

Monitoring Land-Based Investments in Sub-Saharan Africa (SSA)

Review of Existing Initiatives and Options on Way Forward for Developing a Monitoring System

Melissa Makwarimba

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1 Introduction

This report is part of an assignment to explore the opportunities for designing a system to monitor land acquisitions in Sub-Saharan Africa. The assignment was commissioned by the Bill and Melinda Gates Foundation (BMGF) in response to the continuing international concern associated with large-scale international investments in agriculture, particularly in developing countries. The BMGF understands that private investment is critical to agriculture development in Sub-Saharan Africa and felt that there was need for a critical and unbiased assessment of land based investments in target countries.

In recent years there has been a significant body of research undertaken on large-scale agriculture investments to both quantify the investments and any associated land acquisitions and also the impacts of such investments. In 2012, two databases detailing land based investments were launched, the Land Deal Politics Initiative organised a second international conference on large scale land deals in October 2012 and more recently FAO released a report compiling evidence from a series of case studies on "Trends and impacts of foreign investment in developing country agriculture". Despite this growing body of literature and data sets there is an underlying concern that there is still an absence of robust data either about the scale and location of large scale land acquisition associated with land based investments and more so data to inform an evaluation of the impacts of such investments. As the FAO (2012) report notes *"Analyzing the impacts of foreign direct investment in developing country agriculture and even understanding its extent and nature has been hampered by the weakness of the available information and the lack of comprehensive statistical data. Much discussion of the phenomenon has been based on media stories but these are potentially misleading unless very carefully triangulated. This lack of reliable detailed information means serious analysis has tended to rely on case studies."*

The specific purpose of this report was to review existing systems to monitor large-scale acquisitions and to identify gaps in the usefulness of these systems in informing policy debate with a view to identifying options for on-going systematic monitoring of land acquisitions in target countries. However, during the course of the assignment it became apparent that if a longer term objective of these monitoring systems is to support better land policy and administrative practices then the focus on monitoring large-scale land acquisitions probably falls short of adding value to the policy debate and driving improved practices. As such this report presents a review of existing monitoring/information systems, their gaps, and aims to identify a way forward for providing meaningful support to target countries to improve information management systems with respect to informing land policy and governance, particularly in light of the policy dilemma identified by the AUC/ECA/AfDB Consortium (2011)¹, to:

- a) Provide a sound basis for strengthening property rights so as to facilitate investment and the generation of economic opportunities; and
- b) Guaranteeing security of access to land for the rural and urban poor as a basis for improved food security and secured livelihood.

¹ Source: Abegaz, G. 2011, Monitoring and Evaluation System for Land Policy Formulation and Implementation in Africa. AU/AfDB/ECA http://new.uneca.org/Portals/lpi/CrossArticle/1/Documents/M&EforLandPolicyFormulation&Implementation_Draft1.pdf (NB no longer readily accessible through the LPI website http://new.uneca.org/lpi/home_lpi.aspx)

2 Review of the Land Matrix and GRAIN Datasets

The purpose of this section is to review two databases that have collated data on land acquisitions associated with various investments globally, namely the Land Matrix database and the GRAIN database. Firstly an overview of each database is provided followed by a comparison of the data contained within these databases and the data collected by this assignment in three of four countries researched, namely Tanzania, Ethiopia and Ghana.

Whilst these are not the only publically accessible databases with information on land acquisitions associated with investments (increasingly individual countries are publishing data on websites regarding investments and associated land acquisitions e.g. Liberia on the LEITI site² and the Ethiopian Ministry of Agriculture³); they are the two databases that have aimed to capture data globally from a variety of sources and shed light on an area that is often less than transparent. Further the media, academia and other research analysts are repeatedly using this data despite a number of concerns about the reliability of the data.

2.1.1 Land Matrix Database⁴

The **Land Matrix** is an online public database which is hosted on the Land Portal⁵, a participatory platform for aggregating and sharing information on land governance, facilitated by the International Land Coalition (ILC) in close collaboration with the Landtenure.info consortium and a partnership of approximately 150 land-concerned practitioners from almost 40 organizations. The Land Portal is one of three components under one of the ILC's global initiatives, the **Land Reporting Initiative (LRI)**⁶.

The **Land Matrix database** facilitates the collection and representation of data on land deals⁷ capturing data on 30 fields for each deal. However, for legal reasons only eight fields are currently published. These are:

1. Target country of land deal
2. Investor
3. Country of origin of the investor
4. Investment sector
5. Crop (where applicable)
6. Area acquired (hectares)
7. Year of deal
8. Comments

Its intention is to provide data and improve the quality of and access to data on land deals globally in order to increase transparency and accountability in decisions concerning land-based investments. A user has complete access to the published database down to the level of an individual deal. By using the crowdsourcing function of this website, any user is able to submit details on a deal. This information is cross-checked by the partnership before it is included in the database.

² <http://www.leiti.org.lr/2content.php?main=65&related=65&pg=mp>.

³ The Ethiopian country report indicates that the Ministry of Agriculture has made federal land agreements available on its website.

⁴ <http://landportal.info/landmatrix/get-the-detail#pages-about>

⁵ <http://www.landcoalition.org/global-initiatives/land-reporting-initiative/land-portal>

⁶ The LRI aims to facilitate the gathering of evidence on access to land and tenure security for poor and vulnerable groups, and to ensure that this evidence has an impact on policy formulation, implementation, and reforms. At a global level LRI has coordinated inputs from ILC members through activities such as the Land Watch campaigns and the development of a land monitoring handbook. The LRI is also a core initiative of ILC's regional networks and in Africa has recently begun to support CSOs in Africa to develop land monitoring initiatives to influence national, sub-regional and regional processes.

⁷ Meaning an investment associated with the acquisition of land through the transfer of rights to use, control or own.

The Land Matrix includes deals that are made for agricultural production (for food or agrofuel production), timber extraction, carbon trading, mineral extraction, conservation, and tourism. Deals included fulfil the following criteria:

- Entail a transfer of rights to use, control or own land through sale, lease or concession;
- Have been concluded since 2000, when the annualised value of the FAO real food price index was at its lowest level;
- Cover an area of 200 hectares (ha) or more;
- Entail the conversion of land from local community use or important ecosystem service provision to commercial production;

Records are derived from a variety of sources that include information contributed through the Land Matrix website, media reports, reports by international and local organisations and NGOs and field-based research projects, company websites and government records. Sources are partly accessed through two active Internet portals dealing with land transactions:

- www.commercialpressureonland.org ; and
- www.farmlandgrab.org.

Company websites and government records are also used where these are available. Where possible, data is distributed to partners in host countries for cross-checking. This may be achieved through personal interviews, direct personal knowledge of the transaction, or access to research that has not yet been published.

The Land Matrix currently assigns a reliability code to the data based on the following key.

