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## Land Governance in Emerging and Developing Countries: Research Updates and Strategic Collaboration

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# Land Governance in Emerging and Developing Countries

Research Updates and Strategic Collaboration

**Report on the International Conference  
27-28 October 2014, Beijing, China**

edited by Yongjun Zhao, Jan Cherlet, Madiodio Niase



INTERNATIONAL  
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**From left to right in order of appearance at the conference:**

- Prof. Jinmin Yan, Associate Dean of the School of Public Administration and Policy, Renmin University of China
- Mr. Lingzhi Zheng, Director-General of the China Land Surveying and Planning Institute (CLSPI) and Secretary-General of the China Land Science Society (CLSS)
- Prof. Guangjian Xu, Vice Dean of the School of Public Administration and Policy, Renmin University of China
- Dr. Madiodio Niassé, Director of ILC
- Dr. Joan Kagwanja, Chief of the Land Policy Initiative (LPI)
- Mr. Jorge Muñoz, Practice Manager, Global Land/Rural/Geospatial Unit at the World Bank
- Dr. Yongjun Zhao, Assistant Professor of Globalisation Studies and Head of China Affairs at Globalisation Studies Groningen, University of Groningen Netherlands
- Prof. Tiejun Wen, Renmin University of China
- Prof. Yunlong Cai, Peking University
- Dr. Thomas Vendryes from Ecole Normale Supérieure de Cachan, France
- Prof. Kaifeng Yang, Vice Dean of the School of Public Administration and Policy of Renmin University
- Mr. Ping Li, Senior Attorney, Landesa
- Ms. Xiaoling Zhang, Board Member, China Land Science Society (CLSS)
- Mr. Hongle Liao, Researcher, Rural Economy Research Centre, Ministry of Agriculture
- Prof. Anlu Zhang, Dean, Faculty of Land Resource Management of Huazhong Agricultural University

- Dr. Michael Klaus, Project Director at the Hanns Seidel Foundation, Germany
- Prof. Myung Ho Park, Hankyong University of Foreign Studies, Korea
- Dr. Nguyen Do Anh Tuan, Deputy Director, IPSARD, Ministry of Agriculture and Rural Development, Vietnam
- Ms. Piroška Zalaba, Senior Counsellor, Department of Land Administration, Ministry of Rural Development, Hungary
- Prof. Alexander E. Sagaydak, Department of Agricultural Economics and Farm Management, State University of Land Use Planning, Russia
- Prof. Qizhen Zhu, College of Humanities and Development Studies, China Agricultural University
- Dr. Bernardo Mancano Fernandes, UNESP, Sao Paulo State University, Brazil
- Dr. Madan Mohan, Assistant Professor, JMI Central University, India
- Mr. Kapil Dangol, Joint Secretary, Ministry of Land Reform and Management, Nepal
- Dr. Govind Kelkar, Senior Advisor, Landesa, India
- Mr. Jagat Basnet, Organisational Development Advisor, CSRC, Nepal
- Prof. Ping Lv, Department of Land Management, School of Public Administration and Policy, Renmin University of China
- Dr. Joan Kagwanja, Chief, Land Policy Initiative, UNECA
- Mr. Fernando Eguren, Director, La Revista Agraria (CEPES), Peru
- Mr. Antonio Quizon, Chairman, Asian NGO Coalition for Agrarian Reform and Rural Development (ANGOC), the Philippines
- Mr. Wafula Nabutola, Land Specialist, Chair of the FIG Commission
- Dr. Jan Cherlet, International Land Coalition (ILC)



# Contents

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<b>Foreword</b>	<b>7</b>
<b>Opening session</b>	<b>9</b>
Welcoming address	9
<b>“Framing the Debate: Land Governance in China” Part 1</b>	<b>12</b>
History of land policy reform in China, by Dr. Yongjun Zhao	12
Understanding the role of land in agrarian reform in the emergence of the New China, by Prof. Tiejun Wen	13
Panel discussion	14
Summary of open floor discussion	14
<b>“Framing the Debate: Land Governance in China” Part 2</b>	<b>15</b>
The role of land in China’s international agricultural cooperation strategy, and reframing the debates on land reform and the future of family farming, by Dr. Yongjun Zhao	16
Panel discussion	17
Summary of open floor discussion	18
<b>Presentation and discussion of China’s land governance by national experts</b>	<b>19</b>
Evaluation and suggestions on the implementation of policies for land adjudication, land registration, and land certification in rural areas, by Mr. Hongle Liao	20
Does economic agglomeration really lead to the efficiency of rural-urban land conversion? by Prof. Anlu Zhang	20
Panel discussion	21
Summary of open floor discussion	21

<b>Presentation and exchanges on land governance in other countries</b>	<b>22</b>
Key features, outcomes, and lessons learned from the land reform process in Hungary, by Ms. Piroska Zalaba	24
Key features, outcomes, and lessons learned from land reform process in Russia, by Prof. Alexander E. Sagaydak	26
Panel discussion	27
Summary of open floor discussion	27
Presentation and exchanges on land governance in other countries Key features, outcomes, and lessons learned from the land reform process in Brazil, by Dr. Bernardo Mancano Fernandes	27
Key features, outcomes, and lessons learned from the land reform process in India, by Dr. Madan Mohan	30
Land reform process in Nepal: progress made, challenges, and way forward, by Mr. Kapil Dangol	31
Women’s land rights in India and China, by Dr. Govind Kelkar, Senior Advisor, Landesa, India	32
Panel discussion	33
<b>Discussions on land governance across regions</b>	<b>34</b>
Framing the land reform and governance debates in Africa, by Dr. Kojo S. Amanor	37
Framing the land reform and governance debates in Latin America, by Mr. Fernando Eguren	37
Key moments in the history of land issues	37
Land reforms	39
Framing the land reform and governance debates in Asia, by Mr. Antonio Quizon	39
Panel discussion	43
Summary of open floor discussion	43
<b>Workshop proceedings: implication and suggestions</b>	<b>44</b>
Commonalities	44
<i>History of land reform</i>	44
<i>The role of smallholders and family farming</i>	44
Differences	45
Land reform in China: experiences and lessons for other countries	45
China’s role in international development	46
Emerging issues and challenges	46
Summary of open floor discussion	47
Closing ceremony	47
 <i>Annex: List of participants</i>	 49

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# Foreword

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I am pleased to introduce the proceedings of the International Conference on Land Governance and Reform Experiences from Emerging and Developing Countries –Research Updates and Strategic Collaboration. The Conference was organised on the occasion of the launch of the China Issue of the Framing the Debates Series.

The specific objectives of the Conference were to: (a) formally launch the China issue of the Framing the Debates Series; (b) discuss the findings of this paper in light of other perspectives from within China; (c) share experiences and perspectives from other emerging economies and from developing countries; (d) share the key findings from previous issues of the Framing the Debates Series.

The Conference was jointly organised by Renmin University of China (RUC), through the School of Public Administration and Policy (SPAP) and the Institute of Advanced Studies for Sustainability (IASS); the China Land Surveying and Planning Institute (CLSPI); the China Land Science Society (CLSS); and the Secretariat of the International Land Coalition.

The Conference was attended by about 40 participants, about half from China and half composed of international participants. Participants from China included leading researchers, policy makers and experts from reputable

Chinese universities (Peking University, Huazhong Agricultural University, Tsinghua University, China Agricultural University; Renmin University of China) and governmental and public think tank organisations (Ministry of Agriculture, CLSPI and CLSS).

International participants were composed of well-known scholars, practitioners and land activists from South Korea, Vietnam, Philippines, India, Nepal, Philippines, Russia, Hungary, Germany, Kenya, Ghana, Peru, Brazil as well as representatives from the World Bank, the Africa Land Policy Institute and ILC Secretariat.

The Conference was a large learning event for all participants, which was unanimously recognised. Of the many areas where relevant lessons could be distilled we can mention the following:

- » Land reform is seldom a once-off policy-decision. First, its gains are not irreversible. Second, adjustments will always be needed after the first measures start to be implemented, which is well illustrated in the case of China where a series of adjustments have been made over time in the Household Responsibility System, used to grant tenure security to farm households. These adjustments are dictated by lessons learned in the implementation of the first measures and by the changing political and social context.



- » Land reform laws and policies may be fine, but what really matters is their effective implementation, and in many if not most cases, it is observed that when implementation takes place, provisions of the law can easily get distorted as a result of rival and unequal forces at play.
- » As shown in the case of Brazil, family farming and agribusiness have each their strengths and weaknesses, and perform differently when assessed against social justice, economic growth, food security, and so forth. A question that was raised but could not be answered clearly is whether agribusiness and family farming have to be promoted side-by-side or whether the promotion of one inevitably bears on the other.
- » Many of the presentations delivered at the Conference show the importance of linking land reform with complementary measures. South Korea's land reform would not have achieved its universally hailed outstanding results if it had not done simultaneously with massive investment in education of the people (urban and rural) and investment in the entire value chain. In other country contexts, productivity-enhancing measures had to complement the land reform decisions.
- » The Conference will certainly be remembered as a key milestone in ILC's engagement in China. When, as Director of ILC, I travelled to China a year earlier I could not expect that the contacts made at that time with CLPSI, CLSS and Renmin University of China (RUC) could translate into such an important event as the Beijing Conference in such a short period of time, especially if one takes into account the complex context of land issues.
- » For Chinese partners the Conference was also a unique opportunity for debating among themselves the various aspects of China's land reform experience, and also for being exposed to experiences from other regions of the world.
- » The Conference established good basis for ILC's engagement in many very important countries where the Coalition is absent for the moment: Russia, Korea, Hungary, Vietnam and Brazil.
- » The Conference marks ILC's first important attempt to create strong linkages between emerging and still poor countries, in recognition of the huge untapped potential for mutual learning and collaboration between these two categories of countries. The learning potential that exists between emerging and developing countries can be illustrated by the very positive feedback we received from Dr Joan Kagwanja (Head of the Africa Land Policy Initiative/LPI) and Mr Lingzhi Zheng, Director-General of the China Land Surveying and Planning Institute (CLSPI). Clearly the time was too short. That said the concrete examples of land reform experiences in countries that were few decades ago at the same level of development as Africa answer many of the questions being asked to LPI by African policy makers and land concerned actors.

For the above reasons, I believe that it is important to have the key outcomes of this landmark conference documented and shared. I hope that the Conference marks the start of many other similar South-South experience-sharing events on challenging land issues.

I would like to thank the teams of CLSPI and CLSS (with special mention to Director-General Lingzhi Zheng and Ms Rosy Liao, Head of the Foreign Affairs Office), as well as of Renmin University of China (especially Prof Jimin Yan and Prof Tiejun Wen) for the warm welcome in China and for the excellent preparation and animation of the event. I also thank Dr Yongjun Zhao and Dr Jan Cherlet for having provided critical support at all stages of the organisation of the event and of the preparation of the proceedings.

*Madiodio Niasse*

Director, ILC Secretariat

Rome, Italy

29 December 2014



# Opening session

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This session was chaired by **Prof. Jinmin Yan**, Associate Dean of the School of Public Administration and Policy, Renmin University of China. In his introductory speech on behalf of Renmin University, joint host of the event, he stressed that the conference was the first form of cooperation between the International Land Coalition (ILC) and Chinese university, research, and government institutions. Given that land reform and governance in China has arrived at a crucial stage of reform, the conference was expected to play an important role in facilitating exchanges on land governance issues between Chinese and international scholars and experts. The conference was seen as a practical platform for Chinese land experts and decision-makers to develop an enhanced understanding of international experiences in land governance reform, which could have the potential to influence policy-making in China. More than 40 participants from 18 countries took part in the conference.

## Welcoming address

**Mr. Lingzhi Zheng**, Director-General of the China Land Surveying and Planning Institute (CLSPI) and Secretary-General of the China Land Science Society (CLSS), made the first welcoming address on behalf of the two institutions, joint hosts of the conference. He pointed out that the theme of the conference was pertinent to the interests and priorities of CLSPI and CLSS, two non-profit institutions which cover the most comprehensive scope of land issues in China, from both technical and research perspectives. With branches in all provinces of China, the two institutions play an important role in influencing land policy and land governance. Mr. Zheng emphasised the challenges of land governance that China is facing in the processes of urbanisation and industrialisation, which exemplifies the experience of many other emerging and developing economies. These challenges pertain primarily to protection of farmland and sustainable land use and management. The improvement of land policies and institutions constitutes a major issue for the Chinese land administration. Reform measures have prioritised land and property rights, the establishment of a land market, land registration, and land use planning, among other issues, with a view to establishing a sound land management system appropriate to the Chinese context.

**Prof. Guangjian Xu**, Vice Dean of the School of Public Administration and Policy, Renmin University of China, provided a brief introduction to the school. Back in 1985 it offered the first specialty land management course in China, and it has been a primary teaching and research institution in the field of public administration. Prof. Xu acknowledged the important work done by Prof. Jinmin Yan and Prof. Tiejun Wen, co-authors of the “Land Governance in China” paper together with Dr. Yongjun Zhao, which was an important publication for the school. On this basis, the conference was seen as a major bridge between ILC and Chinese universities and research institutions in exchanging experiences and learning from one another.

**Dr. Madiodio Niasse**, Director of ILC, began his welcoming speech by emphasising the important role of the Coalition in fostering international cooperation, in which China was deemed to be a strategic country given its increasingly influential role in the world economy and its achievements in poverty alleviation and land governance, as well as the numerous challenges it had to deal with while rising as a prominent force in the current context of globalisation. China’s development experiences and strategies to tackle the challenges of food security, shortage of land, and other natural resource governance issues are therefore of high relevance to many other countries. Whether and the extent to which the “China Model” of land governance and rural development should and can be replicated by other countries is an issue that deserves a closer examination. Thus there is a need for these countries to engage China on strategic research issues and to learn from its experiences. The “Framing the Debate Series”, which so far consists of papers on Africa, Asia, Brazil, and now China, is expected to serve this purpose.

**Dr. Joan Kagwanja**, Chief of the Land Policy Initiative (LPI), provided a brief introduction to the LPI as a joint programme of the tripartite consortium consisting of the African Union Commission (AUC), the African Development Bank (AfDB), and the UN Economic Commission for Africa (UNECA). Its purpose is to enable the use of land to lend impetus to the process of African development. She expressed the LPI’s strong interest in engaging with China and other emerging and developing countries on land issues, due to the need for Africa to tackle similar development challenges, such as food

security, agricultural development, and urbanisation. She reported that the LPI was embarking on a new programme called the African Centre of Excellence on Land Governance (ACELG): this will be a network of universities and research institutions in both the North and the South, offering tailor-made curricula to land practitioners and policy-makers from the South, with the ultimate goal of advancing land-related knowledge and improving land management practices. She extended an invitation to participants to take part in the inaugural Conference on Land Policy in Africa, organised by the LPI, which was due to take place on 11–14 November 2014 in Addis Ababa, Ethiopia. This is a biennial conference, and she hoped that the Chinese participants would have the opportunity to attend the next one in 2016 as well.

**Mr. Jorge Muñoz**, Practice Manager, Global Land/Rural/Geospatial Unit at the World Bank, emphasised the important role of land in industrialisation and urbanisation as an impetus for national economic development, and stressed that it was of crucial importance to learn from the success stories of countries such as China and South Korea. He emphasised the fact that the World Bank had a consistent interest in fostering international platforms and partnerships on land issues, and in continuing the exploration of opportunities for collaboration with other research institutions on strategic land issues concerning spatial planning, for instance. He pledged that participant institutions would become members of ILC in order to more effectively contribute to global efforts in sustainable land governance; the World Bank itself is also a member of the ILC.

Presentation of ILC’s priorities, programmes, global influence, and the role of China in its future cooperation strategies

**Dr. Madiodio Niasse**, ILC Director, provided a keynote presentation in this session to kickstart the ensuing presentations. Dr. Niasse provided a brief introduction to the history and institutional structure of ILC, emphasising its role in securing land rights and facilitating inclusive development for countries in the South. As a strategic alliance of more than 150 member organisations (comprising civil society and intergovernmental organisations), ILC has placed great emphasis on building and facilitating partnerships between its members and the wider community through knowledge sharing and the formation of platforms. Key to this process

is the mechanism of supporting knowledge networks in sharing information, exchanging experiences, and learning lessons between parties involved. Knowledge sharing is deemed an effective tool for advocacy. Through the Coalition's efforts, the Land Matrix and the Land Portal have been created and are being consolidated to become leading platforms for the dissemination of land-related information, thus contributing to transparent land governance.

