Energy Biofuel blazes the trail," *Nigerian Tribune*, 18 July 2008.
NNPC	20,000 ha	Sugar Cane and Cassava	"Can Nigeria Develop Ethanol As alternative Fuel? – News Analysis." *Daily Trust*, 18 July 2006, http://allafrica.com/stories/200607181026.html.
Kwara Casplex Limited	15,000 ha	Cassava	"Case Study: Innovative agriculture project set to take off in Kwara – Maritz, Jaco," June 18 2008, http://www.tradeinvestnigeria.com/news/621995.html:
NNPC	30,000 ha	Cassava	"Inyang, Bassey, Cross River and NNPC Partner On Biofuel Plants," *Daily Independent*, 6 February 2008.
Global Fuels	11,000 ha	Sweet Sorghum	"Jakpor, Francis Biofuel Company unveils renewable source of energy," *BusinessDay*, 13 July 2008, http://www.businessdayonline.com/energy/12883.html.
NNPC	10,000 ha	Cassava	http://www.guardiannewsngr.com/news/article19/010606.
Global Fuels	30,000 ha	Sweet Sorghum	http://www.globalbiofuelsltd.com/news/chairmanspeech.html.

Source: Friends of Earth for Africa and Friends of Earth for Europe (2010: 32)

3.1 Contractual Arrangement

In most cases, each land acquisition deal typically involves a wide range of parties during multiple stages of preparing, negotiating, contracting, and operationalising the project (Cotula et al. 2009). First, multiple agencies within the host government are engaged. Even in countries where there is a central point of contact (a "one-stop shop") for prospective investors (such as an investment promotion agency, e.g., in Nigeria, the Nigerian Investment Promotion Commission, NIPC), this agency alone will not deal with all aspects of the land deal. At a minimum, the investor is likely to need to engage separately with government agencies at the local level. Although some land has been purchased outright, more often it is leased with long-term leases, in some cases up to 99 years. There are also cases of "outgrowing," in which local farmers are contracted to grow a particular crop, such as jatropha. The report added that in Nigeria, communities are facing a resettlement programme after the Nigerian National Petroleum Corporation (NNPC) requisitioned a 200 km^2 area to grow sugar cane for ethanol. The land is currently used by small farmers to grow food crops.

Land in Nigeria is officially held by the state government; local communities have no say in its allocation. World Agronomy and VM group (2011) observed that leases are now the preferred method of transaction instead of outright ownership. But striking favourable terms for such leases has not been easy. In eight African countries, recent lease terms varied from 20 to 50 years, with renewals often possible for up to 99 years. The FAO report noted that the majority of such leases involved payment of an annual rental ranging from less than $2/ha in Ethiopia to $5/ha in Liberia to $13.8/ha in Cameroon. It was also observed that some contracts allowed for a five-year rental free period and, in some cases, for adjustment of the rental over time (2010). Where fees are low, investors may be expected to commit capital to develop infrastructure, such as irrigation canals, roads and processing plants. Most contracts made some allusions to provision of employment, but often in such opaque terms that it would be difficult to hold the investor accountable for non-compliance.

The legal status of land proposed for transfer, or actually allocated to investors, varies across countries and across regions within countries. As the pace of foreign investment has accelerated in developing countries, many governments have updated their land tenure legislation to clarify rights over land and natural resources, to offer incentives for people to invest in land, and to specify terms for international investor access to national resources. The FAO points out that state ownership was common, though government could also invoke eminent domain, on the grounds that it is acting in the public good, and reclassify private or village land to public land. Ironically, provision of a formal title can actually speed up landlessness as poorer farmers may be forced to sell after a bad harvest, leading to a concentration of land in wealthier sections of the community. In Indonesia and Benin, it was observed that where land mapping occurred, there was a greater likelihood of the land being sold to investors.

Farmland acquisitions also have important gender implications. The FAO noted that in many farming regions, most agricultural workers are women whose tasks covered planting to postharvest processing on their immediate and extended

family's land, making them central to household food security. Despite the centrality of women in the drive for household food security, farming contracts are often done with male household heads, with payments made to men even when it is women who do most of the work. In some cases, cash crops controlled by men may encroach upon lands erstwhile used by women for food crops.