0	Land transactions reported by the press or other means that have not been triangulated.
1	Deals reported: in research papers based on empirical research; company websites; government records; or other reliable sources considered on a case-by-case basis, e.g., press interviews with the investor
2	Deals checked by the Land Matrix Partnership through questionnaires submitted to organisations working in the host country.
3	Deals for which contractual agreements have been made available by public sources

According to the website only data of reliability level 1 or higher is published, which at the time of launching was about half of the total database is available to the public. . Additional data of the lowest reliability level is being cross-checked for deletion or upgrading for inclusion in the database. However, the Land Matrix openly acknowledges that data of reliability code 1 or higher may ultimately be incorrect, due to changes in the deal status over time, wrong source information or human error.

The Land Matrix will shortly be completing Phase 2 of the project which is primarily concerned with addressing feedback from stakeholders. Key issues to be addressed by Phase 2 include:

- Publication of the data source and removal of the reliability code. This will allow users of the data to take responsibility for the quality of the data.
- An additional field to indicate the progress of the deal
- Updating every year

Under Phase 3 of the project the Land Matrix intends to develop and pilot a mechanism for the continuous tracking of land acquisitions through a network of partners and use of satellite imagery. This initiative is going to be developed in partnership with the African Union/Economic Commission of Africa/African Development Bank (AU/ECA/AfDB) Land Policy Initiative (refer to Section 3.2 below). The LPI will provide a regional anchor for the Land Matrix in Africa and facilitate the roll out

of national data collection initiatives, presumably based upon ILC's land acquisition observatory initiative (refer to Section **Error! Reference source not found.** below). In addition to establishing a process for continuous tracking of large scale land acquisition Phase 3 also intends pilot projects to track the impact of these deals.

The key partners involved in the Land Matrix include the ILC, CIRAD (Centre de Coopération Internationale en Recherche Agronomique pour le Développement), CDE (Centre for Development and Environment at the University of Bern's centre for sustainable development research), GIGA (German Institute for Global and Area Studies in Hamburg and GIZ (Deutsche Gesellschaft für Internationale Zusammenarbeit).

2.1.2 GRAIN Database⁸

This is a public online database compiled by GRAIN a small international non-profit organisation that works to support small farmers and social movements in their struggles for community-controlled and biodiversity-based food systems.

The GRAIN database compiles data on land deals with a focus on those deals that:

- were initiated after 2006,
- have not been cancelled,
- are led by foreign investors,
- are for the production of food crops, and
- involve large areas of land.

Deals for sugar cane and palm oil production were included but not those for crops like jatropha or cotton.

The data set published in February 2012, documents 416 recent, large-scale land grabs by foreign investors for the production of food crops. The cases cover nearly 35 million hectares of land in 66 countries. Much of the GRAIN database feeds into the Land Matrix database.

2.1.3 Comparison of Datasets

In order to get a greater appreciation of the content of the data within the Land Matrix and the GRAIN databases a comparison with data collected under this assignment ("IIED data") was undertaken. As all three datasets are bound by different time and size criteria it has only been possible to compare a subset of the data within each database. Whilst the IIED data sets were bound by investments in agriculture and forestry initiated between the years 2005 – 2012 and involving areas > 1,000 ha, the Land Matrix supposedly includes investments concluded since 2000 and with areas > 200ha. However, it should be noted that for the three countries concerned the timeline data for most investments in the Land Matrix is indicated as unknown. GRAIN's database records investments initiated after 2006 and involving large areas although the latter is not defined. However all, except one, of the investments listed in the GRAIN database for the three countries of interest are associated with acquisitions > 1,000 ha.

For the purpose of this analysis the starting point of this comparison is all investments listed in all three databases that involve > 1,000 ha for agriculture, biofuels and/or forestry. The primary comparison for the purpose of presentation is between our datasets and those of the Land Matrix. Annotations are used to indicate whether similar or contradictory information appears in the GRAIN database. In addition, investments in the GRAIN dataset but not appearing in either the Land Matrix

⁸ <http://www.grain.org/article/entries/4479-grain-releases-data-set-with-over-400-global-land-grabs>

or the IIED datasets are identified. As data regarding the timelines of investments is incomplete in all three databases, it is possible that some investments will appear in one database but not another simply because they fall within different time bounds. This would be expected in the case of the Land Matrix, which lists investments from 2000, compared to 2005 for the IIED data sets and 2006 for GRAIN. Even so, assuming that the investments captured by GRAIN and the IIED inventory are more or less in the same time period, there are still a significant number of investments appearing in one but not the other dataset. The detailed comparisons are found in the tables in Annex 1 and a summary of observations are presented below.

Alignment between datasets on basic investment data

The initial finding of the comparison is that there are very few investments in each of the three countries which appear in all three datasets. However, where investments are common to all the datasets in the majority of cases there appears to be consistency of information regarding the investor, the country of origin of the investor, the timeline of the investment, the areas acquired and the intended crops. Any differences in information tend to relate to the area of land acquired.

There is consistency in data including land acquired for 9 out of 14 investments in Tanzania; 10 out of 14 investments in Ethiopia; and 2 out of 2 in Ghana. For the few investments where there is a difference in the data regarding land acquired these differences tend to be significant (e.g. in some cases by a factor of 10). A similar observation can be made when comparing those investments appearing in both the GRAIN and our datasets. For the majority of the common investments the reported area of land acquired is similar. However, in the few investments where contradicting data is reported the area of land acquired in the GRAIN database is usually significantly higher.

In all three countries the majority of investments appearing in each database do not appear in either of the other databases. In Tanzania there are a total of 69 investments listed for agricultural/forestry purposes associated with land acquisitions of >1,000 ha across the three databases. Of these only six are common to all three databases with a further eight found in the Land Matrix and our dataset but not GRAIN. For Ethiopia there are 235 investments involving > 1,000ha for agricultural purposes across the three databases with only 10 common to all three with a further four appearing in both the Land Matrix and IIED's datasets but not GRAIN's. In the case of Ghana of a total of 28 reported investments none are common to all three databases. Only two are listed in both the Land Matrix and the IIED datasets. None of the 12 investments reported by GRAIN appear in either the Land Matrix or the IIED datasets.

In all three countries the IIED datasets record the greatest number of investments but a lower total area of land acquired for those investments. This observation in itself does not shed any light on the reliability of data in any of the datasets. Just that average areas of land per investment are lower for investments in our datasets than the investments listed in either the Land Matrix or GRAIN. The comparison of investments common to all the datasets indicates that it may only be a minority of investments where land acquired is being reported significantly higher by the Land Matrix and/or GRAIN. These figures in turn have the potential to disproportionately distort the total land acquired figures.

From the comparison of the datasets alone it is not possible to state conclusively whether those investments listed in the Land Matrix or GRAIN but not IIED's exist or not. There is one investment in the Land Matrix list for Ethiopia that seems to have been duplicated being reported under two separate investors but which are in fact are the same investor. This duplication is highlighted by information provide by GRAIN which provides greater detail about the investors.