In the past few years, ILC has published papers in the "Framing the Debate Series" focusing on land governance issues in Africa, Asia, Brazil, and most recently China; a forthcoming issue will focus on women's land rights. These publications have contributed to advancing understanding of key land governance issues, therefore contributing to enhanced capacity building of land institutions and better-informed land policies in the countries concerned.

The ILC Global Land Forum and Assembly of Members is held biennially, and Dr. Niasse warmly invited participants to contribute to the next one in May 2015 in Senegal. He also encouraged participating institutions to apply for ILC membership.

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# “Framing the Debate: Land Governance in China” Part 1

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This session kickstarted presentations on ILC’s latest publication in the “Framing the Debate Series” with a focus on land governance issues in China.

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## History of land policy reform in China, by Dr. Yongjun Zhao

As one of the lead authors of the “Land Governance in China” paper, **Dr. Yongjun Zhao**, Assistant Professor of Globalisation Studies and Head of China Affairs at Globalisation Studies Groningen, at the University of Groningen in the Netherlands, pointed out that the history of land reform in China had been centred on struggles between peasants, landlords, and the state for the equalisation of land rights.

Historically, land was private property until the institutionalisation of collective ownership under communes in the early 1960s, which was then replaced with the introduction of the Household Responsibility System (HRS) in the late 1970s. This was a more individually oriented hybrid system, characterised by land use rights for individual farmer households, with land ownership vested with the village collective. The pattern of land ownership has gone through a process of individualisation,

collectivisation, and then de-collectivisation. There is a need to understand what land means, and what land rights, land management, and land reform mean for China’s social and economic reforms. As land tenure and governance systems evolve, with accentuation of the role of the market in securing land rights and facilitating urbanisation and economies of scale in agricultural production, land reform in China has reached a crucial stage of transformation. What the reforms lead to and how they are implemented is not clearly spelled out by policy-makers in the context of increasing land conflicts, social inequality, food insecurity, and land degradation. China seems to be implementing a trial-and-error or incremental approach to land reform.

Dr. Zhao also emphasised the role of land reform in urbanisation in China, and the underlying challenges. Basically, equalisation of rural and urban land rights for farmers and urban citizens, coupled with the provision of equal access to public services and social welfare, constitutes a priority task for the current government. Debates on land policy reform have touched on the role of the market, i.e. whether the market can provide the ultimate solution or whether this is too simplistic an approach. Nevertheless, to avoid the marginalisation of farmers, the role of the state is

East Asian Land Reform Made the Largest % of Population as Petty Bourgeois  
 东亚土地均分制使人口占比最大的农户成为小资

China Land Reform Bonus & Stable East Asia Pyramid Structure  
 中国的“土改红利”与东亚社会的稳态金字塔结构



20世纪土地革命改变世界格局。西方冷战促使东亚均分土地，形成制度收益及稳态的社会基础。中国半个世纪工业化仍主要得益于土改后的村社理性...

Arable Land Area Redistributed through State-Led Reform and Beneficiaries through State-Led Reform

Country	Arable Area Redistributed (Ha)	As % All Arable Land	Number of Beneficiaries (Households)	Number Beneficiaries as % Rural Households
West Bengal, India	1,040,000	14.9	2,540,000	34.0
All India	9,850,000	5.4	12,400,000	5.3
Philippines*	5,900,000	47.0	3,000,000	40.0
Vietnam				75.0
China				80.0
Taiwan				62.5
Japan				60.9
Korea				78.0
Chile	9,517,000	60.1	58,000	12.7
Brazil*	13,100,000	11.3	266,000	5.4
Mexico	13,375,000	42.9	3,044,000	67.5
Bolivia	9,792,000	32.3	237,000	47.5
Peru	8,599,000	28.1	375,000	30.8
Nicaragua	3,188,000	47.1	172,000	58.7
El Salvador	401,000	20.0		12.0
Cuba		80.0		75.0
Venezuela		19.3		24.4
Costa Rica		7.1		18.5
Egypt	390,000	15.4	438,000	10.0
Zimbabwe*	2,371,000	11.9	40,000	3.1
Ethiopia		68.0		60.0

Land Reform in East Asia, despite vast difference in ideology, got the highest numbers of beneficiaries

Sources of data: Deininger (undated), Deininger 2003, Borras & McKinley 2006, Belsey & Burgess 1998, Hanstad et al. 2008, Hanstad & Brown 2001, Bardhan & Mookherjee 2006, Rashid 2000, Kawagoe 2000, Medaille 2005, Kelang & Prosterman 2006, Ping Li 2003, Deininger & Jin 2007, Do & Iyer 2007, STAR Kampuchea 2007, Reyes 2005, Lianto & Ballesteros 2003, Bush 2005, de Janvry et al. 1998, de Janvry & Sadoulet 2002, Deere & de Medeiros 2005, Hertzler 2007, Kay & Urioste 2005, Mersha & Githinji 2005, Mashima 2008, Alden Wily 2001. \* Excludes redistribution through market-led reform.

Figure: Asian land reform had higher percentages of beneficiaries

indispensable in the process of land marketisation. Moreover, public participation in the full process of land use planning and management is key to transparent, accountable, and equitable land governance. Dr. Zhao reminded participants that China was still an agrarian society; thus, the role of land in agriculture should not be undermined and farmland should not be given up for urbanisation. There is a need to innovate in land tenure systems to make them more appropriate to local biophysical, social, economic, and governance conditions. The interlinkages between land tenure, development, and governance are a point that is missing in land policy research.

Understanding the role of land in agrarian reform in the emergence of the New China, by Prof. Tiejun Wen, Renmin University of China

In this presentation, Prof. Wen provided a focused discussion of the role of land in China's history and its economic development. Essentially, land reform carries different meanings for different groups. For the vast majority of the rural population, land access and equal land distribution are essential to ensuring social stability and providing a safety net to guard against economic crises. However, the traditional Chinese mode of rural production – small-scale and undertaken by village communities – is becoming less able to fulfil this role. The headlong pursuit of modernisation and urbanisation has led to social, political, and economic instability and the emergence of a significant group of landless people, which poses a serious challenge to building a sustainable agrarian future.

Prof. Wen explained that rural society was fundamental to social and political stability in China, as it provided a much-needed safety net for the vast majority of the population, especially in times of economic and political crisis. Land plays an essential role in this; thus, it is of crucial importance that land tenure security and equal land distribution are given the utmost attention by policy-makers in land reform. "Land to the tiller" reforms, successfully implemented by China, Taiwan, Japan, and South Korea, explain the fact that these countries have achieved greater economic success and stability than many others. However, modernisation and urbanisation in China are posing severe challenges for rural sustainability, and efforts should be made in pursuing rural civilisation based on ecological sustainability and rural reconstruction.

### Panel discussion

**Prof. Yunlong Cai** from Peking University gave his views on the two presentations. For him, land issues in China were fundamentally about land and property rights, without which the multiplicity of land uses and functions could not be realised. China is traditionally based on agriculture, and so land rights issues need to be understood in both historical and contemporary contexts. China's land reform experiences should be shared with other countries, and China has a need to learn from the experiences of those countries as well.

Dr. Thomas Vendryes from Ecole Normale Supérieure de Cachan, France, remarked that the two presentations from the perspectives of historical and political economy provided the needed contribution to an understanding of the nature and challenges of land reform in China. The presentations succeeded in analysing the roles and interests of major stakeholders in land distribution, which shaped land reform. Historical and contemporary challenges of land governance were also reflected well in the presentations and the paper. Finally, he raised the questions of the extent to which land reform in China has been driven by farmers' needs; whether, given the increasing scale of land conflicts in the process of urbanisation, land reform is legitimate; and how the future would unfold for Chinese farmers. China's history and experiences of land reform should be shared by other emerging and developing economies, he concluded.

### Summary of open floor discussion

Questions raised by participants centred on the role of land rights, modernisation, and historical lessons. Like many other countries in Africa, Asia, and Latin America, the Chinese state plays an essential role in guiding and creating conditions for economic take-off, and land reform has served this purpose. Without an effective state, it would not have been possible for China to make such remarkable achievements. In times of crisis, the role of the state has become more important in economic growth and in fixing social problems by providing equal opportunities for poor and disadvantaged groups. However, this has never been an easy task, and what plays out next will depend on how institutions can play a more effective role in safeguarding people's rights and interests and facilitating more equitable rural-urban development in an integrated manner.

# “Framing the Debate: Land Governance in China” Part 2

Land use change, food security challenges, and related debates on land reform and governance, by Prof. Jinming Yan, Renmin University of China

**Prof. Yan** provided a contextualised examination of land reform in China, premised on economic reform and its underlying social changes and the consequent changes in land use. He looked at how the loss of farmland was caused by rapid economic growth, lack of protection for farmers' land rights, and a lack of sound land use planning, all of which contributed to growing food insecurity and agricultural unsustainability. Land has been a crucially important source of revenue for local governments, through land acquisition or the conversion of farmland to construction land in the “public interest”. Local governments extract lucrative revenues from land, but provide inadequate compensation to farmers. Land use as such has contributed to China's rapid economic growth, but at the same time has decreased food self-sufficiency and increased social inequality. The drive towards urbanisation and rural-urban migration, aimed at closing the rural-urban gap and improving farmers' livelihoods, remains a daunting task.

Policies that are inappropriately designed may have negative impacts on rural society, and improving land governance is of crucial importance in this process. Current thinking calls for market-oriented policies and institutions that focus on strengthening land rights for individual farmers through land transfer and mortgaging, in a future land market that calls for experimentation. However, Prof. Yan suggested that first it was necessary to conduct pilot programmes, with more coordinated efforts by government departments and extensive public participation, to collectively tackle the existing institutional constraints to sustainable land governance in policy implementation processes.

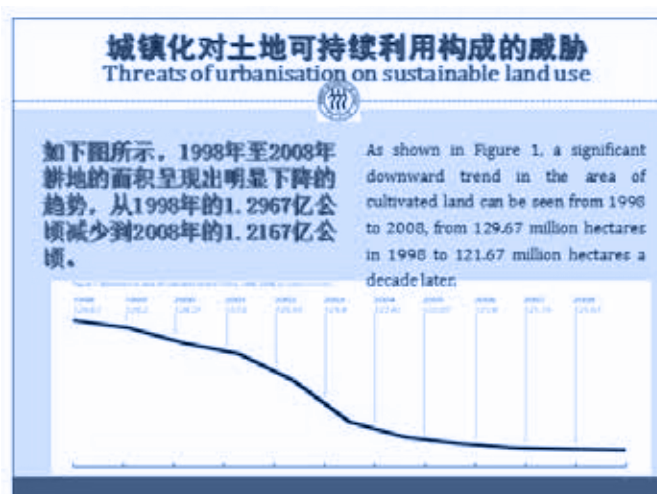


Figure: Threats of urbanisation on sustainable land use (Source: Yan, J. 2010 China's land use and planning research strategy, Beijing: China Land Press.)



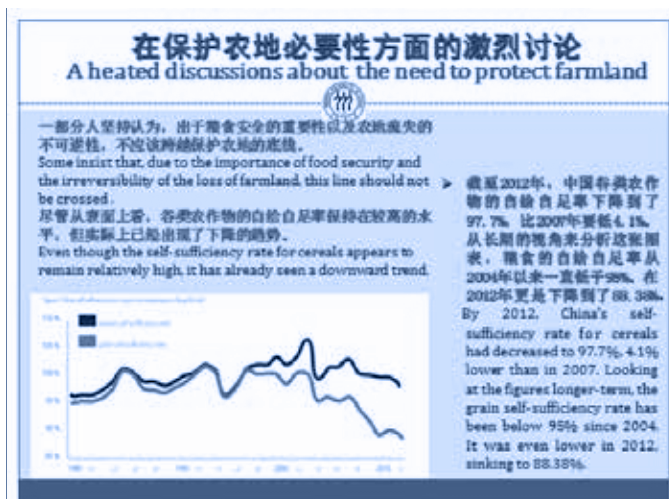


Figure: Heated discussions about the need to protect farmland (Source: Tang, H. 2014 "China's grain self-sufficiency strategy in the new situation", Issues in Agricultural Economy, no. 2, pp. 4-10.)

### The role of land in China's international agricultural cooperation strategy, and reframing the debates on land reform and the future of family farming, by Dr. Yongjun Zhao, Globalisation Studies Groningen, University of Groningen

Dr. Zhao offered a wider perspective on the domestic challenges of sustainable agriculture by addressing China's global agricultural cooperation strategy and the role that land plays within it. China is increasingly seen as an active player in contributing to local development in countries in Africa, Asia, and Latin America with which it cooperates. However, it is also seen as causing social, economic, and environmental problems in these countries. Central to such criticisms is the claim that China has contributed to land grabbing, exploiting local agricultural resources to meet its own demand for food. However, this argument is controversial, and is insufficiently supported by scientific evidence. Research shows that Chinese agribusinesses acquire land mainly for the purpose of producing profitable cash crops and biofuels, not necessarily for the Chinese market. However, the effects on local populations deserve more in-depth research.

China's foreign agricultural investments and its overall international cooperation strategy have focused on the introduction of Chinese agro-technology and expertise into other countries, with a view to enhancing local agricultural production. Critics and sceptics argue that such support does not lead to solutions in the long run, but rather fuels

short-term political and economic gains on both sides. Some projects have already run into difficulties and their sustainability has been called into question. China's overseas support has yet to pay sufficient attention to the local context i.e. land tenure and social, economic, and political systems – all of which can shape the effectiveness of an investment and of development programmes. Whether the "China Model" of agricultural development can be replicated by other countries also deserves further research.

In order to contribute more usefully to local livelihoods, it is vital for Chinese policy-makers and businesses to align their policy interventions and business practices with international conventions and sound practices to ensure more responsible agro-investments. To this end, the role of land in rural development and governance needs to be better understood, and greater efforts are needed to ensure that future development and investment programmes respect local land tenure systems and contribute to more inclusive processes of reforming land management and governance. Chinese development practitioners and businesses need to develop more viable mechanisms and involve local communities, especially disadvantaged groups, in their operations in order to achieve more transparent and sustainable development outcomes.

Dr. Zhao went on to reframe the key debates in land reform and agrarian transformation in China in an attempt to provide further insights into the linkages between land tenure, development, and governance. Essentially, the conditions and dynamics of land tenure systems must be better understood if more appropriate land governance frameworks are to be designed. Land tenure, no matter what form it takes, has the potential to be sustainable in a local setting where it suits specific development, governance, and resource use conditions. These interconnected conditions determine the dynamics of land tenure systems. Dynamic land tenure systems based on the needs of local people for sustainable livelihoods and land use can also contribute to the improvement of development, governance, and resource use.

In light of this central tenet, Dr. Zhao argued that market-oriented land reform was unlikely to achieve its original objectives unless the linked issues of development and governance can be tackled at the same time. Moreover, market-led reform does not necessarily determine the

adoption of more individually based land tenure. No matter how land tenure systems are reformed or adjusted in local settings, strengthening land rights or institutionalising the privatisation of land (as has been seen in many countries in the South) may not necessarily result in safeguarding rights or empowering communities.

China's current dual land tenure system has reached a critical juncture, and it must be asked how long it can be maintained. Can it be enhanced by safeguarding farmers' land rights and contributing to sustainable agricultural production? Or is it withering and mutating into a system of more individually based land tenure, as implementation of the market reform agenda gathers pace? Dr. Zhao argued that no single land tenure system could solve the pressing challenges of sustainable agriculture, and that more innovative institutions would be needed to tackle the complex biophysical, social, economic, and political constraints to sustainable land use and development.

Land reform in China under recent central government policy carries significant lessons for other countries in implementing the agenda of the International Year of Family Farming (IYFF) 2014, although the Chinese government has not indicated that it will directly address this agenda itself. In China, family farming is on the decline, associated with the diminishing role of the HRS, while commercial farming in the form of land shareholding cooperatives and agribusiness corporations, advocated for and facilitated by the current land policy agenda, may gradually take centre stage.