3.2 Drivers of Land Acquisition in West Africa

The global rush for land is being justified by claiming that small-scale farmers are unproductive and incapable, and that the best option is to ease them out and invest in "rational" agriculture (Farming Matters, 2011). This misrepresentation of the importance of small-scale farmers, pastoralists and forest dwellers, to the earth and the denial of their productivity and of their rights to land, food, water, and other resources, must be challenged head-on.

In 2007, foreign direct investment (FDI) to sub-Saharan Africa amounted to over US$ 30 billion, a new record level up from the records of about US$ 22 billion in 2006 and US$ 17 billion in 2005. The distribution of FDI flows and stocks is highly uneven, shaped by cross-country differences in resource endowments. Large shares of investment are concentrated in countries with important petroleum and mineral resources, such as Nigeria (UNCTAD, 2008). In Nigeria, most land grabs have been profit-driven, occurring under the guise of using the lands acquired for agricultural investments, especially for cassava, sugarcane, and sweet sorghum, which ultimately would become raw materials for biofuel production (Friends of Earth for Africa and Friends of Earth for Europe, 2010). This is in agreement with trends cited by IIED, FAO, and IFAD, which noted that the production of liquid biofuels was a key driver of much of the recent land acquisitions (Cotula, Vermeulen et al. 2009). Internationally, government consumption targets have been the key driver of the biofuels boom, as they create guaranteed markets for decades to come. In Mali, there a was a public-private split in investment commitments, which was affected by some large, capital-intensive projects in the country (Vermeulen et al. 2009). The projects were mainly driven by local development or food security considerations such as the Union Economique et Monétaire Ouest Africaine (UEMOA) deal and a project funded by a United States donor.

The reasons for the trends in large-scale land acquisition for farming in West Africa do not differ from the drivers in other parts of Africa. Increasing rates of return in farm investments could be one reason. An FAO report in World Agronomy and VM group (2011) refers to anecdotal evidence suggesting that while normal rates of return on capital might be considered around the 6-7 per cent level, recent investors claim they have been securing annual returns of between 20-30 per cent and, in some cases where little competition exists, the returns can be as high as 50-60 per cent a year. Further, over the past two decades, the driving forces behind large-scale land investment in developing countries have become increasingly diverse (FAO report in World Agronomy and VM group, 2011). Foreign governments have preliminarily invested in African and South American land markets in hopes of securing long-term food supplies, while biofuel producers have cleared thousands of acres for palm oil plantations. The idea here was to add extractive industries developing coal and metal reserves, to add commercial farmers expanding their

activities into neighbouring countries, and to embellish the resulting system with financial institutions looking to broaden their portfolios, setting the scene for wholesale changes to national economic landscapes. An estimated 50-80m hectares of land have been bought by international investors in middle- and low-income countries in recent years, with roughly two-thirds of those purchases occurring in sub-Saharan Africa. Ostensibly, the logic behind purchasing agricultural land has been to grow crops or to exploit underlying natural resources. But there are also other factors at play. The FAO makes the point that water and water rights are becoming more important in land purchases: water scarcity is a major driver of international flows of investments in land (2010). Scholars have argued that water is the hidden agenda behind many land acquisition deals. Thus, investors may be seeking to gain control of water resources in states perceived to have a surplus of water instead of a surplus of land. When this is the case, there is incentive to acquire long-leases or freeholds, but not necessarily to commit significant capital to develop the land as a producing asset in itself. Evidence suggests that many land deals have not been followed up with productive investment; according to the FAO, only 20 per cent of investments that were announced actually showed that agricultural production was really happening on the ground (2010). Several factors appear to underpin these land acquisitions (Cotula et al. 2009). These include food security concerns, particularly in investor countries, which are key drivers of government-backed investment. Food supply problems and uncertainties are created by constraints in agricultural production due to limited availability of water and arable land, by bottlenecks in storage and distribution, and by the expansion of biofuel production, an important competing land use.