The following tables summarise where the similarities and the differences lie between the three different datasets.

Tanzania

The 888,115.18 ha of land associated with investments listed in IIED's datasets is land that has either been acquired or is in the process of being acquired since 2005. IIED's data only includes investments that could be verified through the existence of MOUs with Local Government Authorities, Central Government Authorities including parastatals, valid rights of occupancy titles and derivative titles as well as existing applications for transfer of village land to general land. The data has primarily been sourced from government including recently released of derivative titles issues by Tanzanian Investment Centre (TIC) (TIC, 2012); list of application transfers from the Ministry of Lands (MOL) (MOL, 2012) and the draft inventory of all land titles being compiled by the MOL (MOL, 2013).

Table 1: Summary of Comparison of Investments Listed in Land Matrix, GRAIN and IIED's Tanzanian Inventory

	No of investments	Total Areas of Land (ha)			Comment
		Land Matrix	GRAIN	Our Data set (land area under land lease only)	
Investments listed in both Land Matrix and IIED's data sets	14, 6 of which also appear in GRAIN	650,953.00	477,076.00	503,399.80	The areas given for 9 of the investments are similar for the Land Matrix and our datasets. There are significant differences for the remaining 5 with the Land Matrix reporting a higher figure for 4 of those. Areas reported in GRAIN are similar to IIED's with one being lower.
Investments in Land Matrix but not IIED's dataset (>1000ha & relevant sector). Note some also appear in GRAIN	18. Two of which appear in the GRAIN dataset	337,500.00	The two investments that also appear in the GRAIN data set amount to 55,000.00,ha	n/a	
Investments in our dataset only (>1000ha & relevant sector)	30. One of these also appears in the GRAIN	n/a	The one investment also appearing in	384,714.99	The majority of the investors are Ethiopian.

	dataset		the GRAIN dataset is linked to 8,000.00 ha		
Investments in GRAIN database only	7	n/a	543,700.00	n/a	
Investments in Land Matrix outside IIED's criteria for area & purpose	9	126,726.00	n/a		Three of these are by the Tanzanian government for Tourism and involve areas over 15,000ha; one being 82,200 ha. One for 17,807 is also for livestock.
Investments in GRAIN outside IIED's criteria for area & purpose	0	n/a	0	n/a	
Subtotals (for investments involving over 1,000ha and for agriculture)		988,453.00	1,042,600.00	888,114.79	Although GRAIN database indicated a similar amount of land acquired it is for significantly fewer investments (total of 21 recorded).

Ethiopia

The land based investments recorded the IIED inventory are those that have been agreed to or are in the process of being approved since 2005. The inventory has been compiled from data sourced from the Federal Ministry of Agriculture and Regional Governments. Additional information was also obtained through 50 key informant interviews and seven farm case studies. However this information was used primarily for the analysis of features and outcomes of land based investments in Ethiopia than as a source of data for the inventory of investments.

Table 2: Summary of Comparison of Investments Listed in Land Matrix, GRAIN and IIED's Ethiopian Inventory

	No of investments	Total Areas of Land (ha)			Comment
		Land Matrix	GRAIN	Our Data set (land area under land lease only)	
Investments listed in both Land Matrix and our data sets	14, 10 of which also appear in GRAIN	485,212	660,400	326,902	For the majority of the investments the Land Matrix and the IIED dataset report the same areas of

					land involved. In three investments the Land Matrix reports a significantly higher figure and in one IIED's figure is higher. For four of the investments listed by GRAIN the figures are higher than those given by the Land Matrix and the IIED inventory.
Investments in Land Matrix but not appearing in our dataset (>1000ha & relevant sector). Note some also appear in GRAIN	41. Only six appear in GRAIN	1,927,150.00	The six investments that also appear in the GRAIN data set amount to 120,200	n/a	At least one duplication identified of 18,000ha
Investments in our dataset only (>1000ha & relevant sector)	174	n/a	0	474,517.28	Majority are by Ethiopian Investors. However, greater amounts of land are associated with investments by foreigners.
Investments in GRAIN database only	6	n/a	262,000	n/a	
Investments in Land Matrix outside our criteria for area & purpose	1	200	n/a	n/a	Dutch investment for Jatropha
Investments in GRAIN outside our criteria for area & purpose	0	n/a	0	n/a	
Subtotals (for investments involving over 1,000ha and for agriculture)		2,412,362.00	1,042,600.00	801,419.28*	Although GRAIN database indicated a similar amount of land acquired it is for significantly fewer investments (total of 21 recorded).

* The main text of the Ethiopia Country Report indicates that the data collated for the report suggests that around 1.06 million hectares of land have been allocated in Ethiopia for commercial agriculture. The figure given above is the total amount of land under land lease as given in the inventory accompanying the Country Report. An additional figure for Land area under MOU/ Convention of Establishment is also given. The total under this is less due to less data available and comes to 290,661.77 ha.

Ghana

Data for our Ghana inventory was collected from a variety of government bodies including the Ghana Investments Promotion Centre, Lands Commission, Ministry of Food and Agriculture, the Environmental Protection Agency and the Office of the Administrator of Stool Lands and Customary Land Secretariats. There are significant gaps in the inventory and of 31 investments listed only 12 meet our criteria of involving the acquisition of land over 1,000 ha and of those only six had information regarding key dates associated with the investment.

Table 3 Summary of Comparison of Investments Listed in Land Matrix, GRAIN and IIED's Ghanaian Inventory

	No of investments	Total Areas of Land (ha)			Comment
		Land Matrix	GRAIN	Our Data set (land area under land lease only)	
Investments listed in both Land Matrix and IIED's data sets	2, neither of which appear in GRAIN	23,600.00	0	23,173.67	
Investments in Land Matrix only (>1000ha & relevant sector)	4	235,350.00	0	n/a	
Investments in IIED's dataset only (>1000ha & relevant sector)	10	n/a	0	90,312.29	
Investments in GRAIN database only	12	n/a	210,461.00	n/a	
Investments in Land Matrix outside IIED's criteria for area & purpose	1	960.00	n/a	n/a	This additional investment is listed as Solar Harvest. However as the Land Matrix provides not details on investment location it is not clear whether it is in a separate location to another investment by Solar Harvest captured

					by both the Land Matrix and our dataset.
Investments in GRAIN outside IIED's criteria for area & purpose	0	n/a	0	n/a	
Subtotals (for investments involving over 1,000ha and for agriculture)		258,950.00	210,461.00	113,485.96	There is little comparability across the three datasets.

Data Availability for Evaluating Impact of Investments

Data on the impacts of investments is not publicly available in the Land Matrix database although the accompanying analytical report for the Land Matrix does provide some analysis of impacts for those investments that the Land Matrix presumably has access to⁹, drawing attention to issues such as physical and/or economic displacement; loss of access to natural resources underpinning livelihoods; impacts on local food security; competition over natural resources in particular water; employment creation or livelihood replacement; and environmental degradation.

