



- Langer , A. (2010). *Côte d'Ivoire's elusive quest for peace*. No 11,Claverton Down: University of Bath, Centre for Development Studies(CDS), Bath.
- Loris, A.A. (2018). The politics of agribusiness and the business of sustainability. *Sustainability*, 10 (15), 1-21. doi:10.3390/su10051648.
- Lucas, J. C., Schroeder, D., Chennells, R., Chaturvedi, S., & Feinholz, D. (2013). In *Sharing Traditional Knowledge: Who benefits? Cases from India, Nigeria, Mexico and South Africa*. In Benefit Sharing. Springer,pp. 65-93.Dordrecht. doi:10.1007/978-94-007-6205-3_4.
- Luttrell, C., Loft, L., Gebara, M. F., Kweka, D., Brockhaus, M., Angelsen, A., & W. D Sunderlin. (2013). Who should benefit from REDD+? Rationales and realities. *Ecology and Society*, 18 (4), 52.doi: 10.5751/ES-05834-180452
- Mac Clay, P., & Feeny R. (2018). Analyzing agribusiness value chains: a literature review. *International Food and Agribusiness Management Review*,22 (1),31-46. doi:10.22434/IFAMR2018.0089.
- Machado Filho, C. P., Caleman, S. M. D. Q., & Cunh, C. F. D. (2017). Governance in agribusiness organizations: challenges in the management of rural family firms. *Revista de Administração (São Paulo)*, 52 (1), 81-92.doi: 10.1016/j.rausp.2016.09.004
- MacMillan, D. C., Philip, L., Hanley, N., & Alvarez-Farizo, B. (2002). Valuing the non-market benefits of wild goose conservation:a comparison of interview and group-based approaches. *Ecological Economics*, 43 (1), 49-59.doi: [10.1016/S0921-8009\(02\)00182-9](https://doi.org/10.1016/S0921-8009(02)00182-9)
- Martin, N., & Rice, J. (2019). Coal seam gas projects: proposed policy model for compensation and benefits sharing. *Resources Policy*, 43(1), 1-10.doi: 10.1016/j.resourpol.2019.101458
- Mdee, A., Ofori, A., Chasukwa,M., & Manda, S. (2020). Neither sustainable nor inclusive: a political economy of agricultural policy and livelihoods in Malawi, Tanzania and Zambia. *The Journal of Peasant Studies*, 48(6), 1260-1283. doi:10.1080/03066150.2019.1708724.



- Morgera, E., Tsioumani, E., & Buck, M. (2014). *Unraveling the Nagoya Protocol: a commentary on the Nagoya Protocol on access and benefit-sharing to the convention on biological diversity*. Martinus. Brill/ Nijhoff publishers.
- Mwadzingeni, L., Mugandani, R., & Mafongoya, P. (2020). Localized institutional actors and smallholder irrigation scheme performance in Limpopo province of South Africa. *Agriculture*, 10(9), 1-17. doi:10.3390/agriculture10090418.
- Nkhata, A. B., Breen, C. M., & Abacar, A. (2009). Social Capital, Community-Based Governance and resilience in an African artisanal river fishery. *Water South Africa*, 45-54.
- Olounlade, O. A., Li, G.C., Kokoye, S.E. H., Dossouhoui, F.V., Akpa, K.A. A., Anshiso, D., & Biaoou, G. (2020). Impact of Participation in Contract Farming on Smallholder Farmers' Income and Food Security in Rural Benin: PSM and Late Parameter Combined. *Sustainability*, 12 (3), 1-19. doi: 10.3390/su12030901
- Oxford Business Group. (2021). *The report Agriculture in Africa 2019*. January 28. Available at https://oxfordbusinessgroup.com/sites/default/files/blog/specialreports/949525/africa_2019_special_report.pdf. Last accessed. 23.10.2020
- Pemunta, N.V. (2018). The logic of benevolent capitalism: the duplicity of Sithe Global sustainable oils Cameroon land grab and deforestation scheme as sustainable investment. *International Journal of Global Environmental issues*, 17 (1), 80-109. doi: 10.1504/IJGENVI.2018.090655
- Rabitz, F. (2017). Access without benefit-sharing: design, effectiveness and reform of the FAO seed treaty. *International Journal of the Commons*, 11 (2), 621–640. doi:10.18352/ijc.736.
- Rist, L., Feintrenie, L. & Levang, P. (2010). The livelihood impacts of oil palm: smallholders in Indonesia. *Biodiversity and conservation*, 19 (4), 1009-1024. doi: 10.1007/s10531-010-9815-z
- Robertson, B., & Pinstrup-Andersen, P. (2010). Global land acquisition: neo-colonialism or development opportunity? *Food Security*, 2 (3), 271-283. doi:10.1007/s12571-010-0068-1.
- Saldana, J. (2009). *The coding manual for qualitative research*. Los Angeles, London, New Delhi, Singapore, Washington DC: Sage.



- Sholihah, P. I., & Chen, S. (2020). Improving living conditions of displaced: A review of the evidence benefit sharing scheme for development induced displacement and resettlement (DIDR) in urban Jakarta Indonesia. *World Development Perspectives*, 20, 1-12.doi: 10.1016/j.wdp.2020.100235
- Schroeder, D. (2007). Benefit sharing: it's time for a definition. *Journal of medical ethics*, 33 (4), 205-209.doi: 10.1136/jme.2006.016790
- Sone, P. M. (2012). Conflict over landownership: The case of farmers and cattle graziers in the northwest region of Cameroon. *African Journal on Conflict Resolution*, 12 (1), 83-102.
- Suyanto, S. (2007). Underlying cause of fire: different form of land tenure conflicts in Sumatra. *Mitigation and Adaptation Strategies for Global Change*, 12 (1), 6774.doi: 10.1007/s11027-006-9039-4
- Toft, K. H. (2013). Are land deals unethical? The ethics of large-scale land acquisitions in developing countries. *Journal of Agricultural and Environmental Ethics*, 26, 1181-1198.doi: 10.1007/s10806-013-9451-1
- Tshidzumba, R. P., Chirwa, P. W., & Babalola, F.D. (2018). Communities' perceptions of benefit-sharing mechanisms for forest-based land reform models in South Africa. *Southern Forests: a Journal of Forest Science*, 80 (4), 381-389. doi:10.2989/20702620.2018.1463190.
- Tully, S. (2003). The Bonn guidelines on access to genetic resources and benefit sharing. *Review of European, Comparative & International Environmental Law*, 12 (1), 84-98.
- Tysiachniouk, M.S. & Petrov,A.N. (2018). Benefit sharing in the Arctic energy sector: Perspectives on corporate policies and practices in Northern Russia and Alaska. *Energy Research & Social Science*, 39, 29-34.doi: 10.1016/j.erss.2017.10.014
- Vaismoradi , M., Turunen, H., & Bondas, T. (2013). Content analysis and thematic analysis: Implications for conducting a qualitative descriptive study111/nhs.12048. *Nursing & health sciences*, 15(3), 398-405. doi:10.1111/nhs.12048
- Wangu, J., Mangnus, E., & van Westen, A. C. M. (2020). Limitations of Inclusive Agribusiness in Contributing to Food and Nutrition Security in a Smallholder



Community. A Case of Mango Initiative in Makueni County, Kenya.
Sustainability, 12 (14), 1-23.doi: [10.3390/su12145521](https://doi.org/10.3390/su12145521)

- Warinda, E., Nyariki, D. M., Wambua, S., Muasya, R. M., & Hanjra, M. A. (2020). Sustainable development in East Africa: impact evaluation of regional agricultural development projects in Burundi, Kenya, Rwanda, Tanzania, and Uganda. *In Natural Resources Forum*, 44(1), 3-39. doi:10.1111/1477-8947.1219
- World Bank . (2017). *Consensus, Confusion, and Controversy Selected :Land Reform Issues in Sub-Saharan Africa. World Bank Working Paper No. 71.* Washington: The World Bank.
- Worou, O. N., Tondoh, J. E., Kone A. W., Gaiser ,T., Guei A. M ., & Edoukou, F. E. (2019). Conventional versus agro-ecological intensification: assessing the effect of conservation agriculture in maize cropping systems with DSSAT in Cote d'Ivoire (West Africa). *Regional Environmental Change*, 19 (6), 1725-1736.doi: 10.1007/s10113-019-01511-w
- Zahouli, J. B., Koudou, B. G., Muller, P., Malone, D., Tano, Y., & Utzinger, J. (2017). Effect of land-use changes on the abundance, distribution, and host-seeking behaviour of *Aedes arbovirus* vectors in oil palm-dominated landscapes, southeastern Cote d'Ivoire. *PloS One*, 12 (12), 1-26.doi: 10.1371/journal.pone.0189082
- Zoomers, A. (2011). Introduction: Rushing for land: Equitable and sustainable development in Africa, Asia and Latin America.*One Development*, 54 (1), 12-20.doi: 10.1057/dev.2010.97



CHAPTER 5⁴:

Land reform in Côte d'Ivoire and its implication on agribusiness development: the case of oil palm plantations in South Comoé

This paper relates to objective 4 of the thesis

⁴ This chapter is based on the manuscript titled '*Land reform in Côte d'Ivoire and its implication on agribusiness development: the case of oil palm plantations in South Comoé*' (**In preparation**).

Effossou, K.A., Cho, M.A., Ramoelo. A., & Cho.A.N.M.(nd). Land reform in Cote d'Ivoire and its implication on agribusiness development; the case of oil palm plantations in South Comoe.



Abstract

Land reform policy constitutes a guideline to ensure equitable and effective distribution of land geared at promoting the development of a nation. The aim of this study is to investigate the adequacies of the land reform policy in Côte d'Ivoire in promoting agribusiness, both from content-based analysis and local perspectives, using oil palm plantation farming in South Comoé as a case study. The findings from the content analysis revealed inadequacies in the policy on issues of land acquisition, tenure ship, and benefit sharing mechanisms. The above findings were corroborated by the views of various stakeholders. For example, local actors revealed the lack of secured tenure rights for rural community members operating under the customary system and their non-involvement in negotiations on land acquisition for plantation farming and the attendant benefits from such investments. The outcome of this study, therefore, contributes to the quest for a strong institutional and legislative basis for the establishment and growth of agribusiness.

Keywords

Agribusiness development, communal land, land reform, model of land policy in Côte d'Ivoire.

5.1. Introduction

Land policy is essential in the establishment of agribusiness in terms of the way it moderates institutions' access and control of land (Tshidzumba et al., 2018). Post-colonial land reform programmes in sub-Saharan Africa (SSA) emerged to address



the injustices of colonialism that stripped rural communities of their land (Clarke, 2007). Notwithstanding, the establishment and growth of large-scale farming is plagued by unclear land reform programmes, which is acknowledged as a major constraint to agribusiness development in SSA countries (Peluso & Lund, 2011).