The challenges for China's agrarian future are not simply an issue of family farming versus commercial farming. Rather, policy-makers need to make sustainable land use their first priority, on the basis of which new land tenure systems, development planning, and governance frameworks should be designed and trialled. Land relations as social capital should be revitalised to address various natural, economic, and political constraints on poverty alleviation and the imperfection of markets. This should be coupled with genuine public participation in land governance. China also needs to learn from international experiences and best practices in sustainable land governance to drastically improve the current situation and to guide its overseas agricultural programmes towards more inclusive and sustainable investments for the common future.

## Panel discussion

**Prof. Kaifeng Yang**, Vice Dean of the School of Public Administration and Policy of Renmin University, from a governance perspective, pointed out that development was a process filled with diverse stakeholders pushing for their own interests. To what extent do these converging or conflicting interests affect land reform and development in general? It would be interesting to pursue further research into these issues and to identify who represents these interest groups and how to work with them towards better design and implementation of reform.

Prof. Yang went on to argue that development and modernisation have to be coupled with good governance. Although the central government has put a clearer emphasis on the role of governance in China's development, it remains to be seen how governance measures, especially those concerning public participation, will be brought into land management processes, not to mention the participation of civil society. He agreed with Dr. Zhao that, if these issues are not addressed, land marketisation would not ensure the participation of farmers in a free, fair, and equitable manner. In other words, the market is not the only mechanism for effective land governance. More attention needs to be paid to how citizens can develop self-organising capacities to manage land in a more effective and equitable manner, rather than relying solely on market forces.

**Mr. Ping Li**, Senior Attorney, Landesa, demonstrated his keen interest in how Chinese businesses acquire foreign land for their investments, especially whether they fully abide by local laws and regulations and international principles on corporate social responsibility. Research is needed to develop an understanding of the interactions between Chinese investors and governments and local communities in the countries concerned.

Concerning land reform in China, Mr. Li did not think that the HRS had withered. Instead, strengthening farmers' individual land rights is not only useful in tackling the current problems of poor land governance, but also conducive to the establishment of a land market in a genuine sense. As the current land reform favours economies of scale and land transfers, farmers are more vulnerable to compelled land transactions. The role of government is simply too

powerful for farmers to have an adequate voice on land market development. The alliance of government and businesses may further undermine the strength of farmers in land marketization processes. Thus, Mr. Li stated that a genuine land market for the poor must be developed based on the principle of willing-buyer and willing-seller through arms-length negotiations. And this has to be established through further strengthening farmers' individual land rights. His empirical research indicates that the alliance of government and businesses obstructs the development of a genuine land market. The latter is contingent upon free and fair engagement by farmers acting of their own free will. Another issue is that once land has been transferred to these powerful actors, its original use as farmland for grain farming is seldom maintained, simply because grain farming is not profitable for them. He stressed the importance of securing land rights for smallholder farmers. With respect to overseas investments by Chinese companies, he raised a number of questions including: How do they acquire the land? Are they in compliance with international standards? Do they uphold their corporate social responsibility?

### Summary of open floor discussion

Land rights remain a crucial issue to be addressed by policy-makers, without which the rest of the reform measures are likely to be put in jeopardy. However, questions were raised as to whether the HRS, which is being strengthened at least by law and policy, has actually declined in its role of safeguarding farmers' rights and interests. If this is true, then what to do next? Land tenure is linked with multi-faceted issues concerning the social and economic challenges that China is facing. It is difficult or not meaningful to differentiate state- or market-led approaches to land reform, as both have their strengths and weaknesses. In a nutshell, land reform in China is at a crucial stage of transformation, but the current direction is not clear enough given the apparent need of the state to balance out the two approaches.

How land acquisitions in China can benefit farmers more meaningfully is also an issue that remains to be addressed, as compared with other countries such as India, where legal stipulations on profit-sharing between land investors and farmers have been promulgated. The willingness of farmers to allow land to be transferred to investors also depends on regional differences, according to their economic situations.

A prominent feature of current reform is land registration aimed at facilitating land transfers at a later stage. However, the effectiveness of this move remains to be seen.

It is equally important to discover local initiatives undertaken by farmers themselves in coping with and contributing to the challenges of industrialisation and urbanisation. Farmers' organisational self-help mechanisms for resource use and mutual support deserve further research. Understanding China's land reform needs a wider horizon, by examining the reform at different historical stages. As the reform evolves and unfolds, it cannot be expected that all the issues will be resolved. Land reform is only one part of an overall economic, social, and political transformation.

Many developing countries have less capacity to properly conduct or follow recommendations on environmental and social impact assessments for foreign land acquisition projects. Lack of proper land registration further constrains this exercise in terms of what impacts on whom; as a result, it is hard to assess scientifically the real impacts of foreign investments. There is a lack of coordination among the actors involved in China's investments in foreign land. Nor does China have a fully-fledged central coordination agency to guide its investments to maximise positive impacts. A platform needs to be created to facilitate inter-sectoral coordination and the involvement of the wider community, such as civil society, towards this end.

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# Presentation and discussion of China's land governance by national experts

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Evolution and reform trends of land management systems in China, by Ms. Xiaoling Zhang, Board Member, China Land Science Society (CLSS)

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Since the establishment of the New China in 1949, the country's land management system has gone through a number of significant changes and has been constantly improved and reformed in the macro context of social and economic changes, as well as national reform strategy. Several important reforms have been undertaken, including the establishment of rural cooperatives in the 1960s, rural collective ownership, the system of land use planning since the 1980s, a land expropriation system from the 1960s to the 1980s, a farmland protection system, a payment system for the use of state-owned land, and the land acquisition system since 2000. Rural collective land has to be converted into state-owned land through land acquisition by the state. Compensation and arrangements for resettlement must be provided to those who have lost their land. The transfer of

state-owned land to business-related entities takes the form of land use rights transfer, as the ownership remains intact. As shown below, land transfers play a key role in supporting urban development.

China is experiencing industrialisation, an information revolution, urbanisation, and agricultural modernisation. In this process, land management is facing many challenges, such as preventing the depletion of high-quality farmland, promoting economic and efficient use of construction land in urban areas, governing the pollution of soil by heavy metals, protecting farmers' land rights, and optimising spatial planning of national territory. Relevant reforms are being carried out to tackle these challenges. The key reform areas in terms of more effectively protecting farmers' land rights include reforming the land acquisition system, integrating collectively owned construction land into the land market, and reforming the housing land use system in rural areas. Core to these reforms is the need to establish a sound national-level spatial planning system to coordinate regional development, land use, infrastructure development, ecological construction, and enterprise development.

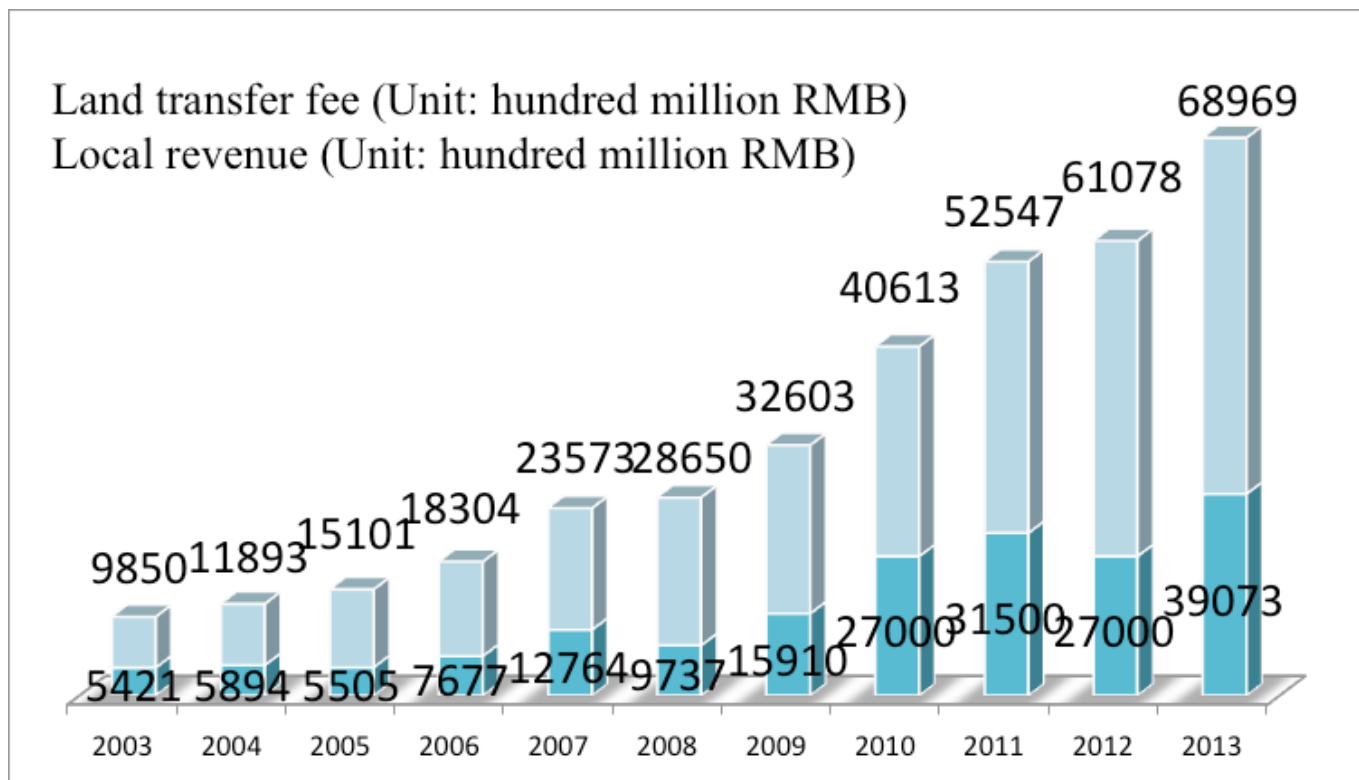


Figure: The land transfer fee provides financial support for urban development. Source: State Statistics Bureau (Annual Data) & Ministry of Finance

**Evaluation and suggestions on the implementation of policies for land adjudication, land registration, and land certification in rural areas, by Mr. Hongle Liao, Researcher, Rural Economy Research Centre, Ministry of Agriculture**

Mr. Liao presented a major part of his research report, entitled "Issues Concerning the Implementation of Rural Land Policy over the Last 10 Years in China". This report was based on fieldwork conducted in 11 provinces of China, 98 counties, and 109 administrative villages, involving 1,076 farmer households, as well as sample surveys in designated areas. Focusing on the evaluation of land titling and registration programmes concerning collective ownership of rural land (farmland, construction land, housing land), the report indicates a number of issues for further policy consideration. First, these programmes have not received adequate attention from local government, which needs to develop greater awareness of their importance. Second, land registration and certification have not successfully granted real rights to village collectives. Third, land titling and registration are facing many technical challenges, for instance ownership disputes, demarcation of land boundaries, and

so on. Given these conditions, it is unrealistic to meet the target of completing these programmes within five years. More time is needed to develop more appropriate policies to guide the implementation process.

**Does economic agglomeration really lead to the efficiency of rural-urban land conversion?, by Prof. Anlu Zhang, Dean, Faculty of Land Resource Management of Huazhong Agricultural University**

Prof. Zhang's presentation was focused on the latest urbanisation policy, asking the fundamental question of what type of urbanisation China needs and looking at the underlying issue of land use efficiency. In view of social and environmental problems caused by urbanisation, he raised the idea of concentrated and de-concentrated urbanisation as two controversial models of the same phenomenon. Concentrated urbanisation may be associated with a higher rural land use efficiency than de-concentrated urbanisation; however, more research is needed to investigate the efficiency of the latter. How to optimise land use efficiency within both models of urbanisation remains a crucial issue for research.

## Panel discussion

**Mr. Xiaoyun Zhou**, Deputy Engineer-General of CLSPI, pointed out that land reform in China had reached a critical moment, from an initial stage focused on land use efficiency to land rights and equity. The two issues fall firmly within the scope of ILC's priority areas. Land equity in China involves the issue of land rights concerning farmers and other stakeholders. The other issue concerns the distribution of land-related benefits for these actors. Land reform should not be focused only on technological dimensions; more consideration needs to be given to land fragmentation and land transfers, which correlate with growing loss of farmland and food insecurity. How farmers can benefit from land transfers and land acquisitions also concerns the rights of the public vis-à-vis individual farmers. How to distinguish the two rights has implications for land use efficiency and equity. Land owners and users ought to be granted the rights needed towards this end.

**Dr. Michael Klaus**, Project Director at the Hanns Seidel Foundation, Germany, raised the issue of land use planning and the underlying roles of different agencies involved as fundamental to sustainable land use and management. How to strike a balance of interests among these agencies depends on how land is used and how benefits are allocated to different stakeholders. Proper planning and inter-agency coordination can be conducive to both concentrated and de-concentrated urbanisation.

## Summary of open floor discussion

Land titling and registration remain critical challenges for land reform in China. Women's land rights may not be registered by local authorities, given the lack of clarity on this issue in law. The law states that land is the joint property of both husband and wife and, in most cases, it is registered at the household level. Land registration may favour powerful households or corporations, who have access to information, capital, and technology. As a result, their rights are registered more clearly than those of poor and disadvantaged farmers. In China, land registration targets the contractual land rights of households, and land transfer targets their operational land rights. The current practice of land registration does not include geographical information on land boundaries, other

than merely recognising the rights of land users on land registration certificates.

Despite the problems of urbanisation, China's experiences in land use planning and management are of interest to many other countries that are undergoing a similar transformation. All countries need to balance urbanisation and agricultural sustainability; thus, urban agriculture as a notion and practice should be explored and experiences should be shared between countries.

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# Presentation and exchanges on land governance in other countries

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Key features, outcomes, and lessons learned from the land reform process in the Republic of Korea, by Prof. Myung Ho Park, Hankuk University of Foreign Studies, Korea

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Korea's land reform was carried out in two stages. The first reform was implemented by the US military government in 1948, while the second was carried out according to democratic procedures by the Korean civilian government in 1950.

Land reform in Korea was promoted as part of the US's anti-communism strategy for occupied countries after World War II. Tenant farmers accounted for 86% of all farm households at the time of liberation in 1945 and, in order to improve the farm household economy, there was certainly a need to convert landlord-oriented land ownership into independent farmer-oriented ownership. A survey conducted by the US military government in South Korea indicated that 77% of the population supported socialism and communism. North Korea implemented land reforms in 1946. In these circumstances, the US military government considered land reform as the best practical alternative.

After liberation in 1945, the process leading to land reform by the Korean government was a long and tough journey. In particular, the legislation process was far longer and harder than that of implementation, due to conflict between interested groups. The main issues were the ceiling on ownership, the prices applied in purchase and redistribution, compensation, and the redemption period. It took more than a year to enact the Land Reform Law. While the legislation process encountered many obstacles, the implementation of the reform was rapidly and efficiently undertaken, with the active participation of interested groups.

It is very much expected that Korea's experience can provide developing countries and international organisations with a good example. First, its land reform is an interesting subject that shows the overwhelming importance of implementing legislation. Land reform was rapidly implemented, resulting in the collapse of the landlord system, which dominated the rural community. Korea's land reform seems exceptional in terms of the rapid distribution of land to tenant farmers, and the active participation of interested groups.