As with the Land Matrix data IIED's research confirms that there is very little data available on investments that can be used for the purpose of evaluating the impact of investments. For the majority of investments recorded in IIED's inventories for Tanzania, Ethiopia and Ghana there is no available baseline data; there is no structured monitoring and evaluation of investments over the course of their establishment and there is no evaluation of their impact such as that associated with any displacement of previous land occupants and users; impact on the dynamics of the local economy or impact on natural resources. Official databases, or at least data officially shared, tends to be limited to information about the investor (name and origin), location of investment, how much land to be allocated and possibly some information on how much capital is to be invested, crops to be grown and the number of jobs expected to be created.

Of the countries researched for this assignment Ethiopia appears to be the one country attempting to develop better systems to monitor its land based investments although the focus is on tracking implementation progress as opposed to rigorous impact evaluation. Even this is a challenge due to resource constraints and the areas that need to be covered. Any conclusions regarding the impact of investments for our country reports has been based on additional research, case studies and key informant interviews as opposed to the analysis of any existing baseline and monitoring data that may have been systematically collected for the express purpose of evaluating investments.

As with the Land Matrix and GRAIN databases the gaps in data to evaluate the impact of the investments is so significant that caution is required in drawing conclusions on the impact of such investments. At best one can comment on individual cases but the findings cannot necessarily be assumed to apply to all such investments and/or extrapolated into conclusions on the overall impact of such investments in a given economy.

The following table summarises the extent of data availability in our datasets for areas that might provide some insight on investment impact.

⁹ See Anseeuw, W. et al. (2012) Transnational Land Deals for Agriculture in the Global South. Analytical Report based on the Land Matrix Database. April 2012 CDE/CIRAD/GIGA. Bern/Montpellier/Hamburg.

Table 4 Observations on data availability in IIED’s datasets for establishing the impact of investments

Area of Interest	Data Availability		
	Tanzania	Ethiopia	Ghana
Total no of investments recorded	45 individual investments recorded	189 individual investments recorded	31 investments recorded
Total projected investment	Only 4 investments able to provide data on total project investment	104 investments had data available regarding the total project investment.	No data available for any investment on total projected investment
Estimated tax revenues from land based investment	No data available on projected tax revenues. Only 3 investments are able to provide information on annual land fees.	No data available on projected tax revenues for any investment. 100 investments provide information on annual land fees. 44 investments indicate that they are subject to 40% corporate tax.	No data available on projected tax revenues associated with investments
Legal status of previous land occupants/users	The legal status of the land prior to investment was indicated for 14 of the investments. 10 of those investments were able to indicate the predominant land user prior to the investment.	72 of the investments identified the legal status of the land prior to the investment. In all 72 it was indicated as being owned by the community. 70 of the investments indicated the previous land users with the community being identified as previous land users in 89% of cases.	Data only available for 6 investments on legal status of land prior to investment. Of these five were indicated as being community lands with the traditional authority identified as the land provider
Displacement data	No data available for number of affected parties for any investment; although 5 investments indicated that compensation was associated with the transfer of land occupancy rights. Of these 5 only 3 were able to provide information on the amount of compensation paid/to be paid. 2 investments indicated that social impact	Only 1 investment provides data on the number of affected parties associated with land acquisition for the investment. There are 94 investments where it is indicated that no compensation paid. It is not clear whether compensation was due given that information about previous land users suggests that in the majority of cases the community were either the previous land	No data available for numbers of affected parties for any investment; although information for compensation was provided for 6 investments. Of this 4 indicated that compensation had been paid and 2 not. Of the 4 that had paid only one investment was able to provide some information on compensation package.

	assessments had been approved.	owners and certainly land users. Of data provided for 70 investments 2 indicate that a social impact assessment was approved.	
Employment data	Only 2 investments provided data on projected employment creation. Data was provided by 4 investments on actual jobs created.	69 investments provided an indication of projected jobs and 31 were able to indicate total jobs created since the investment.	No data for projected employment creation for any investment.
Environmental impact data	No relevant data for any investment. One investment indicated that an EIA had been approved.	Of data provided for 98 investments 31 indicate that an environmental impact assessment was approved.	No relevant data. And no information on whether SEIAs were approved for any of the investments listed.

3 Overview of Land Based Investment Monitoring Initiatives

This section provides an overview of existing and future initiatives that are concerned with land policy and/or more specifically land based investment monitoring activities. The purpose is to provide background information on key actors and initiatives concerned with improving land governance and the management of land based investments in particular.

3.1 Official Monitoring and Disclosure of Land Based Investments

From the reports undertaken as part of Activity 2 of this assignment there is a high degree of variability between national governments in their monitoring of land-based investments. This is in part related to institutional arrangements for the governance of land matters and also perceived need to track land-based investments and what to monitor. Within country there is also a variation in the quality of record keeping and data sets between levels of institutional responsibility (e.g. Federal vs. Regional in the case of Ethiopia).

Currently government systems are primarily passive record keeping systems as opposed active monitoring systems tracking the quantum of land acquisition for land based investments; level of investor activity and investment progress and impact of the land acquisition and subsequent investment activity.

Ethiopia probably has the most structured framework for monitoring land-based investment of the countries reviewed under Activity 2. However, even within Ethiopia it is acknowledged that there is a difference in the quality of record keeping and level of monitoring activity between the Federal and Regional Agencies. For example the data on Federal land allocation held by the Ministry of Agriculture (Agricultural Investment Support Directorate) is considered to be of good quality, if not comprehensive on type of data maintained. Typically the data collected tracks who is investing, proposed level of investment, land area allocated and some reports on progress of investment. Record keeping practices by the Regions on Regional land allocations is not as good with incomplete records on how much land has been allocated and being developed let alone other data.

Even in Ethiopia publicly available data on implementation and impact is poor at both Federal and Regional level. For example it is not possible to access information on actual capital invested; level of development; numbers of jobs created; previous land use; numbers of persons displaced and resettlement evaluations. It should be noted that whilst such information is not publicly available it does not mean that it is not being collected. With respect to implementation of the investment attempts are made to visit the sites and report on progress but it is an activity that is constrained by the availability of resources to do so.

With respect to disclosure there is very limited official disclosure of information pertaining to land-based investments. The Ethiopian Ministry of Agriculture supposedly publishes federal land agreements on its website and Liberia makes use of the Extractives Industry Transparency Initiative to disclose information on land based investments (see 3.1.1 below).

3.1.1 Liberian Extractives Industry Transparency Initiative (LEITI)

A number of African countries are now participating in the Extractives Industry Transparency Initiative (EITI) with 21 actively implementing EITI standards and nine considered to be compliant. This initiative is primarily concerned with increasing transparency around investments in the oil & gas and mining sectors and encourages countries to establish publicly accessible database of contracts entered into in the extractives sectors among other activities. However, in Liberia, the

Liberian Extractives Industry Transparency Initiative (LEITI) has broadened its scope to include the public reporting of investments the forestry and agricultural sectors, including the disclosure of investment contracts¹⁰.