Land reform refers to an approach undertaken by most post-colonial governments to rectify the irregularities in colonial land policies and to ensure that disadvantaged and powerless groups benefit from land redistribution (Wegerif, 2004). Ghatak & Roy (2007) identified four categories of land reform in India: land tenancy, land ceiling, abolition of intermediaries and land consolidation. This study focuses on two categories of land reform in the agricultural sector, namely, (i) the reform that seeks to improve land ownership, land tenancy, and, (ii) the reform that promotes the consolidation of distinguished land tenure systems (customary and statutory) to facilitate the acquisition of land. Dagrou (2007) and Chauveau (2018) argue that land reform should encourage private ownership of landed property and empower community members to make decisions over communal land for food production. Nevertheless, the process of land transaction remains unclear under inconsistent land reform policies. The lack of clarity of the land reform policies may create an opportunity for it to be manipulated by some elected authorities who collude with agribusiness investors (Promsopha, 2018). However, in the case of post-independence Botswana, structures and policies were put in place to prevent the misappropriation of land resources by powerful elites. Thus, the government of Botswana increased traditional land from 47% to 71%, while state land decreased from 48% to 23%. This was to empower rural communities to have control over land (Kalabamu, 2019).

Many land reform policies on the continent of Africa seek to address the pitfalls in land policies inherited from previous colonial administrations (Joireman, 2001) which did not favour local ownership of land in many countries. The understanding of land policies and their implications on agribusiness development is also critical because



most of rural African populations depend on land for their livelihoods (Oxford Business Group, 2021).

Studies have documented the effects of land reform policies on large-scale agricultural production. For instance, Nnoko-Mewanu (2016) noted that in Ghana, the constitution of 1992 allows Ghanaians to lease land for up to 50 years to agribusiness investors, allowing for a long-term investment. In contrast, in Cote d'Ivoire, the rural land act of 1998 does not make provision for the transfer of land for large-scale farming (Dagrou, 2007). Cotula, (2011) argued that in some parts of East Africa, customary rights are still not recognised. Pica-Ciamarra et al. (2007), Colin et al. (2007), Asiama et al. (2019) and Berry (2017) show that conflicts often occur in certain East African countries because of the dominance of customary rights amidst the inconsistent land reform policies for large scale farming. In southern Africa, the government of South Africa, for example, has applied a more liberal and consultative approach to ensure a smooth process of land redistribution among the previously disadvantaged population. Post apartheid government introduced a land reform policy that encourages “a willing buyer - willing seller” relationship (Cliffe, 2000).

In the case of Zimbabwe, Moyo (2011) argues that Zimbabwe’s radical land reform policy accounts for low investment in the agricultural sector. For example, “the distribution of land among land beneficiaries under the Zimbabwe post-colonial land reform policy is relatively uneven” (Moyo, 2011). Cliffe et al. (2011) also highlighted that Zimbabwe’s political elites took advantage of their positions and grabbed land for personal gain, to the detriment of the poor masses.

According to Chimhowu (2019), Kenya, Tanzania, Ghana, and Mozambique have made progress through the integration of customary tenure with the statutory system for agricultural development. In fact, several studies show that land conflicts that occur among stakeholders are the result of a lack of an adequate land policy for large scale farming (Paradza et al., 2020; Walker, 2003; Asaaga & Hiron, 2019). The above



perspective is shared by Wubneh (2018) who concluded that the lack of growth of agribusiness in SSA could be attributed to the ineffectiveness of land reform programmes for large-scale land acquisition by agribusiness developers. On the other hand, in a developed country such as the Netherlands, land reform has evolved over several centuries with an emphasis on individual land ownership (Carmona et al., 2019).

Although some authors have recorded case studies of land reform successes as mentioned in the paragraph above, there is limited available literature on how land reform promotes or stymies agribusiness establishment, impeding an understanding of the challenges experienced by agribusiness investors. Therefore, this study aimed to investigate how land reform policy affects the growth of agribusiness in SSA using Cote d'Ivoire as a case study. The study, therefore, reviewed the contents of post-colonial land reform policies in Cote d'Ivoire and their implications for the growth of agribusiness from the viewpoint of stakeholders such as local government authorities, rural community members, and agribusiness developers. Stakeholders' perceptions in this research refers to their views about the existing land reform policies and how that affects agribusiness growth in Cote d'Ivoire. The key task in this study was to examine the implementation of the policy at the grassroots level and the challenges experienced by the stakeholders. The purpose of the assessment was to understand the stakeholders' thoughts about the post-colonial land reform policies and implications for the growth of agribusiness in Cote d'Ivoire using oil palm plantation farming in South Comoé as a case study.

5.2. Description of the study area, materials and methods

5.2.1. Study area



The study was conducted in the South Comoé region, Côte d'Ivoire, in the district of Aboisso (5.475° N, 3.2031° W), Adiaké (5.2858° N, 3.3036° W) and Bonoua (5.2712° N, 3.5959° W) (Amon et al., 2015). South Comoé, is located in the southeast part of Côte d'Ivoire and covers an area of about 800 km² within the South Comoé region (Amon et al., 2015). The existing land tenure system in the study area is inherited from the French colonial administration system (Joireman, 2001) and is dominated by customary rights. Nearly 80% of the land is under various traditional regulations recognised by the rural land act of 1998 (Dagrou, 2007). The country has a large rural population, characterized by frequent land conflicts that result from complex land tenure systems (Grajales, 2020). Under the post-colonial administration, communal land was occupied and influenced by the 1970s land policy in southern Cote d'Ivoire. For example, some rural communities have no permanent ownership of the cultivated land but a right of use (Chauveau & Colin, 2010). As customary rights were often ignored with the ineffective land policy the 1970s land slogan ensured various farmers access to communal land (Boone, 2018). There is a convincing argument for the land reforms enacted after independence, however, little had been done for the development of large-scale farming.

5.2.2. Data collection procedure

The study utilised both secondary and primary data. The secondary data was drawn from existing literature that shows dynamics in post-colonial land reform policies in Cote d'Ivoire. These included policies on land acquisition, land distribution, land tenure and benefit sharing modalities. The policy documents were obtained through an online search using Google Search and from the Ministry of Agriculture and Rural Development. The available literature enabled the researcher to understand the adequacy of land reform policy in Côte d'Ivoire and its implication on the establishment and growth of agribusiness.



Furthermore, the researcher sought to understand the factors that led to the difficulties of the post-colonial land reform policy promoting the establishment and growth of agribusiness. Finally, the secondary data analysis allows to understand the challenges facing the implementation of the rural land act N 98-750 of the 23 December 19988 for agribusiness development.

The primary data used in the study were collected through fieldwork from July to August 2019 in the districts of Aboisso, Adiaké and Bonoua. In this study, 50 participants were selected to participate in the interview by using snowball and purposive random sampling methods. The snowball sampling approach is also referred to as a referral approach which allows identified participants who know other people with characteristics that are suitable for the research aims, to refer them for selection (Biernacki & Waldorf, 1981). Thus, out of the 50 participants, 36 smallholders who depend on the communal land for their livelihoods and are knowledgeable about the land reform policy and issues with the establishment of agribusiness in their district were selected through the snowball sampling technique to participate in a FGD.

On the other hand, eight local government authorities and six agribusiness developers were selected using purposive or targeted sampling techniques to participate in the key informant interviews. The selection of the participants was facilitated by local government officials and a community liaison person in the District where the study was conducted, who introduced some key smallholders and agribusiness representatives who further referred potential participants. All participants were made to understand that the research was done purposefully for knowledge generation to assist in identifying the issues related to land reform policies and agribusiness development in order to make recommendations for the mitigation of land tenure conflicts. Involving the different categories of stakeholders in the study was key to obtaining diverse perspectives and opinions on the impacts of land reform policy for



agribusiness development in the districts of Aboisso, Bonoua and Adiaké. Participants were placed in three categories: (i) communal land users (N=36), (ii) local government authorities (N=8), and (iii) representatives of agribusiness investors (N=6).

One FGD was conducted in Adiaho (District of Bonoua) to obtain in-depth information from rural community members as described by Joshi et al. (2017). The discussions were carefully planned and designed to gather data in a permissive and non-threatening environment. The group included a maximum of six to ten participants as suggested by De Vos (2011) so that each participant could fully participate. The FGD was audiotaped and lasted 45-60 minutes. FGD was conducted in an open-ended method, allowing the participants to express their views on how the land reform policy impact the establishment of agribusiness in their area. This method was used to allow the researcher to better capture deeper insight into the participants' real perceptions and opinions on land reform policy

The key informants representing the agribusiness developers were drawn from three oil palm plantations operating in the districts of Aboisso including company X located in Toumanguié (national private company), and two companies represented as Y and Z located in Ayénouan and Soumié, respectively, which are transnational corporates. While the local government authorities were representatives of the district department of agriculture and local administrators. The key informant interviews were done to assess the land reform approach from an institutional, policy and practical point of view. Each key informant interview was conducted for about 45-60 minutes, following participants' consent. Follow-up interviews were however conducted when necessary.

The policies were reviewed to ascertain the strength and weaknesses of the post-colonial land reform policy. The field transcripts of the key informant interviews and FGDs were coded manually for the data analysis (Saldana, 2009). The researcher created a folder for each area where the data was collected with a date and name for



each folder. The manual coding allowed the researcher to transcribe exactly what the participants said on each page with a clear title, which is important for interpreting the data collected (Bailey, 2008). Any personal information or identifiable information of participants was removed to maintain confidentiality. The findings of the interviews and FGD were presented in the form of descriptive narratives. The quotations presented in the results were from key informants and FGD obtained from the feedback given by respondents during the fieldwork.

5.3. Results

Section 5.3 analysed the post-colonial land reform policy in Cote d'Ivoire to determine the strengths and weaknesses in relation to land acquisition, land tenure, and benefits sharing. The aim of analysing the policy was to investigate how they promote or stymie the growth of agribusiness in Cote d'Ivoire. Furthermore, the perception of various stakeholders on the effectiveness of the policies at the implementation level, were also analysed in this section.

5.3.1 Post-colonial land reform policies in Cote d'Ivoire

The lack of sound land policy poses a challenge to the smooth establishment and growth of large-scale farming in many SSA countries (Boudreaux & Sacks, 2009). This section of the study analysed the strengths, weaknesses, and the failure of the implementation of post-colonial land reform policy and the implications for the growth of agribusiness in Cote d'Ivoire. Post-colonial land policy reform started in 1963 under the regime of the president Houphouet Boigny to solve the problem of the past unbalance land tenure systems under the French colonial administration. The 1963 land reform was not approved by the state due to the fear of violence in rural areas because ignored the vacant land (Rassam, 1990). In the absence of land laws several circulars and decree were adopted as discussed in section 5.3.1. The 1998 rural land



Act 98-750 was enacted under the regime of President Henry konan Bedié who took power after the death of the country's long-serving President (Houphouet Boigny in 1993) which was aimed at promoting customary rights and mitigating tensions (World Bank, 2017). According to Aka Lamarche (2019) and Dagrou (2007) Cote d'Ivoire passed a significant Rural Land Act 98-750 which granted land registration and land certificate rights to rural communities over their traditional land. See table 12 as a means of understanding the post-colonial land policy reforms.