Second, Korea's experience shows that land reform affects not only the agricultural sector, but also the economy and

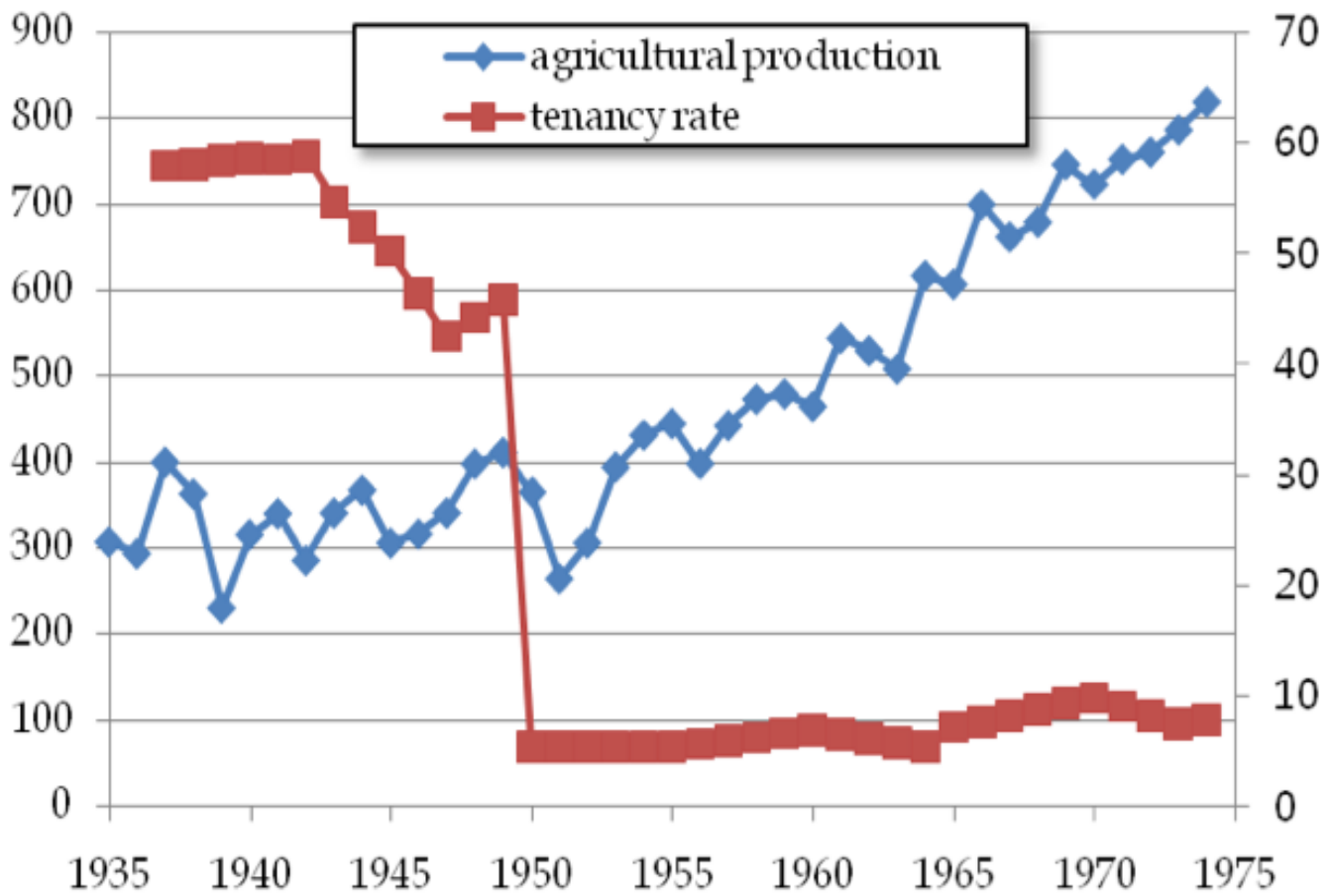


Figure: Tenancy Rate and Gross Agricultural Output (1935-1974). Source: Park Myung Ho, Land reform in Korea, Seoul: Korea Development Institute, supported by the Ministry of Strategy and Finance, 2013.

society as a whole. Along with Japan and Taiwan, Korea is a country that achieved land reform and economic growth simultaneously. Study of Korea's land reform has significance since it illustrates in a concrete way how successful land reform leads to industrialisation. In particular, recent studies have identified that reduced inequality in asset allocation contributes significantly to economic growth. Third, the participation of stakeholders played an important role; as a result, land reform was carried out in accordance with democratic procedures.

Fourth, the success of any reform depends on the intensity of resistance by the ruling class. The landlord class, who were the dominant force in Korea, lost their power at the end of World War II. The ruling class had a critical moral weakness, as they had cooperated with the Japanese government during the Japanese colonial period. Thus, when land reform was implemented, they were not in a powerful position to resist it.

Key features, outcomes, and lessons learned from the land reform and governance process in Vietnam, by Dr. Nguyen Do Anh Tuan, Deputy Director, Institute of Policy and Strategy for Agriculture and Rural Development (IPSARD), Ministry of Agriculture and Rural Development, Vietnam

Land reform is inextricably linked with social, economic, and environmental issues. Sustainable land use and management can only be achieved if a balance can be struck between these dimensions of development. Vietnam and China have followed very similar trajectories of land reform and governance processes, with remarkable achievements, as well as key issues to be addressed.

Conflicts caused by land acquisition and land transfer constitute a major challenge of reform. In addition, the efficiency of agricultural land use remains low, and there is a lack of incentives for farmers to transfer their land use rights. As a result, land reform has not effectively contributed to dynamic agricultural development.



The role of the state remains too strong in land governance in Vietnam. For instance, in respect of land acquisition, the state is dominant in setting land prices and standards of compensation for farmers. Similar to the case of China, local government extracts tremendous profits out of land acquisitions, while providing farmers with little compensation.

While development has not been conducive to sustainable land use or food security, the sustainability of land is facing a greater risk. Protecting biological diversity and reducing soil pollution are key to sustainable land and natural resource use and management.

Land reform should pay more attention to these issues in specifying all kinds of land rights and the roles of institutions in safeguarding farmers' rights and interests, especially where indigenous groups are concerned. Farmland protection should be strengthened by government through more effective institutional measures to hold those responsible to account.

**Key features, outcomes, and lessons learned from the land reform process in Hungary, by Ms. Piroska Zalaba, Senior Councillor, Department of Land Administration, Ministry of Rural Development, Hungary**

The ownership and use of land in Hungary has been systematically recorded and controlled for over 150 years. Despite several changes in economic philosophy, agricultural practice, and political regime, land records have been continuously maintained according to the basic principles of land registration of the Austro-Hungarian Empire.

The current registration system is the result of a programme of reorganisation carried out between 1972 and 1981. From 1972 the Ministry of Rural Development (now the Ministry of Agriculture) became responsible, through its two-level network of land offices, for unified land and property registration and the updating of large-scale cadastral maps. The information in the cadastre is collected, stored, referenced, and disseminated at land parcel level (parcel-based system). The registration records (property sheets) contain the most important information on each property in textual form. Cadastre maps contain the basic geometrical information of the system, while the textual data includes the physical attributes of land, titles or equivalent rights, and encumbrances.

The administrative structure of land administration in Hungary is a three-level hierarchy. There are 19 County Land Offices and separate Capital Land Offices. The 120 District Land Offices act as a first-instance authority. The Institute of Geodesy, Cartography and Remote Sensing (FÖMI) is a national agency – the background institution of the Ministry – which has the same legal status as a County Land Office. The Ministry establishes the budget, policy, and procedures, and the procedures are enacted as regulations supported by law.

At the time of the economic and political changes in the 1990s, land registration was managed manually. Cadastral maps were paper-based, and the legal background was out of date or non-existent. Thereafter, there was growing demand for digital cadastral maps instead of paper sheets. The introduction of digital cadastral mapping became necessary countrywide. Since 1997, a completely computerised countrywide system – the Unified Land Registry – has been managing both legal data and cadastral maps to meet the demands of both public and private clients. Land governance issues in Hungary are managed in an integrated and comprehensive way, both organisationally and technically.

The Unified Land Registry has existed since 1972, when it integrated cadastral and legal registry into a single institution and a single system, in order to guarantee security of ownership and other rights related to immovable property. Today the system seamlessly covers the whole of the country and includes all types of state, private, and cooperative land and real estate properties, including condominiums. All land parcels and immovable properties have been registered.

Hungary was one of the first countries in Europe to introduce a unified title registration system. The system has a multiple function, which means that, besides cadastre and registry activities, it deals with the establishment and maintenance of a control point network, topographic mapping, land surveying, land protection, land classification, land lease registration, and the maintenance of administrative boundaries.

Entry to the land register generates rights. The registration system is transparent: data provided by the register is authentic and evidential. The register can only be altered



- small parcels in ownership
- not good for effective agricultural activities
- in many cases parcels are not set out physically on site
- undivided collective ownership
- in practise few owners hire neighbouring land
  - cultivation on big farms
- importance of the land lease register

Figure: Land tenure structure in Hungary after land compensation

based on an application from a client or a request from another office. Entries to the register are ranked according to the date the application is received. Entries are created based on deeds.

The reform of land ownership in Hungary started in 1989, during a smooth process of political and economic transformation characterised by a move from a command-driven to a market-driven economy, with privatisation as a primary objective. A major priority of successive governments has been to redistribute land from the state and cooperatives to individuals. Because the Unified Land Registry system had been kept up to date, the complex privatisation process that started in 1990 was quick and successful.

Land privatisation affected more than half of the country's territory (5.6 million out of 9.3 million hectares). The share of state-owned enterprises in terms of net worth declined steadily, from 17.6% in 1996 to 14.5% in 2000. While in 1996 28.3% of land in Hungary belonged to agricultural cooperatives, by 2000 this share had shrunk to 15.3%. Finalisation of cooperative shares is still an outstanding issue. Land compensation was usually carried out over large units of agricultural area, involving potentially millions of claimants. Eventually, this resulted in the creation of more

than 2.5 million new parcels of land and one million new owners during the period 1992–1995.

Claimants filed applications for land allocations and could obtain vouchers for compensation as a first step. The vouchers were used for various purposes, e.g. first of all buying land, then buying goods, investments, etc. In the first stage, areas were assigned and maps prepared. In the second stage, clients bid for land and surveyors calculated areas based on the voucher's Gold Crown value (a system of land valuation dating from the second half of the nineteenth century, and still in use), and set out boundaries. Finally, the Land Office registered rights and boundaries based on the minutes (including digital survey files) of the auction. However, this procedure resulted in a fragmented structure of land tenure.

The cooperative share expressed the proportion of a member's ownership in the cooperative, and it was also expressed in Gold Crown value. The member put forward a request to the Land Assignment Committee, which calculated an actual Gold Crown value based on the available land. The land was assigned to cooperative members based on discussion; if no consensus was reached, a "lottery" was used to assign land. The committee also assigned land to eligible clients who did not appear before it.

The majority of state-owned apartments were also privatised, and the registration of changes in ownership presented an ever growing workload for the Land Offices. The main task in the 1990s was therefore to computerise and modernise the land administration sector, enabling it to cope with the new challenges.

The structure of the farm sector in Hungary is characterised by a large number of small farms, a small number of large holdings, and a relatively modest but growing share for medium-size farms. Holdings of land of 100 hectares and above account for 0.8% of all agricultural businesses, but these account for 67.7% of the total agricultural area. The government promotes the empowerment of family farms to enhance levels of rural employment through the involvement of family members. The government wishes to reduce the number of large farm holdings and their disproportionate share, but without seeking their eradication. Large farms may have an important role to play in the large-scale production of marketable agricultural products of reliably good quality.

**Key features, outcomes, and lessons learned from land reform process in Russia, by Prof. Alexander E. Sagaydak, Department of Agricultural Economics and Farm Management, State University of Land Use Planning, Russia**

Development of the agricultural land market is unique in Russia, as compared with other countries. This is because the role of the state has always been and remains dominant in the regulation of land relations. The goal of modern Russian agrarian and land reform is to create the conditions and incentives to provide sustainable development of agricultural production and to solve the country's food problem. It should be noted that one of the specific objectives of the reform was the redistribution of land from the collective to private farmers in order to provide rational use and protection of land.

There are different models of farm reorganisation and agricultural land consolidation in Russian agriculture. First of all, the Nizhny Novgorod Model was intended to consolidate land shares, with the aim of creating production cooperatives. However, due to the absence of post-privatisation support, this task remains unfulfilled. Noteworthy in this regard are

the Belgorod and Orel Models, which are used respectively in the Belgorod and Orel regions and are based on the purchase and lease of land shares by private farms and agricultural holdings, as well as local authorities.

In Russia, as in other countries, the majority of private farms are family farms. Family farmers are independent agricultural producers who deal with agricultural production and processing of agricultural raw materials based on private ownership of land and capital, as well as labour by family members. In this sense, it is necessary to use modern technologies for the demarcation of family farm boundaries on the ground to facilitate the development of family farming, an agricultural land market, and consolidation of agricultural land.

As of 1 January 2013, a significant portion of the agricultural land was in state and municipal property—257,8 million hectares, or 66.8% of the land category, the property of the citizens of 114.3 million hectares (29,6% of the category), property of legal entities—14.0 million ha (3.6 % of the category). (Source: The State Report on the State and Use of Lands in the Russian Federation in 2012, p 61, issued by Rosreestr in 2013).

In 2001, the new Land Code was adopted. The Agricultural Land Market Act was introduced in 2003. The State Real Estate Cadastre was introduced in 2009. The special Federal Law #435 amended the Agricultural Land Market Act on 29 December 2010, settling the right and the order of compulsory withdrawal of agricultural land plots. The Land Taxation Act adopted in 1991 was abolished in 2006 and a new chapter #31 of the Russian Tax Code, "Land Taxation", was introduced. According to this chapter, land taxation is the exclusive responsibility of local governments and is based on the cadastral value of land. On 23 June 2014, the special Federal Law #171 amended the Land Code. The goal of this amendment is to optimise the procedure for transferring land plots available in state or municipal ownership via the development of land auction trading. Federal Law #171 will enter into force on 1 March 2015. Skills training of land officers and administrators is needed, as well as the enhancement of public awareness of the necessity to enact these laws, for their effective implementation.

## Panel discussion

**Dr. Bernardo Mancano Fernandes**, UNESP, Sao Paulo State University, Brazil, pointed out that the country case studies provided interesting angles for reconsidering land reform as an unfinished endeavour for many countries, such as Brazil. Land concentration has been a major problem of land reform. South Korea and Vietnam have been successful in allocating land to the tiller, whereas Brazil, Russia, and many other countries have experienced land concentration as a constraint to land equity as a result of land reform. Other countries, such as Hungary, may experience the challenge of land concentration in the future.

**Prof. Qizhen Zhu**, College of Humanities and Development Studies, China Agricultural University, pointed out that the country case studies were relevant to land reform in China with regard to the issues of land rights and interactions in agricultural development, and the trajectory of agrarian reform. Small-scale farming due to land fragmentation has been seen as a major result of the reform, and there is concern over its contribution to a lack of scale and efficiency in agricultural production. However, this should not be seen as a reflection of the failure of the reform per se, because agricultural development has more to do with the application of technology, capital, farmers' skills and farmer organisation, and the role of the market than with land tenure arrangements. Rather than reorienting the current land tenure system, it is important to continue the current system in China by revitalising the role of family farming. Land policy should not overestimate the role of capital flow into the countryside from external business actors, whose incentives may not always be related to agricultural production. It is essential to safeguard individual smallholders' rights in land use and agriculture.

## Summary of open floor discussion

How to realise farmers' land rights through land reform was the first issue discussed. Essentially, land reform is a political act. In the case of South Korea, the expropriation of land from the landlord class was associated with the removal of this class's historical political power. The role of the state in this process was indispensable in ensuring farmers' rights and in creating relevant land institutions, such as the market needed for agricultural development.

The second issue concerns the effects of land privatisation in terms of loss of farmland for smallholders and reduced farming efficiency and productivity, all of which are underpinned by urbanisation and rising rural-urban inequality. Again, it is the state that should ensure that the negative impact of land privatisation is mitigated by providing technical, financial, and organisational support to farmers. Land reform policies should take an inclusive approach to addressing the interconnectedness of land rights and development, while prioritising farmers' rights, interests, and livelihoods.

## Presentation and exchanges on land governance in other countries Key features, outcomes, and lessons learned from the land reform process in Brazil, by Dr. Bernardo Mancano Fernandes, UNESP, Sao Paulo State University, Brazil

The experience of Brazilian agrarian reform is an important reference for other countries, in terms of both its uniqueness and its timeliness. Agrarian reform is a public policy that has been implemented over the past 30 years, beginning at the end of the neoliberal era and continuing into the current post-neoliberal period – making it one of the most recent land reforms in the world.

In Brazil, peasants have been calling for land reform since the abolition of slavery in 1888. However, more than a century has passed and the country's highly concentrated land structure, characterised by the historic process of the formation of landed property, has not seen significant changes. Hence the following question emerges: is it possible to achieve real agrarian reform without reducing the overall concentration that marks a country's land structure? A coherent response to this would be no. Yet Brazil has managed to carry out agrarian reform exactly in this way. This contradiction is central to the ongoing paradigmatic debate on the agrarian question and agrarian capitalism, which frames national discourse on agriculture, policy-making, and production. Other issues important to the paradigm debates are: the participation of peasants in the country's agrarian structure and in the production of food, fibre, and bio-energy; and the distribution of public resources for financing agriculture and other public policies for sustainable territorial development. Brazil has one of the world's most concentrated landholding structures. Large national and multinational corporations

own the lion's share of landholdings, and these companies effectively control agricultural development policies – receiving the majority of agricultural credit, monopolising markets at every level, and defining the production technologies developed for use in the sector. Dedicated primarily to producing commodities, agribusiness interests in Brazil constitute a hegemonic power that determines agrarian planning and subordinates family farmers – who, ironically, are responsible for producing the majority of foodstuffs destined for the domestic market.