The Government of Liberia joined the EITI process in September 2007, and has just published its third report. It became the first country in Africa and the second globally to become EITI compliant in October 2009. LEITI is an autonomous agency of Government established by an Act of the Legislature as a partnership involving the Government, the Private Sector, and the Civil Society of Liberia. The LEITI seeks to ensure transparency over payments to, and revenues received by, the Government of Liberia in connection with the operations of all oil, mining, logging and agriculture companies operating in Liberia. The work of the LEITI consists of regular disclosure, audit/reconciliation, and publication of all material payments made by oil, mining, logging and agriculture companies (“Companies”) to the Government, and all material revenues received by the Government from the above-mentioned companies.

3.2 Land Policy Initiative

The Land Policy Initiative (LPI)¹¹ is a joint programme of the tripartite consortium constituted by the AUC, the ECA and the AfDB, with its principle goal to assist member states in the formulation of land policies and implementation of efficient and transparent land administration in both customary and statutory jurisdictions in order to facilitate socio-economic development, peace and security and environmental sustainability. Initially conceptualised in 2006, the programme is governed by a Steering committee meeting periodically, while a joint secretariat is implementing day to day activities. The secretariat is assisted by an African Task force on land.

One of the first activities of the LPI was to develop the Framework and Guidelines on Land Policy Africa (F&G)¹² to guide African members States to design land policies that strengthen land rights, enhance productivity and secure livelihoods. Following the publication of these guidelines (originally in 2009, latest version 2010) and the adoption in July 2009 of the AU Declaration on Land Issues and Challenges in Africa¹³ the African Union mandated the LPI to implement the F&G and to assist AU member states in developing or reviewing their land policies as well as in implementing and evaluating these policies. In this regard, the LPI Secretariat is tasked to make available land related information, to build the capacity of member states and other stakeholders in using the F&G, and to improve networking and lesson sharing among African experts across the continent; and promoting policy formulation and implementation based on lessons learnt and emerging issues. More recently the LPI has been tasked with overseeing the implementation of the Nairobi Action Plan on Large Scale Land Based Investments (LSLBI) developed at a High Level Forum on Foreign Direct Investments in Land in Africa, representing African governments, Members of Parliament, traditional leaders, private sector, civil society and other stakeholders in Nairobi October, 2011.

Current targets for the LPI are:

- 20 countries develop land policies and adopt implementation tools that enhance women’s secure access to land; and recognize the legitimacy of Africa’s customary based land rights and institutions by 2020; and
- 10 Countries put in place transparent, efficient and cost-effective Land administration systems which are reflective of Africa’s unique realities by 2020

¹⁰ <http://www.leiti.org.lr/2content.php?main=65&related=65&pg=mp>.

¹¹ http://new.uneca.org/lpi/home_lpi.aspx

¹² http://new.uneca.org/Portals/lpi/Documents/F&G-on-Land-Policy_ENG.pdf

¹³ http://new.uneca.org/Portals/lpi/Documents/AU-Declaration-on-Land-Issues_ENG.pdf

In April 2012, the LPI published their five year strategic plan and road map¹⁴ for implementing its capacity building mandate and the Nairobi Action Plan¹⁵. Specifically, Objectives 7, 8 and 9 all require the establishment of information management systems (refer to the table below). However, Objective 9 was later merged with a wider Objective 6, relating to capacity building. In the merger, Objective 9.3, which specifically dealt with monitoring large land deals, appears to have been dropped.

Related Actions	Outcome	Outputs	Comment
Objective 7 Increase knowledge to facilitate evidence based land policy making and implementation			
7.1 Operationalize VALPAF (Virtual African Land Policy and Administration Facility): among other elements a database on land information ;	Enhanced tools for knowledge generation, management and dissemination for evidence based land policymaking and implementation	Among others an updated databases of land information	
Objective 8: Enhance monitoring and Evaluation in support of land policy formulation and implementation in Africa			
8.1 Develop and implement a framework with indicators for M&E;	Enhanced M&E in support of land policy formulation and implementation	<ul style="list-style-type: none"> • Framework for M&E on land • Report of the summit on progress in land policy development and implementation in Africa 	Draft report in 2011 with recommendations but no publicly available information to suggest that this was finalised. Refer to Section below)
Objective 9 (now 6.5): Enhance the implementation of the Nairobi Action Plan on Large Scale Land based Investments in Africa (this objective was later merged with a wider Objective 6, on capacity building)			
9.3 Develop and implement and M&E framework and mechanism for LSLBI	Fair, equitable, profitable and sustainable land-based large-scale investments in Africa	<ul style="list-style-type: none"> • M&E Framework with indicators on LSLBI • Tracking guidelines/manual on M&E on LSLBI • Report to AU on tracking progress on LSLBI in Africa 	

In recent months land issues have topped the agenda in various pan African meetings with increasing recognition of the role of the LPI. The most recent being the Eighth African Development Forum where an agreement was reached on a Consensus Statement emphasising sustainability, transparency and equity among others as key to the “effective governance of natural resources” including specific recommendations on land governance, the Nairobi Action Plan on LSLBI and the role of LPI as an institutional resource for nation states.

¹⁴ http://new.uneca.org/Portals/lpi/Documents/Elements-of-a-5-year-LPI-Strategic-Plan_ENG.pdf

¹⁵ <http://new.uneca.org/Portals/lpi/Documents/Nairobi-Action-Plan-Final.pdf>

At the supranational institutional level the activities of the LPI are being overseen by the Committee on Food Security and Sustainable Development under the AU's Commission on Sustainable Development.

3.2.1 Land Policy Monitoring and Evaluation Study¹⁶

In 2011 a draft report of a study commissioned by the LPI (EU funded) to develop a monitoring and evaluation (M&E) system for land policy formulation and implementation in Africa (Gizachew Abegaz, 2011) was published¹⁷. The report reviews monitoring and evaluation (M&E) systems (and elements of) of various intergovernmental organisations and international development agencies that either focus on evaluating land governance and/or include elements of land governance in their indicator sets including the World Bank (WB) Land Governance Assessment Framework (LSAF), United Nations Development Programme (UNDP) Human Development Index (HDI), IFAD's Performance Based Allocation System, NEPAD's Comprehensive Africa Agriculture Development Programme (CAADP) and Africa Environmental Outlook (AEO) emerging issues reporting using the *driver-pressure-state-impact-response* (DPSIR) model) and National Poverty Reduction Strategies.