Table 12: The post-colonial land policy reforms

1. Land law of 1963
Summary
The 1963 land law was developed for economic development, but had the consequence of favouring the national elites' interests and ignoring customary rights. The 1963 land law reinforced the state ownership of all land within the country and made those who occupied them temporal ownership. Land registration was done on behalf of the state. This had the consequence of generating tensions between the state and rural community members for communal land loss (Dagrou, 2007). Consequently the 1963 land law was not implemented because of its weaknesses. All land was vested to the state. The 1963 land law attempted to (i) abrogate all customary rights to land, (ii) allow the state to allocate all land, and (iii) made individual rights to land revocable until land was registered for full ownership (Strozeski, 2006).
Strengths
<ul style="list-style-type: none"> • Enabled the state to assume ownership of all unregistered and uncultivated lands, without any distinction, and which never actually came into force.
Weaknesses
<ul style="list-style-type: none"> • Led to conflicts between rural community leaders and the state. • Land registrations were made in the name of the state even though a title of ownership was issued to the occupant.
2. Decree No.64-164 of 11 April 1964
Summary
This decree was implemented to allow the state to regulate the land market. All land sales transacted through private contract were considered invalid. The Ministry of Finance (where the cadastre is located) confirmed the 1964 decree and declared all private contracts null and void. Only registered land was valid (Rassam, 1990).
Strengths
<ul style="list-style-type: none"> • Access to land was successful for rural communities and private agribusiness corporations for cash crop (cocoa, coffee, oil palm, and rubber trees) farming in the forest belt. • Access to land was successful for the State-owned company for large scale farming. • Eliminated land sale through private contracts. • Encouraged economic development.



Weaknesses <ul style="list-style-type: none"> • The decree was not fully implemented leading to land occupation in rural areas and increasing land conflicts. • Limited penalties for any infraction. • Contradicted rural community members' practices to land.
3. Law No. 64-379 of 7 October 1964
Summary <p>Outlawed polygamy and regulated inheritance. This legislation aimed to prohibit matrilineal succession, whereby a man's property passes to his sister's sons, and generational succession, whereby a man's property passes first to his brothers and only after their death to his son. The law specified that succession is to be from father to sons. Matrilineal inheritance was illegal (Rassam, 1990). Unfortunately, this law failed because of the Ivorian custom based on matrilineal and polygamy.</p>
Strength <ul style="list-style-type: none"> • Access to communal land was successful from father to sons after the death. • Reduced conflict of inheritance through father to son.
Weakness <ul style="list-style-type: none"> • May have caused conflict because polygamy and matrilineal inheritance were deeply rooted in the Ivorian custom.
4. Decree No. 71-74 of 16 February 1971
Summary <p>The decree 71-74 related to any domain land and strengthened the 1964 land law. It provided additional provisions of the decree of July 9, 1936, and stated that the state will not recognise any private land contract. It prohibited any private land contract. According to the provisions of article 2 "<i>the rights relating to the use of the land, known as customary rights, are personal to those who exercise them and cannot be ceded to any title whatsoever</i>" (Dagrou, 2007).</p>
Strengths <ul style="list-style-type: none"> • Regulated the administrative procedures relating to traditional lands and public lands. • Reduced illegal private land markets. • Prohibited the sale of land within the customary land ownership domain. • That customary rights are personal and non-transferable.
Weaknesses <ul style="list-style-type: none"> • May have caused the lack of regulations penalty in the informal land market in rural areas and increasing land conflicts between rural community and the state. • May have caused conflict between customary rights and the modern tenure system due to a lack of policy.
5. Circular of December 19, 1984
Summary <p>The circular of 1984 fixed the size of land concessions and defined administrative procedures for land grants and leases. It is relative to the allocation of cultivable land. Until 1984, no such procedure existed in the post-colonial land policy that was established under the colonial administration in the 1938 supplement, which is ad hoc in nature. The 1984 land legislation established the procedure for land rights (Rassam, 1990; Strozeski, 2006).</p>



Strengths
<ul style="list-style-type: none"> • Successful access to land for small scale and large-scale farming: cocoa, coffee, oil palm, and rubber trees, in the forest zones.
Weaknesses
<ul style="list-style-type: none"> • Resulted in increasing land conflict with ineffective land policy pertaining to land concessions. • The lack of a land policy may have led to land occupation in rural areas. • Led to conflict because buyers asserted their permanent ownership of land whereas sellers (local people) considered the buyers to have a right of use, and not ownership. • The results were contrary to the aims of the land tenure systems due to inconsistent f regulations.
6. The rural land act 98-750 of December 23, 1998
Summary
<p>The 1998 land reform policy established the procedure to acknowledge customary rights over their traditional land and to render communal land more secure in Côte d'Ivoire. This policy was a response to challenges in access and control to land, in a context of high tensions between locals and outsiders (migrant farmers and agribusiness corporations) in the forest zones of the country. Section 1 Article 1 states that only Ivorians can own land (Dagrou, 2007).</p>
Strengths
<ul style="list-style-type: none"> • Enabled rural community members to raise their rights to ownership of their traditional land. • Allowed the issuance of a land certificate to the local community that can enable land to be leased for large scale farming. • Enabled the state to raise its rights to land ownership in rural areas.
Weaknesses
<ul style="list-style-type: none"> • Led to conflicts between agribusiness developers and rural community members to secure land ownership. • Slowed the establishment of agribusinesses with ineffective land policy that regulates land acquisition and benefit sharing between rural communities and agribusiness corporations. • May have limited the issuance of land certificates to agribusiness corporations regarding the decree 99-594 of 13 October 1999 fixing the terms and conditions of land ownership in rural areas. • The decree 99-594 resulted in ambiguity and contradiction related to the issuance of land certificates, for example, to the Agribusiness Corporation. It was admitted that the non-Ivorian may apply for a land certificate while they contract a long lease with the state. • Resulted, in the inconsistency of regulations that the agribusiness corporations right seem to depend on the goodwill of the rural community members who apply for the land certificate. • Led to discriminatory interpretations against agribusiness corporations. • May have limited local government capacity to ensure responsibility in rural land management, in the issuance of a land certificate, the establishment of agribusiness corporations. • Resulted in the inconsistency of a specific policy framework to resolve land disputes on the establishment of agribusiness. • Resulted in the inconsistency of a policy on land restitution of any land previously conceded to the establishment of agribusiness corporations.



According to Rassam (1990) the post-colonial land policy programme followed the path laid by the previous colonial administration. For example, the 1963 land reform was enacted to solve the problem of the past unbalanced land policy. The land policy was devoted to the question of "vacant land without owner" and the registration process thereof. The 1963 land reform was not approved by the state due to the fear of violence which may emanate from the deprivation of customary rights over vacant land (Rassam, 1990).

The post-colonial land reform policy failed as a result of the following reasons: The government failed to tackle: (i) the past political, ethnicity and religion violence across the rural-urban areas, (ii) the failed promise of tenure security leading to land dispossession in rural areas, (iii) the corruption in the land acquisition procedures resulted in a deliberate failure of the implementation of the land laws and (iv) the coexistence of differences source of customary and modern tenure norms.

5.3.1.1 Strengths of the land reform policies

The land reform policies in Cote d'Ivoire facilitated the land acquisition process through the elimination of intermediaries, the reinforcement of customary rights, and the promotion of equity in the access of land. For instance, Decree No. 64-164 of April 16, 1964, eliminated the sales of land through a private contract. The rural land act 98-750 of 23 December 1998 recognised and reinforced customary rights to land and encouraged those with customary rights to register their land by 2008. This measure was intended to give smallholders and lineage elders with customary rights land tenure security (Dagrou, 2007; Chimhowu, 2019). Moreover, the rural land act 98-750 promoted equity in the access to land. Djémou (2021) attested that the adoption of the rural land act 98-750 seemed to strengthen the land policy in Cote d'Ivoire because of increasing informal land markets which are not legally valid in court decisions.



Notwithstanding the successes registered in the Cote d'Ivoire land reform policies, certain flaws were noted and these are discussed below.

5.3.1.2 Weaknesses of the land reform policies

The Cote d'Ivoire land reform policies had the following flaws: inequality in inheritance practices, lack of established regulations for large scale farming, and promotion of social inequality. For instance, Law No. 64-378 of 7 October 1964 stipulated that "*inheritance should be from father to son and prohibited matrilineal inheritance and polygamy.*" This law had a bias against the matrilineal system of inheritance and failed because polygamy and matrilineal inheritance were deeply rooted in the Ivorian customs. Furthermore, the Decree of 16 February 1971, which was intended to regulate the administrative procedures for the negotiation of both traditional and public lands, promoted the illegality of private land. The 1971 decree failed to specify penalties for the illegal occupation of land and to define regulations for the establishment of large-scale farming in rural areas. Moreover, Babo (2010) argued that the inconsistency in the land regulations was further compounded by the declaration of President Houphouët Boigny in 1970 that "*the land belongs to who develops it.*" This declaration was considered as a "law" by several communities. Chauveau & Colin (2014) argued that the declaration of President Houphouët Boigny was a political slogan that encouraged the arbitrary occupation of communal land for large-scale farming. Although Djémou (2021) viewed the positive impact of this slogan in terms of stimulating economic growth, it also gave those who had the financial means, such as foreign investors, the freedom to acquire more land in rural areas, to the detriment of poor rural community members (Dagrou, 2007; Ousmane et al., 2020).

Dagrou (2007) further contended that the decrees, circulars, laws, and slogan were considered ineffective, and they failed in the late 1980s, leading to various land



conflicts. The scarcity of agricultural land and the collapse of the price of cocoa in the world market, disrupted the Ivorian cocoa market, which led to land pressure and tensions in rural areas (Amanor, 2012). Boone (2018) points out that one of the virulent social conflicts in rural areas in Cote d'Ivoire in the 1990s is rooted in the inconsistency of land reform policies.

5.3.2 Stakeholders' perceptions of the impacts of land reform policy on agribusiness development

This section presents the empirical findings on the views of participants about the land policies in Cote d'Ivoire and the implications for the growth of agribusiness. It includes assessing stakeholders' perceptions about the land policy for agribusiness development.

5.3.2.1 The perceptions of stakeholders on the effects of post-colonial land reform policy on the growth of agribusiness in South Comoé

The empirical results revealed that the post-colonial land reform policies were either unavailable or ambiguous. Participants generally agreed that there are no rules that regulate the establishment of large-scale farming. All the participants revealed that the policies failed to address issues related to the establishment of agribusiness. Participants identified issues with various decrees and land laws in Cote d'Ivoire that were inherited from the colonial era. For example, Dadié's view in the quote below supports the assertion that the post-colonial government adopted colonial laws did not encourage the involvement of indigenous farmers.

"The post-colonial land laws were an extension of the legacy of the land policy implemented by the colonial administration which ignored the uncultivated land of the Agni sanwi and Abouré kingdoms in South Comoé region." (Interview with Dadié, July 2019).



Zaka and Yao (local government authorities in Adiaké and Aboisso), in the quotes below, provide more insights on the inconsistency of land policy. Both local government authorities interviewed mentioned that the failure of the land policy in the 1960s generated discontent among rural communities and lineage elders who felt that their rights with regards to uncultivated land were deprived.

“The post-colonial administration carried out the legacy of the colonial land tenure systems which ignored the notion of vacant land.” (Zaka interview in Adiaké, July 2019).

“The post-colonial land policy failed to provide regulations to prevent land loss resulting from the establishment of large-scale farming.” (Interview with Yao in Aboisso, July 2019).

Kouassi mentioned that:

“After decades of lack of land policy, the state instituted the land reform in 1998. The objective of the policy was to promote equitable access to land and reduce land conflicts in rural areas.” (Kouassi, interview in Adiaké July 2019).