As a major global producer of soybeans, coffee, sugar, beef, chicken, dry beans, oranges, and tobacco, Brazil is one of the world's most important agricultural countries. Of its total area, equivalent to 851,487,659 hectares, only 330 million hectares were utilised by agriculture in the period between 1996 and 2006, according to the most recent agricultural census. During the 1975–1985 period, the cultivated area was larger, totalling some 375 million hectares. This means that Brazil has used between 39% and 44% of its territory for agriculture, which is one of the highest proportions of land under cultivation of any nation.

Persistent rural inequalities become dramatically evident when family farming is contrasted with agribusiness. The 2006 census registered 5,175,489 agricultural establishments, and indicated that 84.4% (4,367,902) were family units and 15.6% (805,587) were corporate farms. The total area of the family units was 80,250,453 hectares, while corporate farms spread over 249,690,940 hectares. Although agribusiness used 76% of cultivated land, the annual gross product value was only 62% (USD 44.5 billion) of the total, whereas family – what we call peasant – farmers were responsible for 38% (USD 27 billion) of the value of the annual gross product while utilising only 24% of agricultural land, according to 2006 census data.

Additional statistics reveal further inequalities. Even though peasants used only 24% of the agricultural area, they “employed” 74% of those economically engaged in the sector (some 12,322,225 people), while the richer agribusiness segment employed the remaining 26%, some 4,751,800 people. This means that every 100 hectares of agribusiness land sustained an average of only two individuals, while the same proportion of peasant land sustained around 15 people. Employment relations also differed significantly

between the two segments as the majority of peasant workers are family members who live on farms, while the majority of agribusiness employees are part-time or seasonal workers who live off-farm in urban areas. This difference alone helps explain the distinctive forms of territorial occupation represented by the two segments: peasant territory is a place of production and daily life, whereas agribusiness territory is a place of production only.

The paradoxes of rural life in Brazil only become sharper when analysing the participation of the two segments in overall production returns. Just 8%, or 423,689 of the total 5,175,489 agricultural establishments, generate 85% of the total production value. This is the agribusiness segment. On the other hand, working on some 92% of all farms (4,751,800), peasants receive only 15% of the total value. These numbers demonstrate how territorial concentration leads to the disproportionate accumulation of wealth in the hands of the relatively small number of agribusiness firms. Broken down even further, the numbers demonstrate that the 11 million people working on 3,775,826 establishments live off a paltry 4% of all farm wealth. Moreover, families working on 2,014,567 farms have annual receipts of less than USD 200.

These poor farmers who gain so little from their hard work are responsible for producing vast quantities of the staple crops consumed by their fellow citizens, including 70% of dry beans, 87% of cassava tubers, 46% of corn, 38% of coffee beans, and 34% of rice. They are also responsible for 59% of the pork, 50% of the poultry, 30% of the beef, and 58% of the milk produced. Inequality is also present in production types, suggesting that family farms are more diversified and less specialised than agribusiness plantations. For example, just 1.57% of agricultural establishments are responsible for 68.31% of the corn produced, demonstrating how monoculture predominates in the agribusiness segment. On the other hand, dairy statistics reflect peasant diversity, as around 20% of farms produced 73% of milk.

Concentration strongly characterises land governance in the Brazilian countryside, producing divergent positions regarding agricultural development policies. Some defend the elimination of farmers who produce less in terms of quantity; others defend reordering the agricultural wealth distribution system in order to increase the income of

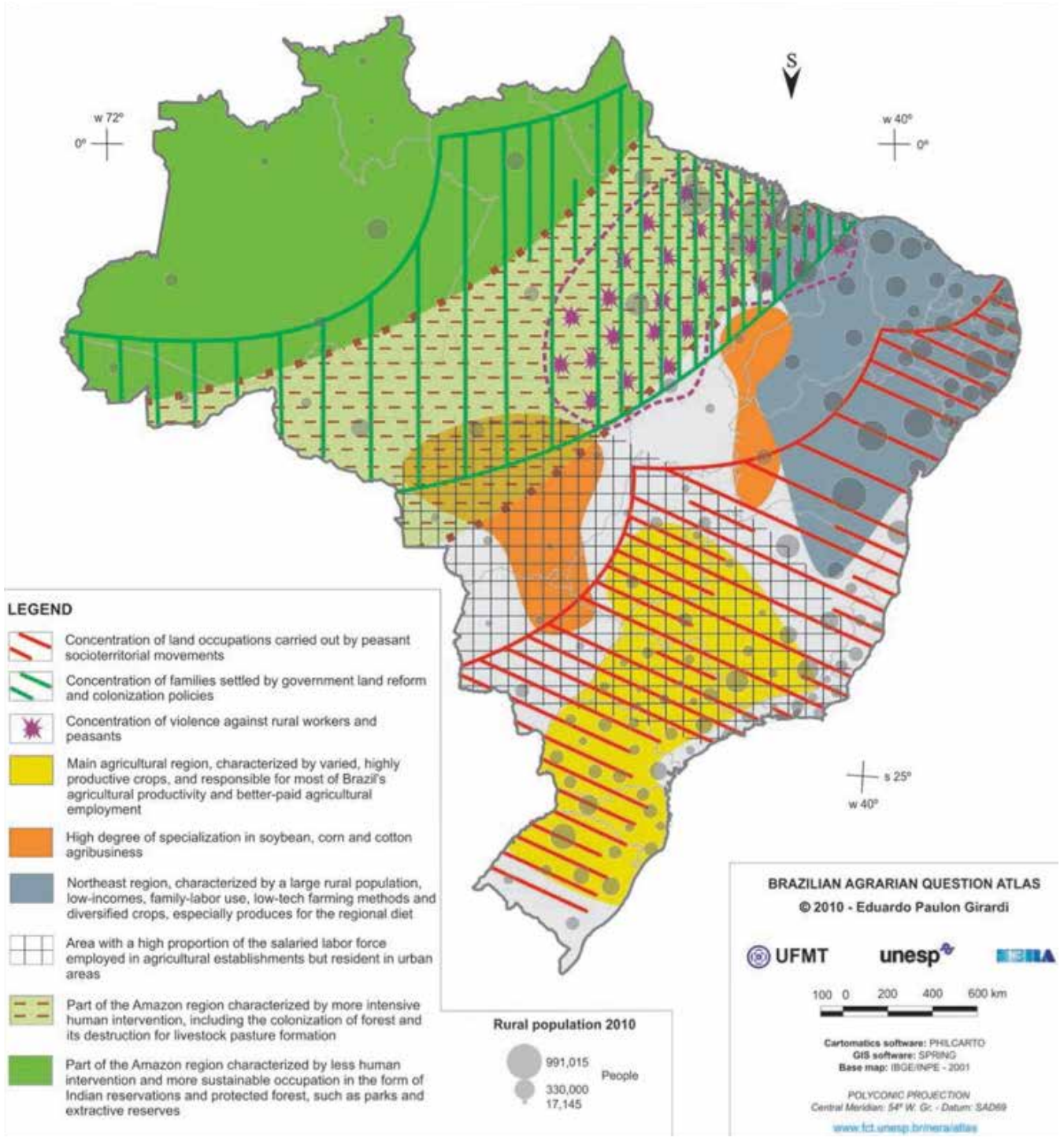


Figure: The Brazilian Agrarian Question

small farmers. Specific groups lobby for increasing the subsidies granted to agribusiness, while others advocate for policies such as agrarian reform and favourable credit terms to help facilitate access to land to increase the number of farmers in the sector.

**Key features, outcomes, and lessons learned from the land reform process in India, by Dr. Madan Mohan, Assistant Professor, JMI Central University, India**

In India, about 58.40 per cent of the labour force is employed in agriculture and allied activities for their livelihood in 2001. Land accounts for more than 50.12 per cent of the total assets of rural households. India is one of the world's rapidly developing and emerging economies. There has been a continuous decline in the share of agriculture and allied sectors in its gross domestic product (GDP), from 14.60 per cent in 2009–2010 to 13.90 per cent in 2013–2014 (at 2004–2005 prices), which is an expected outcome for a fast-growing and structurally changing economy.

Ancient records show that, among the Indo-Aryans, arable land was held by family ownership. Later on, during the periods 1200 BC–1200 AD and AD 1540–1750, the principal unit of land settlement was the village. The British governed the land from 1750 to 1947. During this period, the Permanent Settlement Regulation was introduced to record all rights in respect of land in order to maintain an up-to-date record of land rights, but this remained unsuccessful. Since the country's independence, there has been an emphasis on the implementation of consecutive Five-Year Plans addressing agriculture and related economic activities.

There are a number of strategic issues in land governance and development under different plans and policies. The main objective of land reform is to provide social justice for the people, particularly the cultivators, landowners, landless labourers, and rural populations. The main directives of land reforms are the abolition of intermediaries; land tenancy reforms; rent control reforms; ceilings on land holdings; consolidation of land holdings; security of land holdings tenure; reversal of forced evictions and relocations; women's land and property rights, and computerisation of land records.

With the implementation of the land reform programme, a certain specified limit of land belonging to landlords was set, and the rest would be taken over by the state. The ceiling on land holdings is an effective measure for land redistribution. In view of the prevailing social and political contexts, the ceiling law was neither politically expeditious nor administratively easy to implement. Kerala and West

Bengal states, where rigorous implementation of tenancy legislation took place, have been successful role models of tenancy reforms.

Land reforms are connected with the right to life and livelihood of a huge rural population. The government is obliged to protect farmers' land rights. The real threat to India's well-being and security is the displacement of its rural population from its roots. As long as the population is tied to the soil, there will be an increase in agricultural production and economic growth. Farming by smallholders continues to have a direct impact on poverty. More equal distribution of land to this group is viable, and the broad support base of redistribution should significantly raise productivity and improve the livelihoods of the poorest people.

The cities act as symbol of hope for the rural population as these represents a higher standard of living and offer a number of economic opportunities to the people. However, a negative consequence of urban pull factors is the rising number of slums and squatter settlements. There were about 52.37 million slum dwellers in 2001, and this number increased to about 65.49 million by 2011. There was about 25.01 per cent decadal growth during 2001-11 of slum population in India.

A chronological analysis of the past 11 Five-Year Plans makes it clear that, since the inception of the Planning Commission, industrialisation has been equated with development. The agricultural sector has always been a secondary priority in different plans. It must be noted that a majority of people living in rural areas have remained untouched by the trickle-down effect of industrialisation. Due to land reforms, a middle-level peasantry sharing the characteristics of capitalist farmers emerged, who were largely responsible for the green revolution of the 1970s and the 1980s. Today, decreasing sizes of farm holdings are a major challenge to their economic viability.

Figure: Land holdings in India

Category of Holdings	Number of Holdings			Area			Average Size of Holdings		
	2000-01	2005-06	2010-11	2000-01	2005-06	2010-11	2000-01	2005-06	2010-11
Marginal (Less than 1 hectare)	75408 (62.88)	83694 (64.77)	92356 (67.04)	29814 (18.70)	32026 (20.23)	35410 (22.25)	0.40	0.38	0.38
Small (1.0 to 2.0 hectares)	22695 (18.92)	23930 (18.52)	24705 (17.93)	32139 (20.16)	33101 (20.91)	35136 (22.07)	1.42	1.38	1.42
Semi-Medium (2.0 to 4.0 hectares)	14021 (11.69)	14127 (10.93)	13840 (10.05)	38193 (23.96)	37898 (23.94)	37546 (23.59)	2.72	2.68	2.71
Medium (4.0 to 10.0 hectares)	6577 (5.48)	6375 (4.93)	5856 (4.25)	38217 (23.97)	36583 (23.11)	33709 (21.18)	5.81	5.74	5.76
Large (10.0 hectares and above)	1230 (1.03)	1096 (0.85)	1000 (0.73)	21073 (13.22)	18715 (11.82)	17379 (10.92)	17.13	17.08	17.38
All Holdings	119931 (100.0)	129222 (100.0)	137757 (100.0)	159436 (100.0)	158323 (100.0)	159180 (100.0)	1.33	1.23	1.16

Note: Figures in parentheses indicate the percentage to total.

No. of Holdings: ('000 Number); Area Operated: ('000 Hectares); Average size: (Hectares).

Source: Above table computed and compiled from the data collected from the MoA (2000-01 & 2010-11) Agricultural Census (2000-01, 2005-06 & 2010-11), Agricultural Census Division, Directorate of Economics and Statistics, Department of Agriculture and Cooperation, Ministry of Agriculture, Government of India, Krishi Bhawan, New Delhi.

Land reform has been the focal point of the country's political and economic agenda. This also lays a sound foundation for growth, to enable India to compete in the global market. Land reform policy is fundamentally a politico-economic issue, and in most cases it is the result of a people's movement. Land reform means the distribution of surplus land to small farmers and landless cultivators. It has been a major instrument of social transformation, especially in an economy based on feudal and semi-feudal production relations. A long-term solution is to reduce the dependence of the rural population on land through the expansion of non-agricultural activities.

The future growth must be based on higher efficiency and will require to invest in science and new technologies to harness natural land resources, optimise their economic structures for allocative efficiency, and reform their fiscal, financial, banking, and insurance systems. Consequently, the lessons learned from the experiences of India will also help other developing countries and in the global fight against hunger and poverty. There is a need to lessen the dependence of rural population on land by the expansion

of non-agricultural activities. Nevertheless, this change in rural society is primarily possible through agricultural development, in which the agrarian reforms have a greater role to play in India's development.

#### Land reform process in Nepal: progress made, challenges, and way forward, by Mr. Kapil Dangol, Joint Secretary, Ministry of Land Reform and Management, Nepal

Historically in Nepal, land taxes were a vital source of revenue for the state. While officially all land was owned by the Royals, royal favourites were granted exclusive rights to manage certain plots of land, through the Birta tenure system, and where requested to pay revenues to the state. Rulers gave Birta tenure to their favourites and to relatives, such as government officials and high-ranking military personnel. This form of feudalism was predominant throughout the history of Nepal, until the 1950s.

Due to changes in the international political system and the influence of people's movements, the agenda of land reform has become a fundamental approach for peace, social justice, and economic transformation in Nepal. Much



	1964–2001		2001–onwards			
	<i>Landowner</i>		<i>Tenant</i>	<i>Landowner</i>		<i>Tenant</i>
Land Use Type	Agri.	Res.	Agri.	Agri.	Res.	Agri.
Geographical Region						
Terai and Inner Valley	16.4	2.0	2.7	6.77	0.68	2.7
Kathmandu Valley	2.7	0.4	0.5	1.27	0.25	0.5
Hilly Area	4.1	0.8	1.0	3.56	0.25	1.0

Figure: Land ceilings in redistributive land reform, Nepal

attention has been paid by policy-makers to tenancy rights, land distribution, land ceilings and land administration. A rights-based approach to land reform has received priority in land policy since the 1950s. Elimination of poverty, conflict management, sustainable economic growth, and environmental management are the basics in land reform. The Interim Constitution of Nepal of 2007 announced the implementation of land reform by abolishing feudal land ownership and returning land to the tiller. It also has provisions regarding land and property rights, articulating that every citizen has the right to acquire, own, sell, and use property according to existing laws.

Population pressure is continuously increasing. The concept of access to land has become a complex issue. There is a need to address discrimination against the access of vulnerable groups to land. Alternative approaches to land reform need to be explored in areas where land is scarce or unavailable altogether.

### Women's land rights in India and China, by Dr. Govind Kelkar, Senior Advisor, Landesa, India

Dr. Govind Kelkar provided a comparative introduction to the land law and policy frameworks of China and India with regard to the issue of women's access to land. Briefly, China is seen as a role model in producing feasible land law and policies that clearly spell out the role of women and their rights in land use and management. As a result, women have been granted due rights to equal distribution of land with men. This has been a major instrument in ensuring land equity in China, where society has high levels of respect for women. However, there are problems. The limited number of women in rural governance structure shows marginality of women. The *2003 Land Contracting Law of China* was enacted to rectify the resistance to women's access to land rights, stipulating that women and men have equal rights in contracting land. The contract issuing party cannot take away a woman's contractual land unless she receives land in her marital village. Further research is needed to understand its impact on women's equal rights to land.