The draft report findings note the following with respect to existing monitoring and evaluation systems:

- A bias towards the assessment of legal frameworks and the characteristics and outputs of land administration (i.e. the formality of tenure systems) with less or any attention and focus to "outcome/impacts" sides of tenure security and access to land.
- M&E systems are focused on a few indicators for global comparison and are not necessarily meaningful for local use;
- M&E systems rely on official statistics collected by government and/or expert assessment methods which whilst acknowledged to be advantageous in terms of cost and time are disadvantageous in terms of reliability and credibility particularly on controversial issues e.g. land conflict;
- Datasets are insufficiently comprehensive
- National M&E systems tend to be designed more for donor data requirements rather than for informing local decision making processes.

Based on the findings the report proposes a monitoring and evaluation system for land policy formulation and implementation in Africa with the intention to pilot the M&E recommendations in the following selected countries: Ghana, Niger, Tanzania, Rwanda, Botswana and Mozambique. A result-based M&E system is used as the basic framework (input-activity-output-outcome-impact) layered onto broad tenure systems. This is reflected in the development of two indicator sets with 42 indicators identified for formal tenure and 30 for customary tenure. The system also takes into consideration the need to evaluate land policy from an economic, social, environmental and governance perspective. The report acknowledges that the system as it stands does not provide a tool for in-depth analysis at impact level and as such needs to be complemented with other analytical/research tools such as:

- Experimental design
- Reflexive comparison
- Qualitative evaluations

¹⁶ Review of content of draft report.

¹⁷ This report was available on the LPI website in early 2012 but is no longer readily accessible. Also the information on the LPI websites indicates that monitoring and evaluation systems are under development.

3.3 West Africa Land Policy Observatory

The proposal for a West African Land Policy Observatory was recommended in a study undertaken in 2004, with support from the World Bank, on land and regional integration. Even before this study the idea of land observatories had been considered an appropriate initiative for fostering land tenure security by the Praia and St Louis conferences as a means for collecting and disseminating knowledge on land issues in the Sahel. At the time there was a land observatory in Mali (1993 – 1998) from which lessons could be drawn and in 2001 Chad established their land observatory¹⁸. FAO is currently assisting Mali to revitalise the land observatory as part of the future land policy.

The most recent regional inter-government meeting at which the concept of a regional land policy observatory was discussed was at a meeting convened by the West African Economic and Monetary Union (UEMOA/WAEMU) in 2009 in Dakar, at which an updated version of the Land and Regional Integration report was presented. The renewed interest has in part been driven by the LPI and the development of the F&G on land policy. At that meeting it was acknowledged that despite national specificities there are many common land issues and perhaps most importantly a number of issues that cannot be tackled nationally but require regional cooperation. As such there was a strong interest by member states and other stakeholders in the establishment of a regional land policy observatory with the following key reasons emerging:

- A means for making land information available to different stakeholders in the region and beyond;
- A centre for the analysis of land issues and providing guidance in land related decision making.
- A platform for regional expert consultations – a key convener on land issues in the region as opposed to reliance on events convened by donors and development partners.
- Monitoring land dynamics, environmental and socio-economic trends (e.g. demographics, urbanisation, environmental factors) to inform future policy.

It was agreed at that meeting to proceed with a feasibility study for the regional land observatory and as of the time of writing this was still to be completed. The intention of the regional initiative would be to encourage the establishment of national land observatories. The monitoring of land based investments could be one of the functions of such observatories.

3.4 Other Land Observatory Initiatives

3.4.1 Madagascar Land Observatory

This was initiated by the State although the initial proposal was part of the Land Reform Programme which was funded by international partners.

The Land Observatory was set up in 2007 under the National Land Programme to collect, analyse and disseminated data to decision makers on the programme's results and impacts of the land reform policy. It is currently part of the new Ministry of Land Reform and Decentralisation and is responsible for channelling and processing all data coming from the different decentralized land services and land offices in the Zones. Monitoring of land-based investments is not a specific focus of the observatory.

Currently the observatory is externally funded and staffed with consultants. Whilst providing a service to public sector institutions as an entity it is not integrated. As such there are concerns about its long term viability (pers comms with Mousa Djiremous) .

¹⁸ Source: LPI, June 2011., Land Policy in Africa: West Africa Regional Assessment
<http://new.uneca.org/lpi/PublicationsDetail/tabid/5132/ArticleId/457/Default.aspx> . In the case of Chad the observatory was established by Decree 215 of 24 April 2001.

3.4.2 Chad Land Tenure Observatory

Established in 2001 by Decree the observatory is based on a cluster of institutions built around a steering committee presided over by the Prime Minister. The University of Ndjamena is primarily responsible for the day to day activities of the observatory. The main objective of the observatory is to help improve knowledge and understanding of land-related problems in order to support the development of relevant land policies and legislation. The specific objectives of the land observatory are to:

- contribute to the formulation of suitable land legislation;
- capitalize and disseminate information among the actors concerned;
- contribute to the identification and utilization of the national expertise in the land tenure area, particularly training of the various stakeholders in land tenure issues; and
- to contribute to the development of teaching and research on land in the universities and professional training institutions.¹⁹

Observers note that very few results are available for the activities of the Observatory.

3.5 Initiatives Supported by the International Land Coalition

ILC and the University of Bern's Centre for Development and Environment (CDE) are collaborating on the **Land Observatory** project²⁰ which intends to make information on large-scale land acquisition transparent and accessible through an interactive, map-based platform. This project is being piloted in five countries, with partners and governments who will work to open government data, crowd source and help customize local observatories. Updated information on land will benefit citizens, but also governments and companies interested in sustainability. Pilot countries in Africa are Madagascar and Tanzania.

The purpose of the land observatories is to

- Making information available/ accessible to stakeholders
- Informing decision making processes
- Collecting relevant/updated data?
- Providing policy analysis on key land issues
- Documenting land related change trends
- Creating a regional platform for discussions/ reflection
- Regional experts meetings
- Promoting networking
- Working on country focused land indicators
- Independent reviews of land policy processes
- Early warning of land crisis (land disputes/ conflicts)

3.6 Africa Monitoring System²¹

The Africa Monitoring System, supported by the Bill and Melinda Gates Foundation²², was launched in February, 2012 with the intention to create a policy support tool and "gold standard"

¹⁹ Source: LPI, June 2011., Land Policy in Africa: West Africa Regional Assessment
<http://new.uneca.org/lpi/PublicationsDetail/tabid/5132/ArticleId/457/Default.aspx>

²⁰ <http://www.landobservatory.org/>, <http://landportal.info/resource/announcing-observatory-land-acquisitions-project>

²¹ http://www.conservation.org/newsroom/pressreleases/Pages/Global_Tool_to_Gauge_Earths_and_Humanitys_Vital_Signs_Launches_in_Africa.aspx

²² A three-year \$10 million dollar grant that will be managed by Conservation International.

environmental monitoring system for holistic decision-making on agricultural development in order to increase food security and decrease environmental degradation.