Increasing urbanisation rates and changing diets are also increasing global food demand. The food price hikes of 2007 and 2008 shook the assumption that the world will continue to experience low food prices. While grain and other food prices have dropped from the highs seen in the summer of 2008, some of the structural factors underpinning rising prices are likely to stay. Government-backed deals can also be driven by investment opportunities rather than food security concerns. In addition, global demand for biofuels and other non-food agricultural commodities, expectations of rising rates of return in agriculture and land values, and policy measures at home and in host countries are key factors driving new patterns of land investment.

With regard to biofuels, government consumption targets (in the European Union, for instance) and financial incentives have been a key driving force. It is possible that the recent decline in the oil price from the highs of 2008 may dampen enthusiasm for biofuel investments. But given the projections of diminishing supplies of non-renewables, biofuels are likely to remain and increase as an option in the longer-term, unless policies shift in response to concerns about the impacts of biofuel expansion on food security.

As for rates of return on agricultural investments, rising agricultural commodity prices make the acquisition of land for agricultural production an increasingly attractive option. Some agribusiness players traditionally involved in food processing and distribution are pursuing vertical integration strategies to move upstream and enter direct production.

Although political risk remains high in many African countries, policy reforms have improved the attractiveness of the investment climate in several

countries—including through a growing number of investment treaties and codes, and through reform of sectoral legislation on land, banking, taxation, customs regimes, or other aspects. These policy reforms also drive the land grabbing trend in Africa.

Land prices in Africa are in many places "very cheap" compared to the international market. Land values are also rising, suggesting the potential for investment. Where the host country is supportive, as it is in Nigeria, land can also be acquired on favourable terms. With a guaranteed market, cheap access to land, and cheap labour, agrofuel development can be seen as a good business opportunity for European companies, explaining the sudden rush of "land grabs" taking place (Friends of Earth Africa and Friends of Earth Europe, 2010).

UNCTAD (2008) observed that over the past decade, economic liberalization, the globalization of transport and communications, and global demand for food, energy and commodities have fostered foreign investment in many parts of Africa—particularly in extractive industries and in agriculture for food and fuel. What are the implications of these developments?

3.3 Implications and Lessons of Land Grabbing for Nigerian Land Reforms, International Trade, and Economic Development

The companies and governments promoting agrofuels in Africa promise locally grown fuel supplies, jobs, and economic development, but how real are these promises? A cursory review of literature (see UNCTAD, 2008; SWAC/OECD, 2010; and Cotula et al., 2009) uncovers many hidden dangers in the trend of land grabbing in Nigeria, and indeed in Africa as a whole. These dangers threaten food security, food safety, environmental safety, employment generation, and land tenure, endangering the peace, sovereignty, and economic well-being of citizens. Dangers inherent in land grabbing include perceived risks by individuals that are likely to be victimized by the arrangement, which in turn can lead to communal conflict that may threaten the fragile security situation in Nigeria, thus jeopardizing attainment of a conducive business environment that can boost FDI either in agriculture or industry. For instance, it was reported that plans for large sugar-cane plantations in Gombe State, Nigeria had raised concerns over pesticide use and the impact on surrounding farmland, leading to agitation among some members of the community who felt threatened by the looming implications of the deal (Salihu, 2008 in *Daily Independent*).

Food security is a current issue in Nigeria, as it is across Africa. The UN FAO noted that there are 307 million hungry people in Africa, most of whom live in Sub-Saharan Africa (265 million). A recent FAO statistic indicated that at least 9.4 million Nigerians were undernourished and that out of Nigerian's 147.7 million citizens, 6 per cent were highly undernourished (2011). Instead of dealing with food supply or food security problems at such a critical time, the country is selling off arable lands to foreign investors prospecting in biofuels production to the extent of losing greater than 136,000 ha of land from only 8 deals that could have been used in producing food crops (See Table 2). The implication of this is that the drive for food security will still be a farfetched dream as long as attraction of foreign investment in agriculture only aims to produce biofuels for profit. The auctioning of fertile farmlands for this purpose also portends danger of losing job opportunities,