In India, on the other hand, women's land rights remain an unresolved issue, despite the fact that relevant laws and policies are in place. Societal norms and customs still play a key role in influencing people's attitudes towards women's role in land use and management. As a result, women remain vulnerable and prone to land loss. The unequal relationship between men and women with regard to access to land remains a critical challenge for land governance. In recent decades since 1995, the government of India has introduced a series of policy measures to extend land titles in the joint or individual names of women. However, these measures have been implemented in selected states and in limited numbers.

## Panel discussion

**Mr. Jagat Basnet**, Organisational Development Advisor, CSRC, Nepal, critically pointed out that land reform should not be seen from solely a socialist or a capitalist perspective. More needs to be understood about the role of land in social equity, food security, and inclusive growth. As a result, there is a need to understand what model of land reform would best fit the local situation.

In the case of Nepal, Mr. Basnet argued that it would not be possible to achieve land redistribution. Given the fact that Nepal has a shortage of land, it is more important to look into possibilities of enhancing agricultural production. Rural-urban migration is another critical issue for policy consideration, as are women's rights to land.

Moreover, agricultural development is not simply an issue of land reform, but rather a comprehensive system of support involving a wide range of sectors, agro-technology, and legislative and policy reform.

**Prof. Ping Lv**, Department of Land Management, School of Public Administration and Policy, Renmin University of China, discussed the growing problem of land loss and its effects on farmers. She pointed out that China was also experiencing a loss of land. Farmers who migrate to cities for temporary employment may not get their land back if they return to their villages of origin. Farmers have divergent views on land use and management. Some do not perceive it to be necessary, while for others it remains essential to livelihoods. There exist regional differences in people's attitudes towards women's land rights, as well as practices in land allocation.

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# Discussions on land governance across regions

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Moving forward the land reform agenda in Africa: achievements, challenges, and the way forward, Dr. Joan Kagwanja, Chief, Land Policy Initiative, UNECA

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**Africa's land challenges:** Africa's heritage is its people, its rich culture, its tremendous ecology, and vast land resources, all of which, if properly harnessed, can form the basis for a much-needed economic and social transformation. The fact that Africa is the poorest region in the world, however, speaks to the inability of the continent to transform its wealth into meaningful and equitable economic growth and development. The ability of Africa's land to contribute to goals related to reducing food insecurity, eradicating poverty, sustainable urban development, boosting economic growth, and adapting to climate change and other disasters rests on the continent's capacity to develop appropriate land policies and land management systems. True, Africa faces many challenges, but other parts of the world have managed to address similar challenges, transforming their economies and improving the welfare of their people. There are

surely many lessons for Africa to draw on. The priority is to develop land policies that are based on evidence and reality on the ground, recognising in particular that: i) most of Africa's land is managed under heterogeneous customary regimes, with traditional leaders wielding great power and legitimacy over how land is distributed and governed; ii) efforts to secure the rights of families and individuals within these communities must take note of the communal nature of land ownership; iii) addressing the effects of cultural practices that result in discrimination against women and other marginalised groups is critical, as is increasing their representation in land administration systems; iv) issues of displacement, eviction, and historical injustices that continue to fuel conflict will not go away unless properly addressed in policies and in practice; and v) building decentralised, effective land administration systems is essential to implementing land policies in a manner that actually translates into results on the ground, i.e. resolving land-related challenges that hamper economic and social development.

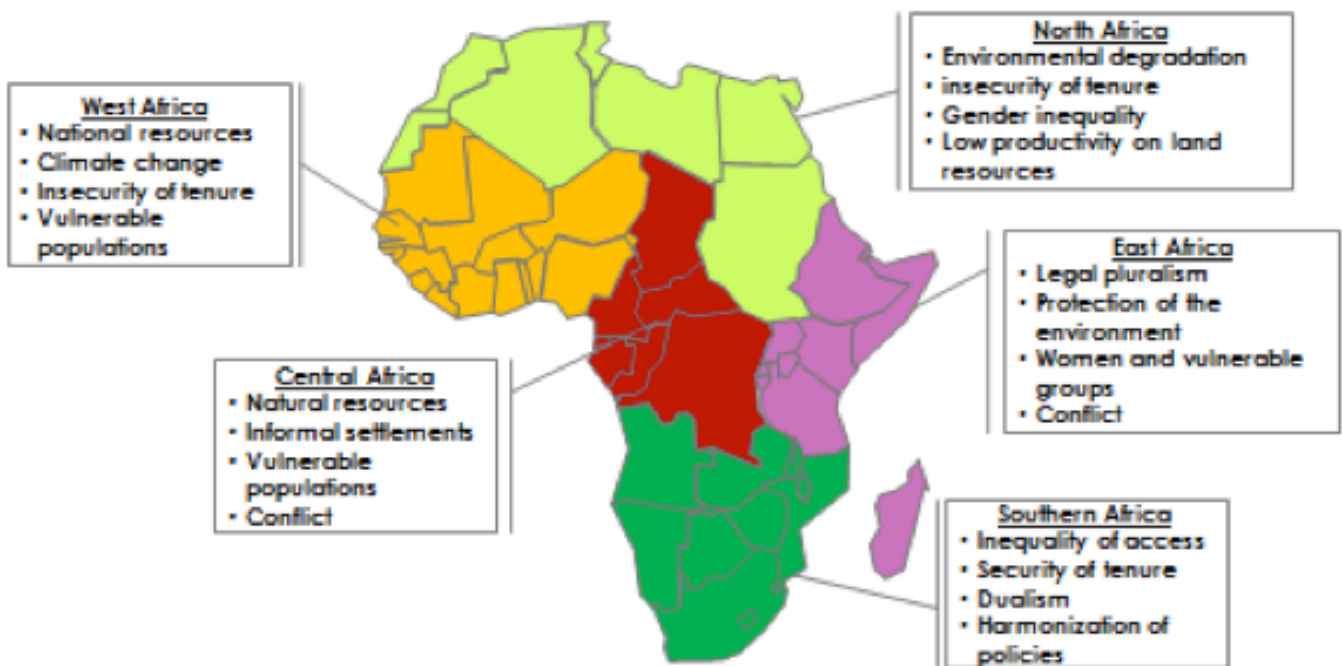


Figure: Land tenure in Africa: varied priorities across sub-regions and countries

**African agenda on land:** While Africa is a vast continent with 54 countries and diverse land issues, a common platform for dialogue, consensus building, learning, and sharing experiences is critical to advancing efforts to resolve challenges. Indeed, many African countries do share a common history, boundaries, and cultures, which can facilitate these efforts. It is in recognition of this, and the urgent need to generate political will, that the African Union Commission (AUC), the UN Economic Commission for Africa (ECA) and the African Development Bank (AfDB) came together in 2006 to establish the Land Policy Initiative (LPI). Between 2006 and 2009, the LPI was successful in providing leadership to win the support of African governments and stakeholders to engage in dialogue, generate knowledge, and build consensus in developing an African agenda on land. The Framework and Guidelines on Land Policy in Africa (ALPFG) were developed out of that process. The ALPFG are a tool to guide African governments and stakeholders in their efforts to develop, implement, and monitor land policies. The AU Heads of State and Government endorsed this tool and committed to lead in land reform processes in what now describes the African Agenda on Land: the AU Declaration on Land Issues and Challenges in Africa (Africa

Land Policy Framework and Guidelines). It is worth noting that Africa is the only region that has a common agenda on land governance and a continental platform for dialogue, consensus, and learning in this regard.

**Progress and achievements:** Since the adoption of the AU Declaration on Land at the AU Summit in Sirte, Libya in July 2009, the LPI has developed a strategy that defines a mechanism to coordinate the implementation of the Declaration; a business plan to mobilise partnerships and resources for the land agenda; and a monitoring and evaluation (M&E) framework to track progress made. The LPI strategy contains eight results areas covering the realms of advocacy and awareness raising; synergies, partnerships, and resource mobilisation; capacity development and technical assistance; knowledge generation, lesson sharing, and networking; and M&E.

Highlights amongst the achievements in implementing the LPI strategy, which aims to support the implementation of the AU agenda on land, include the following:

- i. *Enhancing the capacity of the LPI secretariat* by increasing its staff capacity, constituting and ensuring effective functioning of a Steering Committee; developing a strategy that helps to define the transition of the LPI into the African Centre of Excellence on Land Governance

- (ACELG), positioning it to provide greater leadership in setting and driving a continental agenda on land, creating regional platforms, and linking resources and technical assistance to needs at country level.
- ii. *Mainstreaming land policy and governance issues* in Africa's developmental agenda by conducting assessments and providing technical assistance to help highlight potential benefits of, and entry points for, linking the land agenda to programmes of the AUC, the ECA, the AfDB, and the NEPAD Planning and Coordination Agency of the Comprehensive Africa Agriculture Development Programme (NPCA/CAADP), and of regional economic communities (RECs). As a result, dedicated units and projects are being developed to address land policy issues through these institutions.
  - iii. *Enhanced partnerships, synergies, coordination, alignment, and resources* have been mobilised based on the LPI business plan, with a number of agreements signed with FAO, UN-Habitat, the Intergovernmental Authority on Development (IGAD), Landesa, the European Union, and the Swiss Agency for Cooperation and Development (SDC). A development partners' platform on land has been established to build synergy of action and to mobilise resources for implementing programmes related to land policy in Africa.
  - iv. *Enhanced advocacy and awareness on land policy* in Africa through the development of a communications and advocacy strategy to guide targeted advocacy programmes. Advocacy platforms for civil society and farmers' organisations have been developed and advocacy tools developed and disseminated; there is also increased advocacy by eminent persons and champions on land rights.
  - v. *Increased knowledge generation and dissemination* to build evidence on key thematic areas, including publications on women's land rights, large-scale land-based investments, land governance and CAADP implementation, land administration, and land, ethnicity, and conflict. The Guiding Principles on Large Scale Land Based Investments (LSLBI) were developed and endorsed by AU agriculture ministers, and are now being used to develop checklists for various actors to guide land-based investments on demand.
  - vi. *Enhanced capacity development, technical assistance, and pilot projects* based on a capacity development framework that was preceded by an assessment of capacity needs on land policy. Training programmes have been developed and conducted on gender and grassroots participation, land valuation, and large-scale land investments (for parliamentarians). Efforts are under way to establish an African centre on land policy, the ACELG, to oversee curriculum development and training on land governance, as well as research to advance the AU agenda on land. Pilot projects are being developed to address land challenges based on requests by RECs, member states, and other actors, including projects already developed for IGAD, Niger, Zambia, civil society platforms, and pan-African farmers' organisations. Seven others are being finalised: for the Pan-African Parliament (PAP), NEPAD Planning and Coordinating Agency (NPCA), Common Market for Eastern and Southern Africa (COMESA), East African Community (EAC), Economic Community of Central African States (ECCAS), Economic Community Of West African States (ECOWAS), and Southern African Development Community (SADC).
  - vii. *The development of tools for knowledge generation and dissemination* is another area of success for the LPI, with a dedicated LPI website and databases for disseminating information on land policy reforms, land experts, and development partners. A conference on land policy in Africa is being inaugurated in 2014 and will run biennially, providing a platform for information exchange and policy dialogue to promote evidence-based reforms. A journal on land policy is set to be established in 2015 to provide yet another important tool for knowledge dissemination.
  - viii. *Enhanced M&E of land policy in Africa* through the development of an M&E framework on land policy, with pilots set to begin soon. The M&E framework has made efforts in building on, contributing to, and establishing synergies with complementary initiatives such as the CAADP results framework and the Sustainable Development Goals (SDGs). A report is generated regularly to the AU summit on progress in implementing the AU Declaration on Land, as mandated by the Declaration.

**Challenges and the way forward:** Despite the successes of the LPI, there are tremendous challenges facing the African land sector as it aims to reform. These issues can be addressed through enhanced political will and stronger partnerships with stakeholders and development partners. They touch on:

- i. Learning and sharing of best practices, especially through North–South and South–South exchanges. The ACELG will provide an avenue to promote such exchanges;
- ii. The slow pace of reforms in land administration, land use planning, and the adaptation of sustainable urban development models;
- iii. Application of the guiding principles by all stakeholders to enhance the governance of large-scale land investments;
- iv. Enhancing data capacities in support of decision-making and building land information systems (LIS);
- v. Capacity building (including long- and short-term training); and
- vi. Better monitoring of land policy reforms.

#### **Framing the land reform and governance debates in Africa, by Dr. Kojo S. Amanor, Institute of African Studies, University of Ghana**

Dr. Amanor was unable to travel to Beijing for the conference. In his place, Dr. Madiodio Niasse introduced his paper, the first in ILC's "Framing the Debate Series", published in 2012. The paper, titled "Land Governance in Africa: How historical context has shaped key contemporary issues relating to policy on land", provides a historical framework of land reforms in Africa, followed by an overview of current debates on land policy and governance. It argues that future reforms should address political citizenship, political legitimacy, national identities, management of civil conflicts and ethnic tensions, and democratisation.

Dr. Niasse provided an outline of the paper, stressing the land issues in different regions of Africa and linking them with lessons learned in other countries, such as Brazil and South Korea, in an international development context. Key issues around land tenure reform, land governance, food security, and foreign investments in African land were put forward. He made the case for cross-fertilisation of different country experiences in land reform, to which the conference aimed to contribute.

#### **Framing the land reform and governance debates in Latin America, by Mr. Fernando Eguren, Director, La Revista Agraria (CEPES), Peru**

Mr. Eguren's presentation focused on the changing relationship between man and land in the Andean countries. As is happening everywhere else in the world, the size of the rural population in Latin America is declining. However, its importance is much higher than what is shown by official data.

The history of the region has been marked by intense conflicts over land, for two main reasons: first, a long history of land dispossessions of indigenous people, starting with the conquistadors and continued later, after independence, by Republican elites; and second, linked to this, the high concentration of land ownership in the hands of a powerful few.

In the second half of the last century, a number of land reforms were implemented in different countries in the region, but with ambiguous results. Land concentration is still a problem and the pressure on land continues today. Latin America is no stranger to the process of land grabbing that has attracted much attention in Asia and Africa, although the share of national investment in the former is greater than in the latter. In the medium term, this pressure will become even greater.

#### **Key moments in the history of land issues**

Three key periods define the long history of the land issue in Latin America. The first was the period before the Iberian conquest of what was later to become known as Latin America; the second began with the arrival of the Spaniards (and the Portuguese in Brazil) at the beginning of the sixteenth century; and the third came with the victorious wars of independence during the first decades of the nineteenth century, which ended the colonial period after more than three centuries and saw the creation of independent republics.

During the period of the Inca empire, the state, at the top of which sat the Inca (or king) and other imperial families, had land rights that were used to supply the needs of the bureaucracy, for redistribution, and for other public needs. The priesthood had rights over land for religious purposes. Most of the population, organised in extended family groups called ayllus, which in turn were part of ethnic groups, occupied the land collectively.