Moreover, Bindé, Assoumou and Beda noted during the key informant interviews that the lack of land reform policies encouraged unlawful land occupation and land dispossession. The rural land reform of 1998 did not provide regulations for free land acquisition which created conflict between agribusiness developers and land users

“In the three districts of South Comoé, the long absence of land policy encouraged land occupation by foreign investors for large scale farming. There was no consistent land policy under the rural land act that protect the communities regarding their occupied land. Only few indigenous people were granted land certificates since the adoption of the land reform programme in 1998.” (Interview with Bindé in Aboisso, July 2019).



“The decentralization of the services of the Ministry of Agriculture and the allocation of more responsibility to the local government representatives to issue land certificates, will facilitate local actors’ involvement in large scale farming.” (Interview with Beda in Aboisso, July 2019).

“Cote d’Ivoire is the world largest cocoa producer; however, smallholders are hesitant to lease land to agribusiness developers due to the inconsistency of land policy that regulate land acquisition. Similarly, many indigenous people find it difficult to exercise their tenure rights after the death of their father under the existing policies. Migrant farmers also have difficulty proving their property rights.” (Interview with Assoumou in Aboisso, July 2019).

The agribusiness developers in oil palm production who were interviewed in the districts of Aboisso and Bonoua mentioned that there were issues with the land acquisition and tenureship. Yapo says

“The large-scale plantations investors were ignored from land acquisition in communal land under the adoption of land policies. Agribusiness development in South Comoé did not receive any attention in the rural land act of 1998.” (Yapo interview in Soumié, August 2019).

Assépo indicated that very often land leases depend on traditional practices commonly called ‘*domientchie*’ in the districts of Aboisso, Bonoua and Adiaké, which creates a hindrance to agribusiness development. Assépo explains:

“The smallholders bring their land and get a rent proportional to the value of the land after production. Agribusiness corporations -see the land reform programme as a threat for large scale farming because there are no regulations for the establishment of agribusinesses.” (Assépo, interview in Bonoua, July 2019).

Sindou (rural community member) noted that:



“Rural community members continue to claim fair benefit emanating from the agribusiness corporation. They also claim back their land forcefully occupied by agribusiness corporates due to unclear land market in oil palm farming.”
(Sindou, FGD in Adiaho, July 2019).

The above quotes suggest that there are gaps in the post-colonial land reform policies which need to be addressed by the government. For example (i) the rural land act 98-750 was enacted under the coexistence with modern tenure system that complicated the process of land acquisition, (ii) moreover customary laws are dominant in the rural areas however informal land market remained the dominant form of access to land, (iii) the rural land act 98-750 struggles to be appropriately implemented and access to land is based on customary law in various places (iv). Moreover, ineffective implementation of land reform policy of impact on the process of land negotiations for agribusiness in South Comoé.

The irregularities discussed in the paragraphs above generated various tensions in the 1990s and 2000s in Cote d'Ivoire. After the death of President Houphouët Boigny in 1993, his successor Henry Konan Bedié introduced the concept of 'Ivoirité' which offered certain privileges to the indigenous people over migrant farmers in terms of access to land. This shift led to long-simmering tension along lines of ethnicity across the increasing community divide. The land reform of 1998 brings together two antagonistic groups: the pros and cons of the advantages and disadvantages of the new Rural Land Act of 1998 leading tension between indigenous land owner foreign migrant farmers and agribusiness developers in the southern areas of Cote d'Ivoire.



5.4. Discussion

This paper was intended to illustrate how land reform policies could affect the growth of agribusinesses. This study investigated: 1) the impacts of post-colonial land reform policy on agribusiness development in Cote d'Ivoire using South Comoé as a case study. The study assessed the content of the land policies with focus on how they address matters related to land acquisition, tenure-ship and benefit sharing. Furthermore, 2) the study further assessed the stakeholders' perceptions of the impacts of land reform policy on agribusiness. The outcome of the research revealed the inadequacy in post-colonial land reform policy which poses a challenge to the growth of plantation agriculture. The findings revealed the strengths and weaknesses of the land reform policy. The land reform policies in Cote d'Ivoire were designed to encourage fair access to land. As stipulated in the rural land act of 1998, the land policy was intended to promote fairness in the land acquisition process by reinforcing customary rights and eliminating intermediaries in the land negotiation process. In principle, rural communities have a fiduciary duty to lease land to agribusiness corporations but very often there is no direct consultation with the majority of the rural community members during the negotiation process. Local intermediaries and government intermediaries initiate contact with some traditional leaders on the terms and conditions of the land market for agribusiness development. They expect the establishment of large-scale farming to benefit the entire rural community. However, failure of the land policy results in a lack of regulations for clear land market in the land acquisition process for large scale farming which is done in the interest of investors.

The intermediaries make it easier for corporate investors to access land by obtaining permission from a few rural community leaders to market their land. The inconsistency of land reform policy encourages informal land markets for the establishment of agribusiness with negative impacts on the rural community members in South Comoé, Cote d'Ivoire. In fact, a lack of policy is responsible for the unclear land market.



German et al. (2013) argued that the role of intermediaries in Ghana and Zambia negatively affect the rural community's interest in land acquisition, without their consent to determine whether the land would benefit the entire community. There is also poor policy enforcement to reinforce customary rights for equity in the access and restitution of land by agribusiness corporations. Ousmane et al. (2020) pointed out that little has been done regarding the issues of land restitution to rural communities in and around the large-scale farming areas in Cote d'Ivoire.

Other factors that constrain agribusiness development in South Comoé were investigated. These were found to be: a lack of established regulations for large scale farming, and promotion of social equality through fair benefit sharing practices. Dagrou (2007) argued that there has not been a separate policy for agribusiness corporations except for the brief objectives stated in the 1998 rural land act 98-750 for equitable access to land for agriculture production. These failures in the land reform policy and social inequality have amounted to unpredictable tensions in the land acquisition process and benefit sharing between agribusiness corporations and rural community members.

Despite some positive impacts of land reform policy, a problem exists on the issuance of land certificates which constrains the Agribusiness Corporation in taking effective investment decisions in land acquisition in South Comoé Côte d'Ivoire. Essougon & Tegua (2019) emphasised that in Cameroon, one of the world largest tea producing countries, few land titles have been delivered under the 1974 Land Ordinance, which led to tensions with rural communities. Similarly, Aka Lamarche (2019) pointed out that in Cote d'Ivoire only 3,000 land titles have been issued. The procedure of the issuance of a land certificate in Côte d'Ivoire is costly and can take a long period of time (five to six years) and only 2 to 3% of land is registered, which negatively affects the land market in rural areas for the development of large-scale farming.



There is a concern with the failure of the land policy that do not promote agribusiness development. For example, the lack of a land board that controls the land leased, protecting both rural community members and agribusiness corporations to promote the establishment and growth of agribusinesses.

The results obtained is in line with a previous study by Wily (2011) who claimed that in Uganda, Sudan, and Gabon, the ineffective land reform policy negatively influenced land ownership because land is difficult to register to protect smallholders in the establishment of large-scale farming. According to Essougon & Tegua (2019) the inconsistencies or failure of land reform policy hinders agribusiness development because of tensions between stakeholders.

Land policy constraints to agribusiness development such as land acquisition, tenure-ship and benefit sharing have been identified by the study to constitute setbacks to the establishment of agribusiness in south Comoé. This constraint can be attributed to the lack of regulations to promote agribusiness due to the inherent risks of land expropriation characterised by the size of cash crop commercial farming. The cash crop farming in the study area is large scale farming that needs vast tracks of land of 200 hectares or more in rural areas. This needs government intervention regarding land reform policy to reduce tensions between agribusiness developers and smallholders regarding the exclusion of rural community in the process of land acquisition and benefit sharing to access and control land. In this light, Mendola & Simtowe (2015) underscored the benefit of the implementation of sound policy to increase land access to all stakeholders, and reduce conflicts and past inequality, because land is a vital asset for food production. Collins et al. (2019) also showed the need for adequate land reform policy to sustain agricultural production to avoid conflict and boost development in agricultural productivity. For example, in Brazil and Mexico, the failure of land reform policy negatively affected rural community members and the state. This resulted in conflict given that small farmers cannot hold land title in rural



land and the fear of land loss can disrupt the establishment of large-scale farming (Alston et al., 1999; Dower & Pfutze, 2020).

Unsuccessful land reform policy in several African countries such as Rwanda, Kenya, Uganda and South Africa, may cause tensions between rural communities, the state or local government authorities and negatively affect the establishment of agribusiness development (Makombe, 2018). In the case of Zimbabwe, this has been caused by failure of the radical post-colonial land reform policy against the growth of agribusinesses (Boudreaux, 2009; Bob, 2010; Nampewo, 2013).

In contrast, in the 1970s, the Chilean government introduced land reform policy that positively affected rural development in the redistribution of natural resources (Murray et al., 2009). Examples of developing countries where land reform and land redistribution led to increased agricultural production are Egypt and Bolivia (Azadi et al., 2020). Furthermore, in the case of post-apartheid South Africa, despite some challenges, it is important to mention the significance of land reform policy in the agricultural sector between small scale and large-scale farmers (Cheteni & Mokhele, 2019). Furthermore, according to Mendola & Simtowe (2015) in Taiwan and South Korea after the Second World War, land reform policy benefited two thirds of the rural community in food production.

Notwithstanding, comparing the experience of land legislation in Côte d'Ivoire (1998) and the Netherlands (1924), land legislation in the Netherlands gives an incentive to agribusiness developers in land acquisition for large scale farming. This is contrary to Côte d'Ivoire, where land acquisition in rural areas is not well regulated. Chauveau (2018) argued that the issue of land acquisition in Côte d'Ivoire is due to dominant customary rights, while Brussaard (1992) indicated that the Netherlands land policy allows the government to effectively control rural land through the Bureau of Agricultural Land and Agricultural Lease Act, protecting both rural communities and agribusiness developers.



In some aspects land policies in Côte d'Ivoire do not fully meet some standards in Africa and the world at large in terms of land acquisition for food security as they exclude some stakeholders' access to secure rural land (Mckay et al., 2016). Of particular importance are: (1) the Voluntary Guidelines for the Responsible Governance of Tenure of Land, Fisheries, and Forests in the Context of National Food Security (VGGT); (2) the Principles for World Food Security; and (3) the Framework and Guidelines on Land Policy in Africa (F&G) developed by the African Union (AU), the UN Economic Commission for Africa (UNECA), and the African Development Bank (AfDB) and accompanying principles for large-scale land-based investments in Africa for equity (Mckay et al., 2016).

As a recommendation, policymakers in Côte d'Ivoire should adopt policy that consolidate land tenure systems, land tenancy, and the elimination of intermediaries, to improve security of land tenure and property rights for the establishment of large-scale farming. Emphasis needs to be placed on any land reform policy that secures land, for the establishment of agribusiness corporations and fair benefit sharing for rural community members involved in agribusiness development.

A further study is needed to investigate land reform policy and its implementation in Cote d'Ivoire that all stakeholders must adhere to. Effective land policy means the government makes it easier for all stakeholders to comply with the laws. For example, easier obtaining of permits or authorization for large-scale farming, for access and use of the land. Also, there must be penalties for persistent non-adherence to the rule of law. The implementation of the land policy may determine who can use the land resources and for how long, and how benefits are distributed between rural community members and agribusiness corporations. Furthermore, a land policy must specify how to issue an agreement to the intermediaries to regulate the land market for land acquisition for agribusiness corporations.