increasing poverty in the country, and helping the growth of foreign companies to the disadvantage of poor land owners in Nigeria. The overall implication of these trends is to increase poverty, unfavourable terms of trade against Nigeria, desertification, increased global warming and the adverse consequences of climate change, and the disempowerment of indigenous citizens, who will now be left with few pieces of land that may not reach even one hectare. The extent of land fragmentation and land disputes that may arise in future will be unfathomable if these issues are not addressed and incorporated into Nigerian agricultural and land policies. FAO country studies suggest that in many rural areas, most land is used or claimed by somebody, regardless of how it may be labelled officially. This is one reason why there has been so much unrest in the oil-rich Niger Delta region of Nigeria in the past few years. Does the Nigerian government, which has just granted a costly amnesty to militants that were terrorizing the country, have another excuse to go back to the creeks and start the ugly incidents of bombings and kidnapping again as they introduce yet another form of land grabbing and pollution into the region? There are reports of land being given to more than one person as a result of confusion over who actually has the right to allocate land use. This can precipitate communal clashes. All of these incidents will discourage foreign investment in the country and consequently lead to retarded growth rate.

In Ghana, development agencies have reported that the spread of *jatropha* is pushing small farmers and particularly women farmers off their land. Valuable food sources such as shea nuts and *dawadawa* trees have been cleared to make way for plantations. Some 50 per cent of the Ghanaian population work on the land, mostly growing food for local consumption according to one report (See Friends of Earth Africa and Friends of Earth Europe, 2010). Furthermore, local communities may agree to land transfers in exchange for promises from the company to improve facilities in the area. But such promises are not always fulfilled, leading to resentment from the community (Ambiental and União, Mozambique, 2009).

Proper land governance policies and practices, whether indigenous-based or emulating other countries', can provide lessons for the drive for Nigerian land reform. Land governance is the process by which decisions are made regarding access to and the use of land and natural resources, the manner in which those decisions are implemented, and the way that conflicting interests are reconciled (Hilhorst, 2011). In rural areas, informal processes managed by families or communities are often more important for accessing land than statutory law and processes; hence, there is a need for supporting these existing systems. The growing demand for land also means an increasing role for local governments.

One approach for coping with competition between indigenous stakeholders over land resale, which results from the arrival of external investors, is the wider and more precise marking of boundaries and better recording of rights and transactions (Hilhorst, 2011). This requires more use of paper, witnesses, and tangible markers (such as stones or plants), and can be started by any of the parties in a transaction, i.e. land-holding families and customary leaders, NGOs, or farmers' organisations. An interesting example is the "*petits papiers"* seen in countries as far apart as Madagascar and Mali. These are formal paper contracts between farmers that are prepared in the presence of witnesses to record sales and leases. Local governments in Benin, for example, are starting to play a role in improving the quality of the "*petits papiers*" by making standard forms available. Another approach that is currently spreading is

engaging local government officials as witnesses and asking municipalities to keep copies of the land transactions (Hilhorst, 2011). In Burundi, local governments promote taking preventative measures against land-related conflict by encouraging the demarcation of fields using locally available materials and promoting the registration of polygamous marriages. Without registration, women and children cannot inherit. One other response is to develop local conventions that regulate access to collectively used resources, such as grazing areas and forests. Following negotiations, the agreements are written up and involve the engagement of local authorities. This approach has been spreading since the early 1990s, and is now also being supported and promoted by local governments. In other cases, local governments have prepared by-laws on land use and common pool resources (e.g. Niger, Ethiopia). In Mali, local governments are also involved in protecting livestock corridors, forests and fisheries.