**Simplified scheme of the evolution of land tenure in Andean countries**

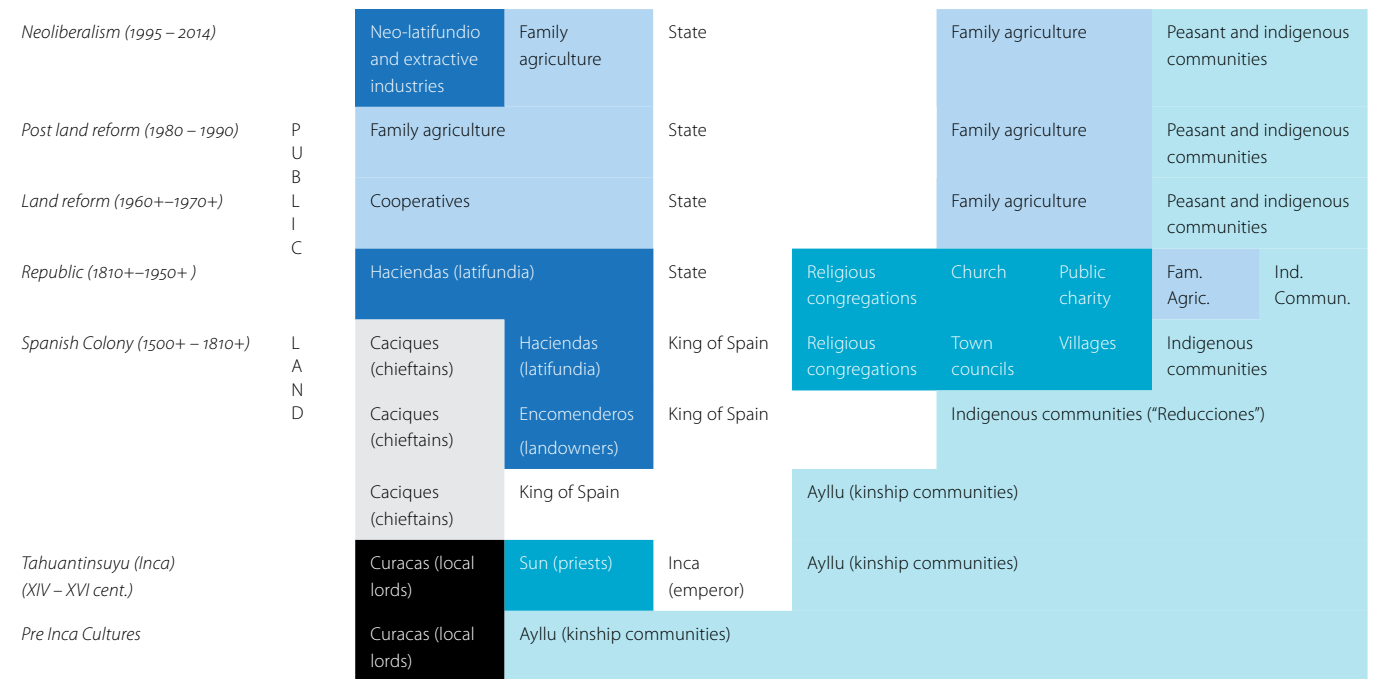


Figure: Simplified scheme of the evolution of land tenure in Andean countries. Source: Presenter's own compilation.

With the beginning of Spanish colonisation in the early sixteenth century, land came under the particular domain or property of the Spanish crown. The Spanish made use of some functional pre-colonial institutions, as these facilitated the payment of taxes and access to the labour force needed for mining. On the basis of the ayllu system of extended families, a system of native communal farms (indigenous land communities) was implemented. In turn, these were under the tutelage of a Spanish resident who, through this restructuring, also acquired rights over the native workforce. The Spanish crown eventually recognised their property rights over land and acknowledged or accepted the land grabbed by those who were in charge of the native population.

In the first decades of the nineteenth century the colonies won their independence from Spain but, internally, many colonial features survived. In general, independence meant access for Creoles – the descendants of Spanish conquistadors – to private land ownership, at the expense of the collective property rights held by indigenous communities.

In the late nineteenth century there emerged other types of latifundia (large estates), such as large-scale coffee plantations, mechanised sugar plantations that were frequently owned by foreign investors, huge cattle ranches, and high-performance agricultural farms.

By the beginning of the twentieth century, the agricultural landscape of the Andean countries combined estates in the process of modernisation, which started using wage labour, with traditional haciendas that maintained semi-feudal relations with their *peones*. Peasant communities cultivated only communal pastures and small family plots for food production in poor-quality soils. In addition, these arrangements co-existed with medium- and small-scale commercial farmers, though the extent of this relationship varied from country to country.

## Land reforms

Most land reforms in Latin America were implemented during the twentieth century. One of the major achievements was the reduction or elimination of the virtually semi-feudal social relations that existed in many rural areas. These relationships were formidable obstacles to the construction of political and social democracies. Peasants won the status of citizens, internal markets were broadened, and agricultural production was modernised.

Some conclusions can be drawn from the experiences of land reform in the region. First, the state has had a decisive role in all Latin American countries where land reforms have benefited the rural poor. Second, land reforms contributed to the democratisation of politics and society. This was achieved by weakening or abolishing the hacienda system that was based on the control of land by the *hacendados* and the marginalisation of peasants from citizenship.

Third, although the distribution of assets alleviated the poverty of beneficiaries of the reforms, it did not substantially reduce persistent rural poverty. Finally, market mechanisms have contributed to reversing the achievements of the land reforms – i.e. land is again concentrated through commercial transactions, a process favoured by the neoliberal policies inspired by the Washington Consensus, which is illustrated by the case of Peru (see chart below).

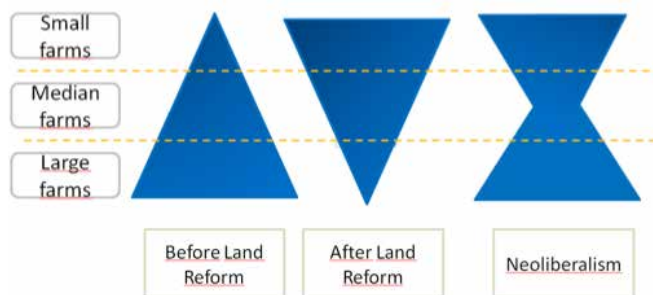


Figure: Land distribution in Peru before and after the land reform. Source: contributed by Maria Isabel Remy.

In the following decades the land issue faded into the background of the political agenda in the Andean countries, either because they had implemented the necessary reforms or, more broadly, because of changes in national and international contexts. Currently, in a context in which economic efficiency has acquired a higher value, the *neolatifundia* are no longer perceived as symbols of exclusion

in the countryside. These new estates are characterised by large agricultural or agri-business entities, with modern management methods and technologies, which devote their production mainly to exports and employ wage labour. By contrast, family farms, which comprise the overwhelming majority of agricultural producers in all countries in the region, are often perceived as inefficient and obsolete.

## Framing the land reform and governance debates in Asia, by Mr. Antonio Quizon, Chairman, Asian NGO Coalition for Agrarian Reform and Rural Development (ANGOC), the Philippines

Much of Asia's land tenure systems and legal frameworks on land were influenced by the region's colonial past. The Western dominance of Asia started when Vasco da Gama rounded the Cape of Good Hope and opened a new trading route, and ended in World War II with the withdrawal of European forces from India and China.

There were three unifying features of this 450-year period. First was a naval supremacy that enabled European powers to extend their control of the seas to control over the land masses of Asia. The second was the imposition of a commercial economy on Asian communities, whose economic life in the past had been based not on international trade but on agricultural production, local consumption, and internal trade. Geo-political power shifted from the inland kingdoms towards the coasts, where Europeans set up trading centres that later grew into many of Asia's modern-day capitals. The third feature was an eventual domination by the peoples of Europe over the affairs of Asia during the last 100 years of colonisation. This imperialism was driven by the industrial revolution in Europe, starting in the mid-nineteenth century, when Asia was seen not just as a provider of raw materials but increasingly as a locus for capital investments and a market for manufactured European goods.

What started as Western interest in trade with Asia later shifted to interest in land itself. The colonialists introduced systems of land administration and land-based revenue collection in order to shoulder the costs of colonial expansion. They also needed to keep up with growing demand in Europe for raw materials. Vast lands outside of permanent settlements and permanently cultivated areas were brought



under the ownership of the Crown or declared as “public domain”. Landholdings carved out from these domains were then brought under state-controlled cultivation, or else sold or leased for private plantations. The introduction of new land registration systems further disenfranchised and marginalised local populations.

The incorporation of many parts of Asia into the world economy brought an increased production of cash crops for export and, with it, a concentration of control over land. Land became a central factor for production, around which labour and capital were arranged. It was only after World War II that most Asian countries gained their independence. The new nation-states continued with many colonial policies, and laid claim to the Crown lands as the “legitimate heir” of the colonial state.

After gaining their independence, between 1945 and the 1980s at least 22 Asian countries attempted to implement land reform programmes. Land reforms played an important part in state-building, characterised by inward-looking economic policies. However, in most cases, it was socio-political reasons that provided the critical push for state-led reforms:

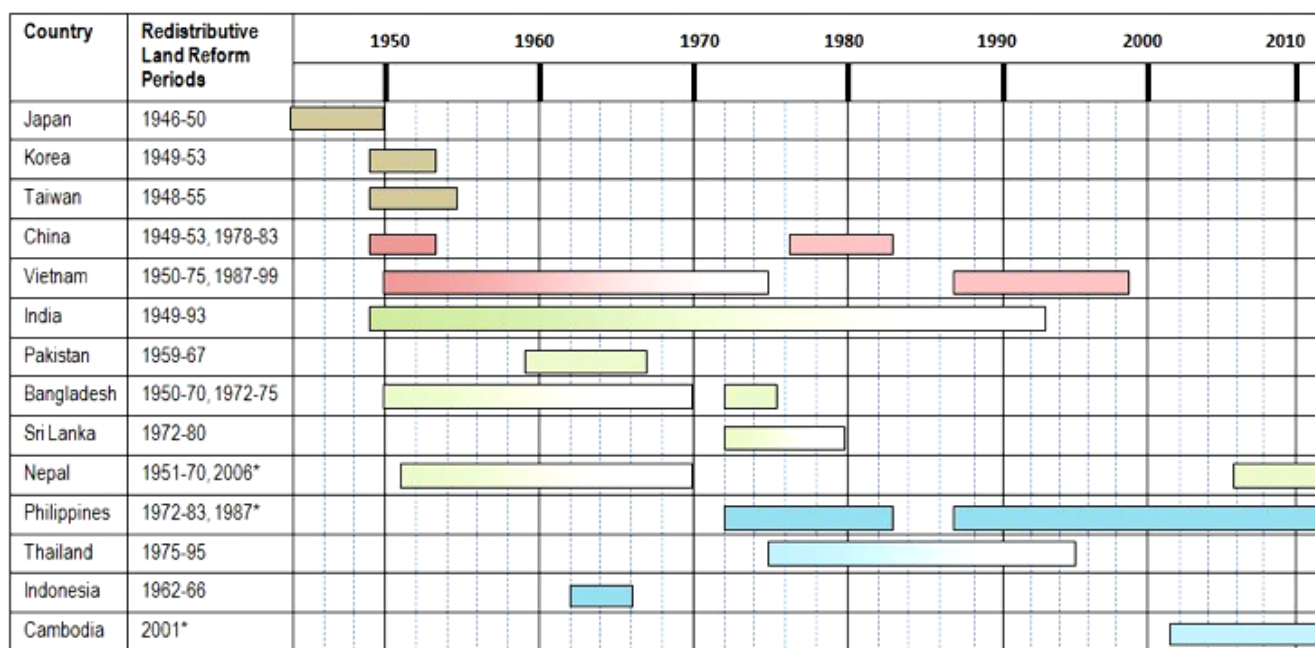
- » First was the process of decolonisation, where the land reform had been included in the agenda of nationalist struggles and emerging nation-states.
- » Second was the consolidation of US influence in the East Asian region, as a reaction to revolutionary reforms in China, and to prevent the spread of Communism. US occupation forces provided advice and financial support for land reforms in Japan, Taiwan, and South Korea from 1945 to the early 1950s.
- » Third was the implementation of socialist reforms by peasant-led revolutionary governments, as in the case of China and Vietnam.
- » Fourth was the direct response of governments to popular movements and heightened public unrest at different points in history, as in the Philippines and Thailand.
- » Fifth was de-collectivisation in socialist countries, which started in China and Vietnam in the late 1970s and early 1980s. Central Asian states would follow later in the 1990s after the collapse of the Soviet Union.

The early successes of land reforms in Japan, South Korea, and Taiwan in the late 1940s were heralded as “models” for reforms elsewhere. However, they were implemented under unique conditions after World War II, thereby limiting their replicability.

In China and Vietnam, the lands of landlords were expropriated and redistributed to farming households. These land holdings were then collectivised through the establishment of cooperatives and communes. The next phase came decades later, as collectivisation was reversed to create a system of individual peasant farming, often referred to as the “second land reform”. This process of de-collectivisation began at just about the same time in China (1978) and in Vietnam (1981).

South Asian countries (India, Pakistan, Bangladesh, Sri Lanka) took similar approaches to land reforms as they had inherited a common set of laws and government bureaucracy from the British. Reforms were focused on the abolition of the *zamindari* system, and the recognition of tillers as owners, tenancy reforms, imposition of land ceilings and the redistribution of surplus lands, and the redistribution of state lands. However, these reforms were poorly implemented, as landed interests were firmly entrenched in power. The more successful reforms were implemented in West Bengal and Kerala in India, where socialist parties came into power; less successful were Bangladesh and Pakistan, which came under a succession of military rulers allied with the land-owning class.

The countries of Southeast Asia (except Thailand) were colonised by six different Western powers, and different property systems and agrarian structures evolved in each. Following independence, the emergent nation-states of Southeast Asia sought to consolidate the powers of the state, and to establish political stability. Agrarian reforms were first instituted in direct response to social upheavals and agrarian revolts. Under the growing threat of Communism, many Southeast Asian states fell under military-backed dictatorships in the period from the mid-1960s to the mid-1980s. Some used their powers to implement land reform programmes (the Philippines, Malaysia) and others to suppress reform (Indonesia). Cambodia was a country in turmoil that underwent four property regimes within a single generation, spanning about 40 years.



\* Ongoing reforms

Figure: Redistributive land reforms in Asia, 1946-2010

Asia's land reforms from 1945 to the 1980s brought highly uneven results across countries. Reforms brought about complete agrarian transformation in the five countries of China, Vietnam, Taiwan, South Korea, and Japan through a highly egalitarian distribution of land and the development of rural institutions. Although these countries took contrasting (capitalist and socialist) paths to reform, they eventually converged on the strengthening of small family-run farms of less than three hectares. In most countries (the Philippines, Thailand, India, Sri Lanka, and Bangladesh), land reforms contributed to increased tenure security and social inclusion for sections of the rural poor, yet there was little or no transformation of agrarian structures, as large landholdings remained untouched. In other countries (Pakistan, Indonesia), land reforms had little or no impact at all, as these reforms were stopped in their tracks by military regimes, and their gains were later reversed by anti-reform policies.

While land reform dominated development discourse in the 1960s and 1970s, the issue was less prominent in the development priorities and policy agendas of nation-states and international institutions in the 1980s. Over the years, market forces brought about a gradual re-concentration of land in many developing countries of Asia, including in those countries where land redistribution had been implemented.

Starting in the late 1980s, there was a resurgence of land reforms in development policy discourse. However, much of the new discourse about land policy seemed to highlight considerations of "economic efficiency", relegating issues of "equality" and "distributive justice" to secondary importance. Contemporary debates about land policy across Asia might be seen in terms of a number of dominant and inter-related themes.

*First* is the unfinished task of past land reforms that were never fully implemented or else became dormant over time due to prolonged and weak implementation and a lack of funding. As many past land reform legislations were often the result of compromises between demands from peasants on the one hand and the interests of a modernising landlord class on the other, these reforms suffered from design deficiencies and a lack of political will. This raises several policy issues, including the viability of state-led land reforms and the paradox of the "activist-state".

*Second* is the viability as well as related issues in improving access for the poor through more efficient land markets and land titling and administrative systems. It is noted that in many developing Asian countries, land administration systems remain inefficient, corrupt, over-regulated, and

Impact	Changes	Countries
<b>High</b>	<ul style="list-style-type: none"> <li>• Complete rural transformation</li> <li>• Rural institutions &amp; industrialization</li> <li>• Significant land redistribution</li> <li>• Rural poverty reduction</li> </ul>	<i>China &amp; Vietnam Japan, S. Korea &amp; Taiwan</i>
<b>Modest</b>	<ul style="list-style-type: none"> <li>• Tenure security for specific sectors</li> <li>• Limited land redistribution</li> <li>• Large private lands untouched</li> <li>• Modest gains in overall rural poverty reduction</li> </ul>	<i>Most other countries in South &amp; Southeast Asia</i>
<b>Low</b>	<ul style="list-style-type: none"> <li>• Very short periods of reform</li> <li>• Poor implementation</li> <li>• Any redistributions were reversed by policies</li> <li>• Little or no impact at all</li> </ul>	<i>Pakistan Indonesia Cambodia</i>

Figure: Redistributive land reforms in Asia, 1946-2010

poorly coordinated. The key question is how to make more efficient land markets and administration work in favour of the rural poor, as reform can also lead to greater land concentration for those with power and capital.