5.5. Conclusion

It has been established that despite the performance of agribusiness development in Cote d'Ivoire, the establishment of agribusiness is still facing challenges that stymie the sector. The main challenge identified is a lack of land reform policy for the establishment of agribusiness that includes land acquisition, tenure-ship and benefit sharing. Few studies have offered suggestions on how to improve the land policy to increase the growth of agribusinesses. The study aimed to investigate how land reform policy will promote the growth of agribusiness in Cote d'Ivoire. The study identified the participants' views about the relationship between land reform policy and agribusiness development. The findings show that land policy has an implication in large-scale farming and benefit sharing. However, there is a lack of land reform policy regulating the establishment of agribusinesses. The findings show that the land policy does not lay down the regulations for the establishment and growth of agribusinesses. The lack of land policy hinders agribusiness development and results in land conflicts between rural community members and agribusiness developers. Based on the findings, the study recommends that a land reform policy that acknowledges agribusiness development, improves the land acquisition system, land tenure-ship and benefit sharing, must be encouraged. The study contributed to existing debates about policy issues affecting rights to communal properties.

5.6. References

- Aka Lamarche, A. (2019). Access to land in Ivory Coast: diversity and variability of pluralisms. *La Revue des droits de l'homme. Revue du Centre de Recherches et d'études sur les droits Fondamentaux*, 16,1-20. doi:10.4000/revdh.7141.
- Alston, L. J., Libecap, G. D. & Mueller, B. (1999). A model of rural conflict: violence and land reform policy in Brazil. *Environment and Development Economics*, 4(2), 135-160.



- Amon , D. E., Soro, D. & Traore, D. (2015). Evaluation de l'infestation des Ioranthaceae sur les ligneux des agro-ecosystems de la region du sud comoe (Cote d'Ivoire). *International Journal of Biological and Chemical Sciences*, 9(4), 1822-1834. doi:10.4314/jbcs.v9j4.8.
- Asaaga, F. A. & Hiron, M. A. (2019). Windows of opportunity or windows of exclusion? Changing dynamics of tenurial relations in rural Ghana. *Land Use Policy*, 87(2019), 104042.
- Asiama, K. O., Bennet, R. M., Zevenbergen, J. A. & Mano, A. D. (2019). Responsible consolidation of customary lands: A framework for land reallocation. *Land Use Policy*, 83(2019), 412-423. doi:10.1016/j.landusepol.2019.02.006.
- Azadi, H., Vanhaute, F., Janeckova, K., Sklenicka, P., Teklemariam, D., Feng, L. & Wiltlox, F. (2020). Evolution of land distribution in the context of development theories. *Land Use Policy*, 97(2020), 104730. doi:10.1016/j.landusepol.2020.104730.
- Bailey, J. (2008). First steps in qualitative data analysis: transcribing. *Family Practice*, 25(2), 127-131. doi:10.1093/fampra/cmn003.
- Berry, S. (2017). Struggles over land and authority in Africa. *African Studies Review*, 60(3), 105-125. doi:10.1017/asr.2017.96.
- Biernacki, P., & Waldorf, D. (1981). Snowball sampling: Problems and techniques of chain referral sampling. *Sociological methods & research*, 10(2), 141-163. doi:10.1177/004912418101000205
- Bob, U. (2010). Land-related conflicts in sub-Saharan Africa. *African Journal on Conflicts Resolution*, 10(2). doi:10.4314/ajcr.v10j2.63310.
- Boone, C. (2018). Shifting visions of property under competing political regimes: Changing uses of Cote d'Ivoire's 1998 Land Law. *The Journal of Modern African Studies*, 56(2), 189-216. doi:10.1017/S0022278X18000198.
- Boudreaux, K. (2009). Land conflicts and genocide in Rwanda. *The Electronic Journal of Sustainable Development*, 1(3), 86-95.
- Boudreaux, K., & Sacks, D. (2009). *Land Tenure Security and agricultural Productivity*. (Vol 39).Mercatus Center (Vol. 39). George Mason University.



- Brussaard, W. (1992), Agrarian Land Law in the Netherlands. *Agrarian Land Law in the Western World*, 7, 114-133.
- Chauveau, J. P. & Colin, J. P. (2010). Customary transfers and land sales in Côte d'Ivoire: revisiting the embeddedness issue. *Africa*, 80(1), 81-103.
doi:10.3366/E0001972009001272.
- Chauveau, P. (2018). Les transferts de droits coutumiers au prisme de l'histoire rurale et du post conflit (Cote d'Ivoire forestiere). *Tropicultura*, 36(2), 346-355.
- Cheteni, P. & Mokhele, X. (2019). Small-scale livelihood farmers' participation in markets: evidence from the land reform beneficiaries in the central Karoo, Western Cape, South Africa. *South Africa Journal of Agricultural Extension*, 47(1), 118-136.
- Chimhowu, A. (2019). The 'new' African customary land tenure characteristic, features and policy implications of new paradigm. *Land Use Policy*, 81(2019), 897-903.
- Clarke, J. (2007). Citizen-consumers and public service reform: At the limits of neoliberalism? *Policy Futures in Education*, 5(2), 239-248.
- Cliffe, L. (2000). Land Reform in South Africa. *Review of African Political Economy*, 27(84), 273-286.
- Cliffe, L., Alexander, J., Cousins, B., & Gaidzanw, R. (2011). An overview of fast track land reform in Zimbabwe: editorial introduction. *Journal of Peasant Studies*, 38(5), 907-938.
- Collins, A. M., Grant, J. A. & Ackah-Baido, P. (2019). The global dynamics of land reform in natural resource sectors : insights from Tanzania. *Land Use Policy*, 81(2019), 889-896. doi:10.1016/j.landusepol.2017.05.027.
- Colin, J. P., Kouame, G., & Soro, D. (2007). Outside the autochton-migrant configuration: access to land, land conflict and inter-ethnic relationships in a former pioneer area of lower Cote d'Ivoire. *The Journal of Modern African Studies*, 45(1), 33-59. doi:10.1017/ S0022278X06002278
- Cotula, L. (2011). *Acquisition fonciere en Afrique: que disent les contracts?* Londres, France: IIED.



- Dagrou, T. (2007). *Comprendre le code foncier de la Cote d'Ivoire* (2 ed.). Abidjan: Frat mat.
- De Vos, A. S. (2011). *Research at grass roots: for the social sciences and human sciences professions*. Editors? Pretoria: Van Schaik.
- Djémou, M. A. (2021). Brève revue de littérature sur le foncier en Cote d'Ivoire [Online]. Available at http://base.afriquegouvernance.net/docs/revue_de_la_litterature_sur_le_foncier_en_rci.pdf [Accessed: 17 January 2021].
- Dower, P. C. & Pfitze, T. (2020). Land titles and violent conflict in natural Mexico. *Journal of Development Economics*, 144, 102431. doi:10.1016/j.jdeveco.2019.102431.
- Essougon, U. P. & Tegua, S. J. (2019). How secure are land rights in Cameroon ? A review of the evolution of land tenure system and its implications on tenure security and rural livelihoods. *Geo Journal*, 84(6), 1645-1656.
- German, L., Schoneveld, G., & Mwangi, E. (2013). Contemporary processes of large- scale land acquisition in Sub-Saharan Africa: legal deficiency or elite capture of the rule of law? *World Development*, 48(2013), 1-18. doi:10.1016/j.worlddev.2013.03.006
- Ghatak , M. & Roy, S. (2007). Land reform and agricultural productivity in India: a review of the evidence. *Oxford Review of Economic Policy*, 23(2), 251-269. doi:10.1093/oxrep/grm017.
- Grajales, J. (2020). Losing land in times of peace: post-war agrarian capitalism in Colombia and Cote d'Ivoire. *The Journal of Peasant Studies*, 48(5), 1-21. doi:10.1080/03066150.2019.1691535.
- Joireman, S. F. (2001). Inherited legal systems and effective rule of law: Africa and the colonial legacy. *Journal of Modern African Studies*, 39(4), 571-596.
- Joshi, A. S., Ganjiwale, J. D., Varma, J., Singh, P., Modi, J. N. & Singh, T. (2017). Qualitative assessment of learning strategies medical students using , focus group discussion and in-depth interviews. *International Journal of Applied and Basic Medical Research*, 7(1), 33. doi:10.4103/ijabmr.IJABMR.144.17.



- Kalabamu, F. T. (2019). Land tenure reforms and persistence of land conflicts in Sub-Saharan Africa – the case of Botswana. *Land Use Policy*, 81(2019) 337-345. doi:10.1016/j.landusepol.2018.11.002.
- Makombe, G. (2018). Land reform in South Africa: the conversation that never took place. *The Qualitative Report*, 23(6), 1401-1421.
- McKay, B., Rodriguez, F. B., & Fajardo, D. (2016). *The Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security in Colombia: Towards Democratic Land-Based Resource Control*. (Vol. 19). FAO.
- Mendola, M. & Simtowe, F. (2015). The welfare impacts of land redistribution: evidence from a quasi-experimental initiative in Malawi. *World Development*, 72, 53-69. doi:10.1016/j.worlddev.2015.02.010.
- Moyo, S. (2001). The land occupation movement and democratisation in Zimbabwe; contradictions of neoliberalism. *Millenium*, 30(2), 311-330.
- Murray, W., Kousary, L. & Barton, J. (2009). Land of miracles? A critical analysis of poverty reduction strategies in Chile, 1975-2005. *International Development Planning Review*, 31(12), 127-164. doi:10.38.28/jdpr.31.2.3.
- Nampewo, C. (2013). *Saving Mabira rainforest: using public interest litigation in Uganda to save Mabira and other rainforests* Vol. 40(487). Boston: BC Envtl. Aff. L. Rev.
- Nnoko-Mewanu, J. M. (2016). Who is not at the table; land deal negotiations in southern Cameroon. PhD. Graduate Theses and Dissertations, Iowa State University. doi:10.31274/etd-180810-5409.
- Ousmane, S., N'da Dibi, H., Kouassi, K. H., Kouassi, K. E. & Ouattara, K. (2020). Political-military crises and vegetation dynamics in Mont Peko National Park in Cote d'Ivoire. *Bois et Forets des Tropiques*, 343, 27-37. doi:10.19182/bft2020.343.a31837.
- Oxford Business Group. (2021). *The report Agriculture in Africa 2019*. January 28. 2021 Available at https://oxfordbusinessgroup.com/sites/default/files/blog/specialreports/949525/africa_2019_special_report.pdf.