The Africa Monitoring system has five primary aims:

- To minimize unintended consequences of agriculture on ecosystem services by providing essential data and an analytical framework to evaluate trade-offs and inform decisions;
- In areas targeted for agricultural intensification, to establish a reference level and tracking system for land cover, carbon stocks, hydrology, biodiversity, and ecosystem services ;
- To build local and national capacity for environmental monitoring among scientists, civil society, government leaders and the private sector in areas throughout sub-Saharan Africa;
- To help ecosystems and smallholder farmer communities respond and adapt to emerging changes in the climate; and
- To create a 'global public good' in a freely accessible and transparent information resource.

The initiative is co-led by Conservation International (CI), the Council for Scientific and Industrial Research (CSIR) in South Africa and the Earth Institute (EI), Columbia University. In Phase 1 the partnership will collaborate with governments, other non-governmental organisations, the academic community, the private sector and key international partners (e.g. World Bank Living Standards Measurement Survey, IFPR, the World Agroforestry Centre, the FAO, the UN) to design and implement the integrated monitoring system. It will initially be developed in five countries including Tanzania, Ghana, Ethiopia, and two countries to be determined

The data collection will happen at multiple scales to create the most accurate possible picture:

1. **A household scale**, using surveys on health, nutritional status, household income and assets
2. **A plot scale** to assess agricultural production and determine what seeds go into the land, where they come from, what kind of fertilizer is used, what yield of crops they deliver, what happens after the harvest
3. **A landscape scale** (100 km²) measuring water availability for household and agricultural use, ecosystem biodiversity, soil health, carbon stocks, etc.
4. **A regional scale** (~200,000 km²) that will tie everything together into a big picture, to see the scales at which agricultural development decisions are made.

The system will integrate measurements of agriculture, ecosystem services and human well-being by pooling near real-time and multi-scale data into an open-access online dashboard that policy makers will be able to freely use and customize to inform smart decision making. The raw data will be fully accessible and synthesized into six simple holistic indicators that communicate diagnostic information about complex agro-ecosystems, such as: availability of clean water, the resilience of crop production to climate variability or the resilience of ecosystem services and livelihoods to changes in the agricultural system.

Another intention of the system is to emphasize capacity building for African policymakers and institutions in geographies where the foundation invests. Measurements will be collected through a combination of ground-based data collection and remote sensing, working through sub-grants to local scientists who will collect information and partnerships with existing data collection efforts such as the Tanzania National Bureau of Statistics.

It is possible that data collected by this initiative could also be useful for the evaluation of the impact of land based investments. In addition the capacity building activities under this initiative could also play a role in improving the availability and quality of national data that could be used for evaluating land based investments.

3.7 World Agriculture Watch

A recent initiative launched in 2011, the World Agriculture Watch (WAW) has been established for the purpose of monitoring structural changes in agriculture in order to inform policy dialogue. Initial partners include CIRAD, FAO, IFAD and the French Government. According to the FAO (2012) report, WAW have developed an analytical tool for monitoring structural changes at the farm/local area level and to assess the effects of these changes on the three dimensions of sustainable development (economic, social and environmental). Currently there is very little information available in the public domain regarding this initiative. However, this should be investigated further to explore its appropriateness as a framework for assessing impacts at the farm/local level of land based investments.

4 Summary of Issues Arising

The following section highlights a number of observations regarding existing monitoring initiatives with respect to land-based investments. These observations are grouped into a discussion around a) the focus of the monitoring activities and b) the robustness of the data.

4.1 Focus of data collection/monitoring systems

A number of issues arise regarding the focus of existing initiatives many have which have been previously noted by Cotula and Polack (2012). These include:

1. There tends to be a focus on land acquisitions associated with foreign land-based investment activity despite indications that national investor activity is associated with significant levels, if not higher levels of land acquisition. FAO 2012 state that analysis “should be broadened to all forms and source of agricultural investment, including domestic investment” noting that “in most developing countries large domestic investors acquire more land than foreign ones and there is no evidence that these acquisitions are more respectful of the rights and interests of local communities” and that foreign and domestic investments are often “intertwined and complementary”. Going forward any monitoring activity on large scale land based investments should include domestic investors.
2. Most data being collected is associated with land acquisitions for agriculture investments with less attention on land allocations/acquisitions associated with mining, forestry and other land-based investments. As Cotula & Polack (2012) note in Liberia in addition to 1.6 million hectares acquired through farmland concessions, mining exploration or development concessions were granted for an area of just under 1.2 million hectares.
3. There is no systematic collection of data to inform the impact, both beneficial and adverse, of land-based investments. There is a growing body of research, largely from case studies, highlighting impacts of recent large scale agricultural investments some of which has been collated and analysed in a recent report by FAO (2012) and various papers presented at LDPI 2012 conference. However, concerns have been raised regarding the underlying data informing these case studies and the research methodologies applied (refer below). For example very little of the research is informed by a baseline assessment of the situation prior to the investment.

The FAO (2012) report is the most recently published analysis of data on the impacts of foreign investment in large scale agriculture in developing countries and it does attempt to bring together data to reflect the impact of FDI in the agriculture sector at a macro level and a micro level. Positive relationships are established between FDI and national impacts such as: increases in agriculture production and yields, diversification of crops, increase in export volumes and earnings, adoption of higher standards and increase in quality of produce, development of infrastructure. Whilst the creation of employment was also observed as a positive impact of FDI

in agriculture at the national level, the net beneficial impact at a local level is constrained by aspects such as: the sustainability of the employment with the initial phases of an investment being more labour intensive with less labour required as the investment moves into its operational phase; the types of crop cultivated; new jobs created do not necessarily benefit locals; if there has been displacement then the net employment creation may not be positive and the quality of employment may be adversely impacted (replacement of independent small scale farmers with low skilled, low wage employment).

Whilst the FAO report clearly states that it is not possible to draw general conclusions about the impacts of large-scale land investment in agriculture they have identified number of potential areas of adverse impact that can arise at the local level if the national benefits arising from the investment such as income generation is not distributed in the local economy (e.g. quality & sustainability of employment; technology transfers); and the underlying natural resources utilised unsustainably (e.g. land, soil, water, biodiversity). Where displacement is involved the case for large scale commercial farming appears to be weakened further. Aside from flawed land acquisition and compensation processes the loss of access to land and other resources such as grazing land impacts household income levels, food security and other aspects of livelihood. The FAO studies do point to greater longer term beneficial economic and social impacts from more inclusive business models, although it is emphasised that no one model is the ideal and their success is highly dependent on the local context. The FAO report also notes that there is less discussion on beneficial impact, particularly in the short term and at local level, primarily because existing research tends to focus on adverse rather than beneficial impacts.

Although there have been attempts to compare different types of farm business models there is an absence of comparative analysis between large scale commercial farming investments and other land use systems in a given agro-ecological region. For example in dryland areas do large scale commercial farming really offer greater economic returns, social, national security and environmental benefits than pastoralist systems? Is there a hybrid model that could accommodate both land use systems as opposed to the replacement of one land use system with the other?