*Third* is the debate on “market-assisted land reform” (MALR), which the World Bank initiated in 2001 as a non-coercive alternative or supplement to state-led land reforms. Under the principle of “willing buyer, willing seller”, MALR relies on negotiation between landowners and poor farmers to determine prices in land sales markets. Questions have been raised about the role of markets as equitable allocators of goods, and the extent to which development interventions such as improved access to information and credit can enable the rural poor to overcome the inherent weaknesses in their bargaining positions.

*Fourth* is the issue of women’s access to land, which continues to be negotiated between traditional law and customary practice on the one hand, and statutory/individual rights on the other. The importance of equal and independent land

rights for rural women has taken on an added dimension in recent decades as Asian agriculture becomes increasingly feminised with the out-migration of men.

*Fifth* is the longstanding issue of restitution and land rights for Asia’s estimated 260 million indigenous people. These peoples were largely ignored by past land reforms that were largely “agrarian”; in certain cases they even became victims of state-led land reforms, through freehold programmes, state-supported migrations, and colonisation schemes. Underlying this debate are conflicting paradigms – between “indigenous communalism” and the principles of state sovereignty and modern individualism that underpin property laws and directions of national economic development.

*Sixth* is the issue of tenure reforms concerning forests and “public domain” lands, and the choices of different governance and forest tenure systems that impact on poverty reduction, environmental protection, and economic development. As forests serve different sectors of the population, the core debate lies between their centralised

management as a national economic resource and provider of external services, and community management that views forests as a habitat and source of livelihoods.

*Seventh* is the recent phenomenon of large-scale foreign land acquisitions, driven by rising world food prices and the growth of the biofuels industry. The main contention is between the need to develop foreign private investments and the need to protect small farmers and settlers from land expropriations. It also raises issues about immediate investments that could compromise long-term food security.

*Eighth* is the uncertain future and role of Asia's small farms in ensuring food security and livelihoods in the context of growing populations, increasing urbanisation, and changes in the food value chain and food industry. Asia is home to 75% of the world's farming households, 80% of whom are small-scale farmers and producers.

*Finally*, there is emerging discussion about the potential direct effects of climate change, as well as the new commercial pressures on land brought about by global mitigation measures for developing countries, such as Reducing Emissions from Deforestation and Forest Degradation in Developing Countries (REDD).

### Panel discussion

**Mr. Wafula Nabutola**, Land Specialist, Chair of the FIG Commission, commented that many countries shared similar historical experiences in land reform underscored by colonialism and people's liberation movements. Returning land to the tiller features in all land reforms as a primary goal in redressing social injustice brought about by colonialism. Whereas many Asian countries were largely successful in land reforms tailored towards food security and rural development, land reforms in African countries have not brought about the desired outcomes. Why Africa has failed, and how it can realise inclusive and sustainable growth, continues to be a contentious issue. There is no "one-size-fits-all" solution. Thus, Africa needs to learn from other countries in order to continuously improve the effectiveness and efficiency of land reform policies and institutions.

**Ms. Song Zhao**, Director of Land Pricing Division, CLSPI, commented that a country's land reform policies could not be perceived simply as either a success or a failure. Land

reform measures taken by countries differ between historical periods, social, political, and economic backgrounds, and other contextual factors. A country's model of land reform cannot simply be replicated by another country. Nevertheless, sharing experiences and learning lessons is important for the adjustment of land policies tailored to the local context. ILC is playing an important role in facilitating international exchanges effectively.

### Summary of open floor discussion

In Africa, foreign land investments are encouraged by relevant policies aimed at boosting economic growth. However, unregistered land may constitute a major obstacle to attracting foreign investments. African governments play an essential role in allocating land to foreign investors, as most investments involve large-scale land acquisitions. International organisations such as UNECA play an important role in building the capacity of African governments to align their land policies with international conventions and principles on responsible land governance and pro-poor land investments.

A major challenge of land reform in Africa is land registration, which raises a fundamental question as to how to register land under customary tenure through the use of statutory instruments. That is, how to reconcile traditional and modern land management practices, for the sake of effective and sustainable land use, remains an unresolved issue. Land registration, if carried out inappropriately, may be an invitation for land conflicts or disputes over land ownership claimed by multiple entities.

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# Workshop proceedings: implication and suggestions

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[Preliminary synthesis: commonalities, differences, emerging issues, and challenges: implications for collaborative partners and the future of the Framing the Debate Series, Dr. Jan Cherlet and Dr. Yongjun Zhao](#)

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**Dr. Jan Cherlet** of ILC indicated that the conference was a milestone for the Coalition in facilitating South–South collaboration in land governance. The “Framing the Debate Series” of publications has played an active role in facilitating international exchanges on land reform policies and practices amongst scholars, practitioners, and policy-makers. ILC will continue this effort, and the next paper in the series will focus on women’s land rights issues. Dr. Cherlet suggested that all those making presentations at the conference should send a revised abstract of their presentations to ILC for preparation of the conference proceedings, which would include comments made by participants in discussions. The proceedings of the conference, along with PowerPoint presentations and photos, will be published on the ILC website in due course. Dr. Cherlet also invited all the participating institutions to become members of ILC, and shared information on application procedures.

**Dr. Yongjun Zhao** from the University of Groningen provided a preliminary synthesis of the conference on the following thematic issues around land reform and governance in the countries discussed:

## Commonalities

### History of land reform

“Land to the tiller” underscores a fundamental principle of land reform across countries in addressing land access for disadvantaged farmer groups. This is vital to poverty alleviation, rapid economic growth, and social and political stability. Land reform measures have focused on the formalisation of land tenure rights, along with policies encouraging the creation of land markets to boost land use efficiency and economic growth. However, it is well known that this has not worked to a large degree for the poor. There is no absolute replicable formula of land reform. There should be phased reforms contingent upon economic, political, and social contexts.

### The role of smallholders and family farming

Family farming still constitutes a primary mode of agricultural production in China and many other emerging

and developing countries. The role of smallholders is fundamental to social, political, and economic stability and to avoiding “hard landings”, especially in times of economic crisis. Land governance should ensure farmers’ incentives in farming and thus food security, and should redress the adverse effects of land marketisation on farmers’ livelihoods, based on the social safety net provided by family farming.

## Differences

Countries differ in their social, economic, and political contexts. Thus, there is no single model of successful land reform that can be employed in other countries. However, there is a need for countries to learn from each other the lessons and experiences gathered in order to formulate more effective and inclusive reform agendas.

- » Socialist countries, including China and Vietnam, are defined as transition economies characterised by the heightened role of the market in social, economic, and political transformation. They have yet to develop a fully-fledged free market economy, and how to make the market work for the poor remains a critical challenge. Land remains a collective entity, although individual users’ rights to land are being transformed in line with market-oriented principles and practices.
- » By contrast, the experience of post-socialist countries, including Russia and Hungary, which have undertaken market reform more boldly than the socialist countries, shows that the individualisation of land tenure has met difficulties in serving the needs of disadvantaged groups. Associated with land privatisation are issues of access to land and land use sustainability for the vast majority of smallholders, which further undermine prospects for food security in the context of the global process of land acquisition.
- » Countries with a history of colonialism, including Brazil, India, Peru, and the wider Asian region, show that decolonisation has not brought about equal access to land for many weak farmer groups. Land concentration still dominates the rural landscape, contributing to rising inequalities between landlords and landless groups. Peasant-led social movements voice demands for land access, but have had limited success. Debates on the agrarian question continue to shed light on the political economy of land and agrarian reform.

- » Other countries, including Nepal and South Korea, show a certain level of uniqueness in land reform. Nepal is facing the challenges of more effective land redistribution, from semi-feudalist land holders to the vast peasantry. South Korea exemplifies the role of political will and the capacity of the state in the successful implementation of the land reform agenda, in ensuring smooth social and economic transformation without causing social disorder in the urbanisation process.

## Land reform in China: experiences and lessons for other countries

- » Land reform in China is being shaped by the processes of globalisation, modernisation, urbanisation, and industrialisation. Agriculture has ceased to be the engine of growth, but still acts as a major source of livelihoods. Rural-urban migration has significant implications for sustainable land use and management and for food security. Policy measures to ensure social protection of migrants through pro-poor public service delivery have been highlighted and need to be strengthened.
- » A comprehensive land use planning system is to be developed for the design of concentrated or de-concentrated cities, based on local conditions in order to facilitate sustainable urbanization.
- » There is a trend towards market-oriented land reform characterised by the clarification of each land-related right concerning both collective and individual land tenure systems. Furthermore, this has been considered by policy-makers as a fundamental basis to increase agricultural production in a reasonably larger farming scale. The reasonable scale is a crucial point because land amalgamation by agribusinesses through land transfers may be detrimental to farmers’ livelihoods and food security. There should be a need to reconsider the relevance of revitalising the engine of land collectivisation.
- » The advantages of family farming based on the HRS need to be reassessed. Land reform should be coupled with wider sectoral reforms in order to be more appropriate.

However, growing problems of land fragmentation and degradation, probably as a consequence of the HRS, need to be tackled through more innovative approaches.

- » No matter what land tenure system a country has, land use efficiency and productivity impinge on proper land use planning, among other mechanisms.
- » Policies aimed at strengthening land rights do not seem to work effectively – but local government incentives matter, as in many other countries. Land reform should move beyond a simplistic approach to the strengthening of land rights to clarify issues concerning landownership and the growing rural-to-urban migrant population.
- » The land rights of women and indigenous peoples remain a critical issue. The experiences of China may prove relevant for other countries.
- » Land governance has witnessed fragmented reform measures in terms of a lack of intra-governmental coordination and multi-stakeholder approach to land policy design and implementation.
- » Not well-functioned land acquisition practices have prompted calls for the use of more market-oriented approaches to land pricing and diverse compensation forms for farmers. How to enable farmers to become competent players? How to empower them with enough knowledge and tactics to safeguard their own rights? How to create a transparent market for the expropriated people to receive fair treatment?
- » Land reform should not be so much an issue of socialist or capitalist orientation, but rather of how to stimulate inclusive growth for the people. There are both advantages and disadvantages in state-led and market-led approaches. The fundamental challenge is how to deal with the issues of granting real power to the people. Empowering farmers is not simply equivalent to granting them rights through laws and policies but enhancing their knowledge and skills in exercising their own rights.
- » The state acting as the initiator and implementer of reform may not always be enough for inclusive development. There is a need to identify and support innovations in farmers' institutions.
- » How to work on the socio-cultural dimensions of land reform? Context-specific research is needed in order to discover more innovative approaches from below.

## China's role in international development

- » Existing research indicates that China's investments in foreign land have not been instances of land grabbing for the sake of domestic food security.
- » China's agricultural support programmes have focused on technology transfer. Programmes may be more effective if they are aligned with local contexts (land tenure, social and economic conditions).
- » The weak capacity of countries receiving Chinese aid needs to be addressed in order to make better use of resources.
- » ILC is recognised as an effective international platform for mutual learning between emerging and developing economies on land-related international development issues.

## Emerging issues and challenges

- » **Land tenure security:** Ongoing land reform programmes have a common goal of achieving land tenure security for smallholders. However, the effectiveness of these programmes is questionable, especially with regard to harmonising customary and statutory or individual and collective land tenure systems. There is a need to understand what constitutes a proper land tenure system. The conditions and dynamics of land tenure then need to be understood and recreated in land reform.
- » **Role of land in rural-urban development and globalisation:** This concerns land use efficiency and sustainability, which underpin food security. The role of land in the urbanisation process needs more discussion and more studies to inform land use policy.
- » **Sustainable land use planning:** This is key to sustainable rural-urban integration and development and land tenure reform. However, it remains underdeveloped or to be improved in many countries, including China.
- » **Governance:** How centralisation and decentralisation may work for the poor remains a critical challenge. The rule of law and legal empowerment of the poor should go hand in hand in land policy design and implementation.
- » **Land tenure/development/governance linkages:** It is simplistic to advocate for a single land tenure system without understanding the linkages between land tenure, development, and governance. The three elements are

interdependent. Subject to local conditions, any land tenure system may have both advantages and disadvantages. A mixture of individual and group tenure, for instance, may even be plausible in a given setting.

- » **Institutional innovation:** Land policy-makers should be more serious about involving people to arrive at a common understanding and more appropriate approaches to land use, management, and governance for sustainable development.
- » **Guidelines and tools for best practice:** The existence of international guidelines and tools for best practice in large-scale land investments and governance calls for a broader level of international cooperation. China may play an important role in this process in order to make its land-related overseas investments more sustainable. There is also a need for South–South partnerships in exchanging experiences and learning lessons on issues concerning agricultural development.
- » **Capacity building, advocacy, working with wider stakeholders:** ILC, UNECA, the World Bank, and other organisations are called upon by the conference participants to play a more active role in facilitating and supporting advocacy and capacity building of stakeholders in sustainable land use and management.
- » **International platform for knowledge generation and lesson-learning to inform land policy:** There is a need for more empirical studies to inform policy. The issue remains as to who could take the lead or be included in building an international platform.

### Summary of open floor discussion

**Dr. Yongjun Zhao's** preliminary synthesis was comprehensive, covering all the major issues discussed at the conference. It can be seen that land reform, by its nature, is political experimentation, which is interwoven with many other issues concerning land rights, land use efficiency and sustainability, social conflicts and mitigation, climate change, and so forth. How to design more appropriate land institutions to enable farmers to reap more benefits from land, and how to ensure their participation in land use and management remain overarching questions that deserve further debate and research. Participants reached a consensus that future

conferences should be more thematically focused to enable more in-depth discussions on specific issues. There was a strong wish to hold another international conference in China in 2015, organised by ILC in cooperation with its partners.

**Ms. Rosy Liao**, Divisional Chief of Foreign Affairs Office of the CLSPI, expressed her commitment to further collaborating with ILC on land use, rural development, and urbanisation by hosting joint training programmes, workshops, and conferences on these thematic issues, for countries in the South in particular. Prof. Jinmin Yan from Renmin University of China also extended an invitation for the international Masters of Public Administration in Land Management Programme, which is open to applications by international students. Renmin is the first university in China to have offered land management as a specialty, in 1985. Dr. Michael Klaus, Project Director of the Hanns Seidel Foundation, also invited participants to attend a workshop organised by the foundation in early 2015 on rural development in Shandong province. Dr. Joan Kagwanja of UNECA again stressed the importance of South–South learning through the African Centre of Excellence on Land Governance; universities and research institutions in particular are invited to be part of this initiative.

### Closing ceremony

**Mr. Lingzhi Zheng** emphasised that the conference had met its objectives and had been a highly successful event, which marked a milestone in CLSPI's international cooperation strategy. Dr. Madiodio Niase, Director of ILC, also acknowledged the success of the conference and the importance of working with Chinese civil society and universities, which was facilitated by the successful publication of the "Land Governance in China" paper. He thanked the co-hosts of the conference for their great support and hospitality. Prof. Jinming Yan of Renmin University of China emphasised that the conference had laid a good foundation for future cooperation between ILC and Chinese institutions in fostering South–South partnerships on land governance research. Mr. Yanli Gao, Deputy Director-General of CLSPI, thanked ILC, Renmin University, and all the participants for their effective contribution to the conference, and pointed out that its outcomes would play



an active role in facilitating better understanding of the key land governance reform issues in relevant countries for the Chinese land administration.

Finally, **Mr. Lingzhi Zheng** closed the conference by illustrating three land policy reform arenas in China in which international cooperation is desired: 1) protection of farmland and other land resources to ensure national food security; 2) improving land use efficiency, ensured by more intensive and efficient land use policy mechanisms and practices; 3) protection of farmers' land rights through the reforming of land acquisition policy and practice and facilitation of rural land markets to ensure fairer pricing of rural land as compared with urban land, as well as reforming the current housing land policy to further ensure farmers' land and property rights. Essentially, these reforms all have to address what constitutes the public interest in land use changes, which remains an outstanding issue in the current land governance framework.

## Annex: List of participants

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### **Our Mission**

A global alliance of civil society and intergovernmental organisations working together to promote secure and equitable access to and control over land for poor women and men through advocacy, dialogue, knowledge sharing, and capacity building.

### **Our Vision**

Secure and equitable access to and control over land reduces poverty and contributes to identity, dignity, and inclusion.

**International Land Coalition Secretariat at IFAD**

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