- Paradza, G., Mokwena, L. & Musakwa, W. (2020). Could mapping initiatives catalyse the interpretation of customary land rights in ways that secure women's land rights? *Land*, 9(10), 344. doi:10.3390/land9100344.
- Peluso, N. L. & Lund, C. (2011). New frontiers of land control: Introduction. *Journal of Peasant Studies*, 38(4), 667-681.
- Pica-Ciamarra, U., Otte, J. & Chilonda, P. (2007), Livestock policies, land and rural conflicts in sub-Saharan Africa. *Land Reform, Land Settlement and Cooperatives*, 1, 19-33.
- Promsopha, G. (2018). Risk-coping, land tenure and land markets: an overview of the literature. *Journal of Economic Surveys*, 31(1), 176-193. doi:10.1111/joes.1219.
- Rassam, A. (1990). *Land tenure in the Ivory Coast : a developing problem and a problem for development*. Wisconsin: University of Wisconsin.
- Saldana, J. (2009). *The coding manual for qualitative research*. London, New delhi, Singapore, Washington DC: Sage.
- Strozeski, J. A. (2006). *The role of land ownership in localized conflicts between Bété and Burkinabé households in the central western forest regions of Côte d'Ivoire*. Howard: Howard University.
- Tshidzumba, R. P., Chirwa, P. W. & Babalola, F .D. (2018). Communities' perceptions of *benefit-sharing* mechanisms for forest-based land reform models in South Africa. *Southern Forests: a Journal of Forest Science* 80 (4): 381-389. doi:10.2989/20702620.2018.1463190.
- Walker, C. (2003). Piety in the Sky? Gender policy and land reform in South Africa. *Journal of Agrarian Change*, 3, 113-148. doi:10.1111/1471-0366.00052.
- Wegerif, M. (2004). *A critical appraisal of South Africa's market-based land reform policy: The case of the Land Redistribution for Agricultural Development programme in Limpopo*. Western Cape: LRAD.
- Wily, L. A. (2011). 'The law is to blame': the vulnerable status of common property rights in sub-Saharan Africa *Development and Change*, 42(3),733-757.



Wubneh, M. (2018). Policies and praxis of land acquisition, use, and development in Ethiopia. *Land Use Policy*, 73, 170-183. doi: 10.1016/j.landusepol.2018.01.017.

World Bank . (2017). *Consensus, Confusion, and Controversy Selected :Land Reform Issues in Sub-Saharan Africa. World Bank Working Paper No. 71.* Washington: The World Bank.

CHAPTER 6

SYNTHESIS

6.1. Introduction

This thesis examined the factors affecting the growth and sustainability of agribusinesses in sub-Saharan Africa. To achieve this broad objective, the study investigated how the co-existence between statutory and customary laws, benefit sharing modalities as well as land reform policies, affect the growth of agribusiness. The research project started from the following premises: that conflicting land tenure systems, unequitable benefit sharing mechanisms and the lack of clearly defined land



reform policies are impediments to the growth of agribusiness in SSA, using South Comoé, Côte d'Ivoire as a case study. The literature review showed the impacts of legal pluralism in land acquisition for agribusiness development in SSA countries. In the absence of adequate post-colonial land reform policy, the customary and the modern tenure systems are contradictory in how they affect the land acquisition process for the establishment of agribusiness corporations (Woods, 2003; Hughes, 2013).

The study had the following research questions. How do conflicting land tenure systems hinder the establishment of agribusiness in SSA? What are the impacts of land tenure systems on the land acquisition process for agribusiness development in South Comoé, Côte d'Ivoire, from the perspective of the stakeholders? How are benefit sharing mechanisms practiced in South Comoé and what are the implications for agribusiness growth? How do land reform policies affect the establishment of agribusiness in Côte d'Ivoire?

Key informant interviews and focus group discussions were used to collect data to answer the research questions. These provided insight into the complexity of land tenure systems, the issues with the benefit sharing mechanisms practiced in Côte d'Ivoire, and the post-colonial land reform policies for agribusiness development. The study was carried out in the districts of Aboisso, Adiaké and Bonoua in the South Comoé, Côte d'Ivoire.

This summary chapter constitutes the research problems, main results, their implications on agribusiness development, and provides recommendations for further studies. The specific objectives have been divided into four sections:

- (i) To examine the statutory and customary land tenure systems and their implications on the growth of agribusiness in sub-Saharan African countries.
- (ii) To assess the perception of stakeholders on conflicting land tenure systems for agribusiness development in South Comoé, Côte d'Ivoire.



- (iii) To examine the impacts of the benefit sharing approach applied in oil palm agribusinesses in South Comoé, Côte d'Ivoire.
- (iv) To investigate the stakeholders' perceptions on the land reform policy and agribusiness development in South Comoé, Côte d'Ivoire.

6.2 Research outcomes and implications

This section constitutes a summary of the main findings in line with the research questions of this study and their implications for the growth of agribusiness in South Comoé. Lastly, this section provides practical and policy recommendations. The section covers the following themes which are discussed in the subsequent paragraphs: conflicting land tenure systems in sub-Saharan Africa; Impacts of conflicting land tenure systems on land acquisition by agribusiness developers Côte d'Ivoire; Benefit sharing mechanism in relation to land acquisition for large scale farming (oil palm) in South Comoé; and Impact of land reform policy in oil palm development in South Comoé.

6.2.1. Conflicting land tenure systems in sub-Saharan Africa

A comprehensive literature review process revealed that conflicting land tenure systems constitute a major hindrance to the growth of agribusiness in SSA. The conflicting land tenure systems stem from the co-existence between statutory law inherited from French civil law and British common law and customary laws which are indigenous laws practiced by the rural populations. The results of the literature review depicted a disparity between statutory and customary land tenure systems, under colonial and post-colonial regimes, and sidelining of the customary law. The results



further show how the opposing legal systems created a major challenge for the negotiation of land for the establishment of agribusiness. Differences were identified in land tenure systems under French civil law and British common law. For example, land tenure systems in former French colonies were more complex regarding access to communal land compared to former British colonies. The French administration was more centralized; thus, the rural community played an insignificant role (Ali et al., 2018). France could expropriate land without the consent of rural communities. All unregistered land was designated to the state (Essougon & Tegua, 2019). On the other hand, British common law was less repressive and provided more freedom to rural community authorities over their traditional land (Woods, 2003).

However, both colonial administrations did not sufficiently integrate the customary land systems that existed before colonization. This lack of integration of the customary system becomes problematic for the establishment of agribusiness corporations in communal land where the rules of the rural community on land tenure practices are dominant. These findings concur with Alden Willy's (2018) assertion that dominant customary rights are at odds with the modern tenure system. Ali et al. (2018) indicated that the inconsistency between customary and modern land tenure systems was one of the most significant difficulties encountered in the process of the establishment of agribusiness (the agri-value chain) in that it affects the land acquisition negotiation and benefits sharing. The conflicting land tenure systems have implications for the access and control of land by both the investors and the community members. Access and control of communal land have been the root of the conflicts between multinational companies with an interest in large-scale agriculture and local community members who feel alienated in the land negotiation process. The research project outcome is unique in that it demonstrated how differentiated land tenure systems (statutory and customary) juxtapose to create challenges for the growth of agribusiness in SSA, an area that has not been explored by previous researchers. The next section represents



an illustration of a practical example of how conflicting land tenure systems affect the acquisition of land for large-scale agricultural investment.

6.2.2. Using a Côte d'Ivoire case study to analyse the impacts of conflicting land tenure systems on land acquisition process for agribusiness investment

Côte d'Ivoire, the world's largest producer of cocoa, experiences the effect of conflicting land tenure systems on the land negotiation process for the establishment of large-scale agriculture. Legal pluralism causes difficulties for investors in agribusinesses in South Comoé, Côte d'Ivoire. The rural community participants' accounts hold that some agribusiness companies have taken advantage of the 'broken land tenure systems' in Côte d'Ivoire to unlawfully occupy their land. Further accounts from rural community members revealed how previously cultivated land owned by the community members are now occupied by large-scale plantations (Nolte et al., 2016). The conversion of small-scale farm land has thus resulted in the shortage of land for small-scale farming which the communities depend on for their survival. The local government authorities' members on the other hand associate the problem arising from conflicting land tenure system with the absence of policies that regulate the land acquisition process in rural areas. The government, in adopting the Rural Land Law No. 98-750 of 23 December 1998, tried to ease the land acquisition process for potential agribusiness investment. Moreover, the views of agribusiness investors on the inadequacy of the land reform policy in ensuring proper integration and functioning of the distinctive land tenure systems, corroborate the Local Government Authorities' opinion. In the absence of effective land policies, irregularities in the negotiation of land for large-scale agriculture are likely to occur. For instance, the local community participants noted that they were side-lined in the land acquisition negotiation process which only included local elites and traditional authorities. The exclusion of community



members in the land acquisition negotiation process is noted to have resulted to unfair benefit-sharing terms as explained in the subsequent paragraph.

6.2.3. Benefit-sharing mechanisms in relation to land acquisition for large scale farming (oil palm) in South Comoé

The benefit sharing approach adopted by the agribusiness investors to ensure the compensation of the communal land was assessed using the Bonn framework for Biodiversity Management. The assessment procedure included determining if participants' consents were sorted during the acquisition of land, if the land negotiation process was based on mutual terms and if the benefits from the use of the communal land for agribusiness investment was equitably distributed for all the stakeholders. The benefit-sharing approach by agribusiness developers in Côte d'Ivoire was assessed and found to be inconsistent with international legal instruments such as the Nagoya Protocol and the Bonn Guidelines. The outcome of the research revealed inequality in access to the benefits particularly among the local resources' users. The inequality in the distribution of benefits is largely attributed to the lack of policy guiding benefit-sharing from the exploitation of communal land for agribusiness development. The lack of legal instruments to guide an equitable benefit sharing process is seen as one of the reasons why agribusiness development is challenged in Côte d'Ivoire. In addition, a previous study in the South African forestry sector had highlighted that the lack of transparency, greed, and unfair benefit sharing between transnational corporations and rural community members was a challenge for the establishment of agribusiness on communal lands (Tshidzumba et al., 2018). Similarly, Kayumba (2014) identified the concerns of rural community members about the absence of a legal framework to ensure equitable sharing of the benefits of mining projects which led to the loss of land from rural communities in Kenya. The agribusiness sector must



be reformed and aligned with the principles and standards of the Nagoya and Bonn guidelines on equitable benefit sharing in order to prevent conflicts (Buck & Hamilton, 2011; Koutouki & Von Bieberstein, 2011; Morgera et al., 2014). This study outcome thus illustrates the conflict between agribusiness investors and rural community members stemming from an uneven benefit sharing approach and an inadequate and unclear land reform policy. Moreover, the inadequate land reform policy hindered the growth of agribusiness as articulated in the next section.

6.2.4. Impacts of land reform policy in oil palm development in South Comoé

The land reform policies' content and implementation were assessed through content-based analysis and stakeholders' perception respectively to ascertain if the land reform policies adequately address the issues of land acquisition and equitable benefit sharing. The outcome of the research revealed inadequacies in the policies, particularly in the areas of land acquisition and benefit sharing. In Côte d'Ivoire, there is land legislation, a reference document, according to the local government authorities who participated in this study, which integrates customary rights, but has challenges in its implementation. This is similar to Holden & Tilahun's (2020) revelation that customary tenure systems have been integrated with modern tenure systems that protect the rights of rural communities. However, ambiguous tenure systems (customary and modern) continue to create tensions between agribusiness developers and rural community members. The inadequacies in the land reform policies hinder agribusiness development since there are no proper guidelines in accessing resources and ensuring equitable benefit sharing. A similar study conducted in Malawi noted that inadequate land reform policy poses an obstacle for the procurement of land for agricultural development (Berge et al., 2014). These issues constitute a bone of contention between the investors and the local communities.