There is also a need for an urgent push in registering local rights to land and natural resources. This becomes even more important when investors are moving into the area, or when claims are being made by actors who do not adhere to the local mores. Such registration is essential in places where local institutions in charge of managing resource tenure are breaking down and where conflict is becoming entrenched and vicious. Rural areas often lack the services to secure rights to land, or these services are not appropriate or accessible (where appropriateness refers to services that are responsive to local requirements and circumstances, and accessibility concerns issues such as proximity, language, and costs). Although formal titling systems were established during colonialism and after independence, the percentages of titled land are low and occur primarily in urban areas. Titling services are often expensive, poorly accessible, and time consuming. In addition, when titling systems were rolled out in rural areas, inequity often increased as many – particularly women, herders, and indigenous communities – lost user rights that provided access to land, trees, and pastures. Titling has also accelerated the individualisation of rights and the concentration of land. The individualization and privatisation of grazing land that was once managed by the community or clan can strengthen the position of women and younger people in the short run—at least in those cases where they receive their share. In the longer run, however, these parties may lose these assets when tempted to mortgage and sell to outsiders. Moreover, the process of individualisation through title systems undermines the wider pastoral production system because there is, in general, less land and fodder tree area available.

Although it is rarely mentioned, the water scarcity dimension to the issue of large-scale land acquisition and land grabbing in West Africa must also be considered.. Availability of adequate moisture is a fundamental requirement for the agricultural use of land. Designation of exclusive rights to use land provides prior rights to "green" water (rainfall and plant transpiration) on that land. However, in many contexts, such a delineation of rights also implies a demand for "blue" water resources (rivers, lakes, and aquifers), since agriculture typically accounts for 70-80 per cent of such water "abstracted" (pumped, stored, or diverted) in less industrialised economies (UNDP, 2006; Woodhouse and Garnou, 2009). Despite its importance, in current debates about the impact of foreign investment in agricultural land, the consideration of water has been peripheral. In the absence of a more sophisticated understanding of how different types of water resources (e.g. riverbanks, swamplands, river flows) are used at different times of the year by

different types of users, there is a risk that large-scale commercial agriculture will cause unforeseen but disproportionate damage to existing small-scale production systems (Woodhouse and Garnou, 2009). This is likely even where existing small-scale water use has legal protection because it may lack visibility, in part due to its small physical extent and (often) intermittent duration. A final aspect of the water dimension of large-scale land acquisitions is that impacts are likely to be far more extensive than might be anticipated from the area of land occupied. Unlike land which has a distinct spatial boundary, water use depends on flows through the landscape. Consequently, restriction or interruption of flows of water in an area occupied in one part of the landscape will have potentially widespread downstream impacts. We agree with the concerns that perception of abundance and the investment strategies it fosters among both African governments and foreign investors fails to address the specific ways in which water underpins land productivity in the semi-arid and sub-humid African savannahs. As a consequence, the land deals risk underestimating not only the water management needs of agricultural production, but also the impacts upon existing local water resource users.

4. Conclusions and Suggestions

It has been established in this review that land grabbing in West Africa has assumed dangerous dimensions, and that citizens have been deceived into thinking that these potential risks were necessary for economic development, job creation, saving the environment, and attaining food security. Contractual arrangements are not favourable to the indigenes who own the land in the regions under assessment, thus threatening their heritage and source of livelihood. Unfortunately, not much has been done at either the regional or country levels to address the problem of land grabbing in West African region. Retrospectively, Otheino (n.d.) highlighted the fact that no other continent in the world has more fertile, more extensive, and more fallow yet cultivable land than Africa. Therefore, what appeared to be a looming crisis for the world, he noted, could indeed, paradoxically, be an economic opportunity for Africa. However, for African countries to strategically seize this opportunity will require that they jointly and purposefully amalgamate their national agricultural policies and start foresightedly thinking from concrete regional perspectives.

The most visible organizational approach to address this issue in the West African region so far is the SWAC. SWAC brought stakeholders to the same table at Bamako in 2009 to hold a meeting which provided a common platform for occasionally divergent analyses and stances (SWAC, 2010a). SWAC contended that the issue of pressure on land needed to be approached from three angles: human rights, land tenure policies, and investment frameworks. In their view, land is a socially and politically sensitive issue lying at the heart of African societies, and one that could potentially trigger tension or conflict. The implementation of SWAC's proposals would require the development of common regulatory frameworks for responsible investment. In the 2009 meeting, they placed emphasis on the South-South dimension of the issue; this was not at odds with an approach at the global level in that the general principles of human rights are the universal benchmark. The search for regional solutions in West Africa has to be conducted in close cooperation