6.3 Conclusion

This study investigated the different land tenure systems across SSA, to assess the extent to which customary and statutory tenure impact on the establishment of agribusiness in SSA. One of the questions raised by the study was whether Côte d'Ivoire the world largest producer of cocoa was spared from the conflicting tenure systems that hinder the land acquisition for agribusiness development. In addition, the study examined the benefit sharing mechanism from agribusiness investment regarding land acquisition in rural areas. The Ivorian postcolonial land reform policy was also investigated through the perception of various stakeholders for agribusiness development and benefit sharing with particular focus on the large-scale oil palm plantation in the southern east of Côte d'Ivoire. The research findings show that in the case of Côte d'Ivoire the stakeholders had various perception of the land tenure systems. The rural community members also found difficult to cope with equitable benefits sharing that accrue from the establishment of the agribusiness corporates in absence of legal instruments that guide the modalities in benefit sharing systems e.g the Nagoya protocol and Bonn Guidelines. Considering the importance of the establishment of agribusiness and benefit sharing Côte d'Ivoire need a strong land reform policy in the sector of land acquisition and agribusiness development for the development of the rural areas and the country at whole. The study outcome contributes to existing debate about land tenure systems, land acquisition and benefit sharing process in rural development. The study also illustrates the contribution made by rural development in explaining the conflicting land tenure system and the inconsistency of the post-colonial land reform policy for the establishment of agribusiness in rural areas. The study contributes to the inclusion of the stakeholders



in land acquisition, benefits sharing and the post-colonial land reform policy where much research is still to be conducted.

6.4 Recommendations

This section presents a summary of the recommendations that emerged from this study on conflicting land tenure systems, benefit sharing, the land acquisition process and land reform policy for agribusiness development.

- The study recommends the inclusion of smallholder who own and have access to land in decision making on land acquisition and benefit sharing process. The smallholders should involve in decision making to influence socio-economic norms to reinforce the collective identity of the community in order to avoid the feelings of those who have only customary right over communal land.
- The government of Côte d'Ivoire as policy makers must rethink how land acquisition in communal land provide both benefits to the rural community members to support the establishment of agribusiness in rural areas and national development the same time.
- The government of Côte d'Ivoire needs to strengthen policies to harmonise the relationship between land acquisition process and agribusiness development.
- The government needs to implement an effective land reform policy for the establishment of large-scale farming.
- In order to achieve rural development, it recommended community partnership with agribusiness developers to re-examine the type of benefits before contact signed.



- To reduce conflicts over land and uphold a good relationship between agribusiness developers and rural community policies should be oriented in ways that adopt the customary right in access and control to land.
- The study recommends adequate protection of smallholders' rights in the context of land acquisition and benefit sharing process despite the formal recognition of customary rights.
- Integrated statutory and customary land tenure systems should make effective policies to ensure the development of guidelines for the acquisition of land which will allow agribusinesses and intermediaries to negotiate a proper approach based on communal land rights to access communal land.
- Ineffective land tenure systems and inadequate benefit sharing systems for agribusiness development in south Comoé might be used for future studies in access to communal land in agribusiness development in various region in Cote d'Ivoire and elsewhere in SSA.
- The study recommends further research studies to consolidate land tenure systems in mitigating land conflict in the establishment of agribusiness.
- Policymakers in Côte d'Ivoire must enable the effective implementation of the Rural Land Act No.98-750 to offer opportunities for clear land acquisition for agribusiness development, with the support of local government authorities, to build a partnership with rural community held customary rights in order to reduce conflicts.
- Mutual agreement between rural community members and agribusiness developers in relation to the ABS protocol in South Comoé may be useful for land acquisition and equitable benefit sharing in agribusiness development.
- A comparative study is proposed between French and English-speaking countries in SSA. They could share their experience of land acquisition mechanisms in rural areas and thus find a new way of addressing the conflicting



land tenure systems and benefit sharing mechanisms with the aim of strengthening agribusiness development.

6.5 References

- Alden Wily, L. (2018). Collective land ownership in the 21st century: overview of global trends. *Land*, 7(2), 1-26. doi:10.3390/land7020068.
- Ali, M., Fjeldstad, O. H., Jianb, B., & Shifa, A. B. (2018). Colonial legacy, state-building and the salience of ethnicity in sub-Saharan Africa. *The Economic Journal*, 129(619), 1048-1081.
- Berge, E., Kambewa, D., Munthali, A. & Wiig, H. (2014). Lineage and land reform in Malawi: do matrilineal and patrilineal landholding, systems represent a problem for land reforms in Malawi? *Land Use Policy*, 41(2014), 61-69. doi:10.1016/j.landusepol.2014.05.
- Buck, M. & Hamilton, C. (2011). The Nagoya Protocol on access to genetic resources and the fair and equitable sharing of benefits arising from their utilization to the Convention on Biological Diversity. *Review of European Community & International Environmental Law*, 20(1), 47-61. doi:10.1111/j.1467-9388.2011.00703.x.
- Essougong, U. P. & Tegua, S. J. (2019). How secure are land rights in Cameroon? A review of the evolution of land tenure system and its implications on tenure security and rural livelihoods. *GeoJournal*, 84(6), 1645-1656. doi:10.1007/s10708-018-9935-7.



- Holden, S. T. & Tilahun, M. (2020). Farm size and gender distribution of land: evidence from Ethiopian land registry data. *World Development*, 27(84), 104926. doi:10.1016/j.worlddev.2020.104926.
- Hughes, L. (2013). *Land alienation and contestation in Kenyan Massailand* [Online]. Digital Library of the Commons. Mt Juji. Available from: <http://hdl.handle.net/10535/8915> Accessed: 23 November, 2019.
- Kayumba, A. A. (2014). *Challenges and prospects of equitable benefit sharing in mining sector: a case study of titanium mining in Kwale county, Kenya*. Nairobi: University of Nairobi.
- Koutouki, K. & Von Bieberstein, K. R. (2011). The Nagoya Protocol: sustainable access and benefit-sharing for indigenous and local communities. Vermont. *Journal of Environmental Law*, 13(3), 513-536.
- Morgera, E., Tsioumani, E. & Buck, M. (2014). *Unraveling the Nagoya Protocol: a commentary on the Nagoya Protocol on access and benefit-sharing to the Convention on Biological Diversity*. Martinus: Brill/ Nijhoff Publishers.
- Nolte, K., Chamberlain, W. & Giger, V. (2016). *International land deals for agriculture. Fresh insights from Land Matrix: Analytical report II*. Bern, Montpellier, Hamburg, Pretoria: Centre for Development and Environment, University of Bern; Centre de Cooperation International en Recherche Agronomique.
- Tshidzumba, R. P., Chirwa, P. W. & Babalola, F. D. (2018). Communities' perceptions of benefit-sharing mechanisms for forest-based land reform models in South Africa. *Southern Forests: a Journal of Forest Science*, 80(4), 381-389. doi:10.2989/20702620.2018.1463190.
- Woods, D. (2003). The tragedy of the cocoa pod: rent-seeking, land and ethnic conflict in Ivory Coast. *The Journal of Modern African Studies*, 41(4), 641-655.



Curriculum-vitae

Kablan Antoine Effossou is an Ivorian national and holder of an M.Sc. in Environmental Management from the University of Pretoria, Gauteng South Africa in 2014. He obtained at the University Félix Houphouët-Boigny (UFHB) (formerly known as University of Cocody-Abidjan) a DUEL II in geography formally known as National Diploma in South Africa, a Licence (officially known as Bachelor's in Sciences (BSc) in South Africa and Honour in Environmental Sciences at the Department of Institute of Tropical Geography (IGT).

In 1997-1999 he joined the National Centre of Remote Sensing and Geographic Information (Cote d'Ivoire) *CNTIG* intern. From 2000 to 2008 he joined Bougainville and Lycée St Joseph high school in Cote d'Ivoire as a lecturer of History and Geography. In 2014 he joined Tshikovha Environmental Consulting and Communication, Pretoria, South Africa, as a Junior Environmental Management Practitioner. He then joined, since 2016, UNISA as an independent contractor (lecturer assistance at the College of Agriculture and Environmental Sciences, UNISA, Florida, South Africa) registered with the personnel number 90283619.

He is currently enrolled for a PhD Environmental Management at the University of Pretoria at the Centre for Environmental Science (CFES) at the Department of Geography, Geoinformatics and Meteorology, Faculty of Natural and Agricultural Sciences, Gauteng South Africa. His current research interests include land tenure systems and agribusiness development in sub-Saharan Africa (agri-value chain).



APPENDIX A: Consent and assent forms

CONSENT AND ASSENT FORMS

Date.....

INFORMED CONSENT TO BE READ OUT TO POTENTIAL PARTICIPANTS

(AGRIBUSINESS EMPLOYEES/OWNERS/REPRESENTATIVES, GOVERNMENT OFFICIALS, TRADITIONAL LEADERS AND COMMUNITY MEMBERS (who own land and have access to land))

I am a Doctoral student in the Faculty of Natural and Agricultural sciences, University of Pretoria. I am currently working on a research project entitled '**Land Acquisition for Agribusiness development in South Comoé region Cote d'Ivoire**'. The study intends to investigate the current land tenure system, land acquisition, benefits sharing process and land reform policy in Cote d'Ivoire for agribusiness development. The study will focus on the districts of Bonoua, Adiaké, Aboisso and neighbouring villages as its case study. The study will involve various stakeholders engaged in land acquisition for agribusiness development.



For the purpose of this study, I kindly request you to participate in an interview discussion. Your participation will enable me collect relevant information that will help me achieve the goals of the study. I, therefore, request you to read the information provided below, or have it read out to you, before you make an informed decision regarding your participation in this study.

RESEARCH PROCEDURE

1. Title: *Land Acquisition for Agribusiness development in South Comoé region Côte d'Ivoire*

2. Purpose of the study: This study aimed to investigate the underlining factors accounting for the slow growth of agribusinesses per hectare in SSA. The study therefore critically examined the land tenure systems, land acquisition process, ABS Bonn Protocol benefit sharing mechanism and land reform policy related to commercial farming of palm oil in South Comoé, Cote d'Ivoire.



3. Procedures: Focus Group discussion and interviews will be conducted in the presence of the researcher within 45-60 minutes. During this process, you are allowed to withdraw either yourself and/or your contribution at any time you wish to do so. You will not be forced to provide information related to this study. All information that you supply will remain confidential and your identity will not be revealed to other participants or in the final draft report. Furthermore, with your consent I will record our conversation to allow me to capture all useful information and to be able to cross-check the authenticity of the recorded information. A written draft of our interview will be sent to you to amend or confirm, if requested, before I use it as data in my study.

4. Benefits: The findings of the study will be useful to the government, policy makers and society at large as it will provide a basis for policy reform and an incentive for effective policy implementation and will stimulate further academic research in land tenure and land acquisition for agribusiness development and fair benefit sharing among stakeholders. This will in turn enhance economic development and wellbeing of rural communities in Cote d'Ivoire.

ORAL DECLARATION

I..... (Name) of.....
(Address) agree to participate in the study mentioned above. I understand that I have the right to withdraw myself from participating in the study at any time when I feel to do so.

YES	NO
-----	----



Faculty of Natural and Agricultural Sciences

I understand that my personal information and identity will be kept confidential and it will not be disclosed without my authority.

YES	NO
-----	----

Kablan A Effossou

Signature.....

PhD (Environmental Management)
Faculty of Natural and Agricultural Science
University of Pretoria
Pretoria
0002
Republic of South Africa

Mobile: +27-79-9659-351 (South Africa).

Email: kablanef@gmail.com; u11193906@tuks.co.za

Prof Moses Azong Cho

Signature.....

Supervisor

Precision Agriculture Group, Council for Scientific and Industrial Research (CSIR), Pretoria,
South Africa

Pretoria
0002
CSIR
Pretoria
P.O. Box 395
Republic of South Africa

Email: mosesazong@gmail.com



UNIVERSITEIT VAN PRETORIA
UNIVERSITY OF PRETORIA
YUNIBESITHI YA PRETORIA

Faculty of Natural and Agricultural Sciences

Prof. Abel Ramoelo

Signature.....

Co-supervisor

Centre for Environmental Sciences (CFES), Department of Geography,
Geoinformatics and Meteorology, University of Pretoria, South Africa

Private Bag X20.

Hatfield 0028

Republic of South Africa

Email: abel.ramoelo@gmail.com



APPENDIX B: Ethic letter of Approval



Faculty of Natural and Agricultural Sciences
Department of Geography, Geoinformatics and Meteorology

Wednesday, 08 August 2018

NAS Research Ethics Committee
Faculty of Natural and Agricultural Sciences (NAS)
University of Pretoria

Dear Sir/Madam,

Re: Application for Ethics Clearing – PhD Proposal

Mr Kablan Effossou (#11193906) is currently busy with his PhD (Environmental Management) in the Department of Geography, Geoinformatics and Meteorology at the University of Pretoria. I am supervising his research project together with Dr Hein van Gils.

For his research project Mr Effossou plans to investigate *Land Acquisition for Agribusiness in the Communal Highlands of North West Cameroon* using a variety of data sources. Geographical information sources used in the project are available free of charge online. Information extracted from the Land Matrix are available for academic purposes. All sources will be duly acknowledged in the final thesis. Data sources and their relevant data custodians are listed below:

- Geographical data; DIVA-GIS (refer to <http://www.diva-gis.org/> for terms of usage)
- Land Matrix database (see separate permission letter)

Yours sincerely,

Christel Hansen
Lecturer: Department of Geography, Geoinformatics and Meteorology



Motivation letter to the Ethic committee

May 20, 2019

Kablan A Effossou

Student number: 11193906

Ethics Clearance Reference: 180000017

Email: kablanef@gmail.com

Cel phone: 0799659351

Motivation letter

Dear Sir or Madam,

I am a PhD student in the Faculty of Natural and Agricultural Sciences, University of Pretoria Student no: U11193906/ Ethics reference number: 180000017. I have been unable to go to the field to collect the data as part of my studies after the ethics clearance approval on November 2018. Therefore, I wish like to inform you that contrary to the initial field work (Ndop borough North West Cameroon). I have agreed with my supervisors to go for data collection rather in Bonoua/Aboisso borough in Cote d'Ivoire (Ivory Coast for the similar land issues). I may attribute my delay in collecting the data to the following reasons:

- i. The Anglophone Regions of Cameroon (North West) have been agitating and complaining of marginalization and outright domination by the francophone majority

- ii. These grievances have been harboured by the Anglophones for many years till their outburst in 2016 against French dominance in the educational and judicial systems.



- iii. After a series of failed negotiations, the separatists are operating in the background both in and out of the country. Armed groups are formed and there has been ongoing killing and kidnapping
- iv. Since the post-election in October 2018 it has been reported by media and key informants' continuous reinforcement of boycott by armed groups
- v. Attack on any public and para public institution and personnel in the Anglophone regions
- vi. Boycott of government activities
- vii. Blocking of circulation and free movements within periods dictated from abroad
- viii. Ghost town is declared each time the arrested and detained members of the interim government are to appear in court.

These strategies are reinforced by the various groups that are found in almost all the villages in the study area and results to painful consequences. The national military is an attempt to ensure the respect of law and order, are in confrontation with armed groups come in to confrontation with them this has led to frequent gun battles between the military and the separatist fighters. The situation has resulted to disastrous consequences on the people of these two anglophone regions as follow

Many deaths have been registered civilian, separatists and the military

(After 20 months of gunshot 1850 people had been killed (Source Crisis Group, 2019),

- Very internally 530000 displaced people (Source Crisis Group, 2019).
- Many villages, private and public institutions burnt down, bridges destroyed and major road network destroyed
- Very high rate of out migration to Nigeria with 35000 refugees (Source Crisis Group, 2019)
- Separatists fighters controlling major road axis



- Movement and circulation have become very difficult Insecurity on high
- According to the UN more than 1million Anglophone citizens are found under critical humanitarian crisis

Before reconsidering the initial filed work, I have mobilised the people from the North-West English-Speaking Region to assist in my data collection activities and also paid in advance for the accommodation despite the on-going crisis in Cameroon.

With the above-mentioned difficulties, I decided to change location from Cameroon to Cote d'Ivoire a set of contacts have been made including:

- Local communities
- Land officials
- Agribusiness local managers
- Internal transport arrangement
- Accommodation

Against this, I would like to appeal to the ethics committee to re-consider my initial field for data collection and avail me another opportunity to collect the data from Sud-Come/South-Comoé Province, Cote d'Ivoire/Ivory Coast. The current thesis title should be LAND ACQUISITION FOR AGRIBUSINESS DEVELOPMENT IN THE SOUTH COMOE REGION, COTE D'IVO IR E. However, with the coming new field, I am ready to hit the ground running by proceeding on the field trip for data collection in Cote d'Ivoire to complete my research work. My supervisors and I have decided the paper approach, that is, each chapter in the thesis shall be a publishable paper.

Thank you for considering my request. I look forward to your response. Kindest Regards,

Kablan Effossou



UNIVERSITEIT VAN PRETORIA
UNIVERSITY OF PRETORIA
YUNIBESITHI YA PRETORIA

Faculty of Natural and Agricultural Sciences



UNIVERSITEIT VAN PRETORIA
UNIVERSITY OF PRETORIA
YUNIBESITHI YA PRETORIA

Faculty of Natural and Agricultural Sciences



UNIVERSITEIT VAN PRETORIA
UNIVERSITY OF PRETORIA
YUNIBESITHI YA PRETORIA

Faculty of Natural and Agricultural Sciences
Ethics Committee

E-mail: ethics.nas@up.ac.za

14 May 2020

ETHICS SUBMISSION: LETTER OF APPROVAL - AMENDMENT

Mr KA Effossou
Department of Zoology and Entomology
Faculty of Natural and Agricultural Science
University of Pretoria

Reference number: 180000017

Project title: Land acquisition for agribusiness in the communal highlands of North-West Cameroon

Dear Mr KA Effossou,

We are pleased to inform you that the Amendment conforms to the requirements of the Faculty of Natural and Agricultural Sciences Research Ethics committee.

Please note the following about your ethics approval:

- Please use your reference number (180000017) on any documents or correspondence with the Research Ethics Committee regarding your research.
- Please note that the Research Ethics Committee may ask further questions, seek additional information, require further modification, monitor the conduct of your research, or suspend or withdraw ethics approval.
- Please note that ethical approval is granted for the duration of the research (e.g. Honours studies: 1 year, Masters studies: two years, and PhD studies: three years) and should be extended when the approval period lapses.
- The digital archiving of data is a requirement of the University of Pretoria. The data should be accessible in the event of an enquiry or further analysis of the data.

Ethics approval is subject to the following:

- The ethics approval is conditional on the research being conducted as stipulated by the details of all documents submitted to the Committee. In the event that a further need arises to change who the investigators are, the methods or any other aspect, such changes must be submitted as an Amendment for approval by the Committee.

Post approval submissions including application for ethics extension and amendments to the approved application should be submitted online via the ethics work centre.

We wish you the best with your research.

Yours sincerely,

Chairperson: NAS Ethics Committee



APPENDIX C: Authorisation granted by the traditional authority



Faculty of Natural and Agricultural Sciences

MINISTERE DE L'INTERIEUR ET DE LA SECURITE

REPUBLIQUE DE COTE D'IVOIRE

REGION DU SUD COMOE

Union - Discipline - Travail

DEPARTEMENT DE GRAND BASSAM

Bonoua le, 15 mai 2019

LE CONSEIL DE LA CHEFFERIE

TRADITIONNELLE DE BONOUA

03 BP 1325 BONOUA

Tel: 0022587875141

Objet: Autorisation

Je soussigne **AHOULOU JEAN FRANÇOIS**, Chef de terre du peuple Abouré de Bonoua (Sud Comoé), au nom de la chefferie traditionnelle de Bonoua, Sud Comoé (Côte d'Ivoire), nous avons bonne connaissance du projet d'études qui sera conduit au sein de notre communauté par **KABLAN A. EFOSSOU ETUDIANT EN PHD A L'UNIVERSITE DE PRETORIA -AFRIQUE DU SUD**.

Comme précise dans le courrier qui nous a été adressé par **KABLAN A. EFOSSOU**, le titre de son projet de recherche est "**L'ACQUISITION DES GRANDES SURFACES DE TERRE DANS LE DOMAINE DES PROPRIETES COMMUNE VILLAGEOISES DANS LA CIRCONSCRIPTION DE BONOUA, SUD COMOE**".

En tant que chef de communauté et porte parole de la chefferie traditionnelle de Bonoua, par ce présent courrier je donne la permission à **KABLAN A. EFOSSOU** de conduire sa recherche d'études au sein de notre communauté. Se référence à son courrier du 10 Mars, 2019, toute participation à cette recherche est volontaire, et tout participant peut s'abstenir, retirer son droit de participation sans contrainte à tout moment. En plus il a été clair qu'aucun envoi d'incitation financière, matérielle ou autre voie que ce soit n'est autorise à monnayer la participation de qui que se soit tout au long du processus de la collecte des données sur le terrain.

En foi de quoi cette lettre lui est délivrée pour lui faire valoir ce que de droit.

Pour toute question complémentaire, vous êtes le bienvenu à tout moment à la chefferie traditionnelle de Bonoua.

AHOULOU JEAN FRANCOIS CHEF DE TERRE



APPENDIX D: A letter of authorisation granted by the prefet de region, Sud Comoé

MINISTÈRE DE L'INTERIEUR
ET DE LA SECURITE

REPUBLIQUE DE COTE D'IVOIRE
Union – Discipline – Travail

REGION DU SUD-COMOE

DEPARTEMENT D'ABOISSO

PREFECTURE D'ABOISSO

Aboisso, le 17 juillet 2019

NR25/P.ABO/CAB

AUTORISATION DE RECHERCHE

Le Préfet de la Région du Sud-Comoé, Préfet du Département d'Aboisso, soussigné, demande aux Autorités administratives, aux Responsables des services publics et parapublics du Département, aux autorités coutumières ainsi qu'aux ménages du Département, de bien vouloir fournir à Monsieur **KABLAN Effossou**, Etudiant inscrit en Doctoral, à l'Université de Pretoria (Afrique du Sud), les informations nécessaires à la rédaction de son mémoire portant sur le thème : « **L'Acquisition des terres dans le foncier rural sud-Comoé, Côte d'Ivoire** ».

En foi de quoi, cette autorisation est établie pour servir et valoir ce que de droit.

Le Préfet

BONI Kofi Ernest
Préfet Hors Grade