with actions pursued both at the level of the African continent and at the global level. SWAC resolved that the principles thus far laid down at the global level (United Nations, World Bank, FAO) and the guidelines set out by the African Union had to inform regional action. Nigeria and other West African countries will certainly learn a lot from the proposed approach of SWAC. In Nigeria, the state collaborated with foreign investors to grab large tracts of land using the Nigerian National Petroleum Company (NNPC). Land grabbing in Nigeria was driven by the state's determination to encourage economic growth through liberalization of trade and by foreign investors seeking profits in the cheap and fertile land of Nigeria and other African countries. The terms of sale for these lands are unfavourable to the indigenes and portend dangers in the area of food security, wealth of the citizens, land tenure, and the availability of arable land for future use by generations, in addition to the threats they pose to the environment and health of individuals. More importantly, the trend may lead to the aggravation of conflicts in the region and in Nigeria, where national security is currently threatening foreign direct investments and national peace. Based on findings from this review, we hereby make the following recommendations:

1. The international community and international agencies should assist in providing expert advice, capacity building, and other support services for governments, the private sector, and civil society, especially as they pertain to the negotiation of contracts, tackling food security issues, promoting innovative ways to provide legal support to local people, and developing business plans that build on know-how of the wide range of business models for agricultural production beyond plantations.
2. Long-term land leases for 50 to 99 years should not be tolerated in West Africa or in Africa as a continent, since they are unsustainable unless there is some level of local satisfaction. In this context, therefore, innovative business models that promote local participation in economic activities may make even more commercial sense. These include outgrower schemes, joint equity with local communities, and local content requirements.
3. The Economic Community of West African States (ECOWAS) and member countries should bring the issue of land grabbing and its inherent dangers to their economies to the forefront of their agenda. They should enact treaties that will discourage large-scale land acquisitions that have unfavourable implications for their citizens. If well enforced, a regional approach will be a better way of stemming the ugly trend of African land auctioning in the name of opening doors to FDI.
4. ECOWAS and governments of member states should also promote and fund studies on investment trends in the agricultural sector within the region to understand the dimension of dangers posed to their agricultural land and to recommend actions to increase investment in agriculture without jeopardizing their sovereignties and the future livelihoods of their citizens.
5. West African countries should hasten the reform of their land use policies. Such policy reforms should enable the indigenes who own the land to have input in designing the terms of leasing or land tenure, which may involve foreign investors. The outright purchase of land by foreign investors for agricultural activities should be forbidden in the new land policy and more emphasis should be given to strengthening the protection of local land rights, including customary rights—even where land is state owned or vested with

the state in trust for the nation, as it currently stands in the Nigerian Land Use Act.

6. However, as a matter of desideratum, West African governments should balance investment protection with public interests (for instance, with regard to tensions between commercial confidentiality and public oversight in investment arbitration, arbiters should reconcile the investor's need for regulatory stability with the host state's capacity to regulate any land deal in the public interest). This is to ensure that the goal of attracting direct foreign investment in agriculture under the current globalization and liberalization policies in the region is not jeopardized.
7. West African countries' environmental safety standards must be strengthened, and estimated impacts of proposed uses of the land (in monetary terms) must be properly factored into land deals so that communities bearing the environmental effects of the project can use these funds (the monetary value of the impact cost) to fund projects that will reduce or abate the environmental hazards inherent in such investment.
8. Even when land is being leased for production of biofuels, West African countries must ensure that a reasonable percentage of the production of such crops—at least 35 per cent—is devoted to supplying food for their economy. West African agricultural policy should encourage the promotion of food crops over cash crops; this way, the danger of abandoning the food insecurity issue can be averted.
9. West African governments must institute programmes that will empower women and boost their participation in land ownership in addition to programmes that focus on agriculture in general. In some parts of Nigeria, like in the South East and South-South, women are more involved than men in farming, yet they are denied the right to own farmland. Lands owned by men are easily sold out under the pressure of financial challenges outside the household farming activities. Women in agriculture also need to be reoriented to the benefits of owning their own lands, even if it means obtaining credit to do so. They should also be given the rights to register their lands.

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