In general there is an acknowledgement that there is a lack of adequate monitoring frameworks with appropriately identified indicators and therefore an absence of appropriate data for undertaking quality assessments of the impacts of land-based investments. These monitoring frameworks also need to be cognisant of the numerous factors that can potentially influence the impact of an investment e.g. strength of governance of natural resources; the prevailing political dynamics in a region and the role of land in this; local context including aspects such as the capacity and levels of willingness within local communities to organise, the capacity of local civil society; the profiles of investors (e.g. are they speculative or focussed on the long term, willing to accept lower returns); and the dynamics and tensions associated with the political economy of land investments.

4.2 Data Robustness

The roundtable discussion held at the second LDPI conference in October 2012 highlighted some of the concerns regarding the robustness of data regarding land-based investments²³. Furthermore the studies conducted under Activity 2 of this assignment suggest that data on the areas acquired for land-based investments, particularly with respect to agriculture investments, are lower than indicated in the Land Matrix database.

²³ <http://www.cornell-landproject.org/2012/10/19/land-grabs-how-do-we-know-what-we-know/>

Some of the concerns around data on land acquisition for land-based investments are:

1. **A historical legacy of problems in measuring land** – Edelman (2012) notes that historical studies of land tenure clearly demonstrate that there have always been problems in measuring land be it: contested sizes arising from different units of measurement; differences arising from surveying techniques, areas in titles that do not correspond to boundaries in reality; boundaries that have been specified using markers that move (e.g. rivers) and a host of other practical challenges.
2. **Reliability of the Sources** - beyond this historical legacy a contemporary challenge of data on areas of land being acquired and/or the impact of such acquisition is the source of data and its reliability: Who produced the data and why? What is the position of the source of the data and could this give rise to a bias in the dataset? The potential for systematic biases is reflected in the huge discrepancies in different datasets. For example sources of information on land grabs from the media versus data from national inventories. As FAO (2012) notes the more reliable cross-checked figures on areas of land acquired by foreign investors tend not to be as high as media headlines suggest. As Oya (2012) notes the sources of data are a mix of facts, perceptions, intentions and plans, guestimates from “informed” stakeholders and untruths. In turn these different sources of data get used to suit a particular bias or position²⁴.
3. **Comparability of data** – because of differences in methodology (e.g. timescales applied, criteria for what defining a land deal (deal size, land use (agriculture, forestry, mining), status of the deal (approved, under negotiation, proposed future expansion)) it is simply not possible to compare and/or consolidate different datasets.
4. **Use of “Open” systems/ Crowd sourcing** A number of organisations/partnerships have/are developing “open” systems to gather information through crowd sourcing applications. These can be useful as a broad brush awareness raising tool; drawing attention to hotspots. However, the level of detail and accuracy of data will not be guaranteed and would take considerable resources to be verified. Whilst it may be referred to by a variety of stakeholders it is unlikely to ever be a robust enough set of data for use as a resource for policy makers.
5. Aside from problems with the datasets, concerns have also be raised regarding the literature on land-based investments including:
 - a. Mismatch between the evidence base and the conclusions;
 - b. Research conceptualised around simplified dichotomies of what is acceptable and what is not, where we have a reality that is more complex;
 - c. Failure to constantly question underlying assumptions and management of biases stemming from the ideology of the researcher.
 - d. Focus on issues associated directly with the acquisition of land overlooking other impacts of land-based investments, which go beyond issues of land alone e.g. exploitation of labour, degradation of water sources, degradation of biodiversity.
 - e. Lack of baseline evidence for evaluation of impacts. Aside from an absence of such data it should also be noted that collecting data in general (e.g. data on existing land uses, areas of cultivated land, areas accessed for other resources underpinning livelihoods, rural labour dynamics, household income statistics, household wellbeing/livelihood data) is faced with considerable challenges which in itself undermines the reliability of the data; something that is generally not acknowledge by existing land-based investment research. As such data collection within the African context in itself calls for robust data collection methodologies not only to minimise errors in measurement but also to ensure that the data appropriately reflects the reality on the ground. A good example being data on “available land”/“vacant

²⁴ <http://ruralmodernity.wordpress.com/2012/04/27/the-land-matrix-much-ado-about-nothing/>;
<http://www.chinaafricarealstory.com/2012/04/zombie-chinese-land-grabs-in-africa.html?spref=tw>; and
http://edition.cnn.com/2012/07/05/business/op-ed-africa-land-grab/index.html?iid=article_sidebar

land” where the identification and definition of the indicator in itself presents numerous challenges let alone the practical challenges in then measuring this on the ground.

5 Support for Development of National Monitoring System

In light of the observations of this report it is apparent that there is an absence of comprehensive national monitoring and evaluation systems of land-based investments. At best there are disparate datasets, official and non-official, containing data about an investment such as the origin of the investor, the location, area of land acquired and terms and conditions of lease agreements. However, an analysis of two of the large non-governmental data sets and our own research suggests that there are significant gaps to be closed in just the collection of robust data on details of investments.

With respect to monitoring implementation progress and the impact of land-based investments the findings of this scoping study indicate an absence of any systematic framework for this in all the countries this assignment gathered data on and also within the Sub-Saharan Region as a whole.

This suggests that there is an opportunity to work with governments and relevant regional institutions (e.g. UEMOA and LPI) to support the development of a pilot M&E framework that facilitates proactive intervention on investments and informs decision making on national economic growth and development strategies driving land-based investments. Ultimately there is also the objective of promoting greater transparency and accountability around land based investments.

5.1 M&E Framework Design Considerations

The following section highlights some of the considerations for the design of such a framework. The discussion is structured around three aspects that the M&E framework should address:

5.1.1 Descriptive characteristics of land based investments

Under this component the system would capture basic data on the profile of investment such investor details, the location, the scale (capital invested, areas of land acquired), business model/plan; terms and conditions of lease agreements and/or investment agreements. This is the one aspect that data is more consistently collected for. However, our findings highlight the following areas for improvement:

1. There is a need to strengthen data collection systems to close the gaps and improve consistency in the capture of basic information about investments such as investor details, the location, the scale (capital invested, areas of land acquired), business model/plan; terms and conditions of lease agreements and/or investment agreements;
2. Monitoring systems need to capture both foreign and domestic land-based investments as although the average size of land acquired per investment by domestic investors may be lower, the greater number of domestic investors can result in a potentially higher aggregate area of land acquired.
3. Extend the collection of data to sectors other than agriculture and forestry that also involve the acquisition of land e.g. mining, tourism, conservation

5.1.2 Investment process and performance of investments

This aspect of the M&E framework would be concerned with the collection of data for tracking the implementation of land based investments and the performance of investments. For example:

investment status and time elapsed between MOU and effective implementation, productivity and financial performance of investments, direct economic value generated and distributed, indirect economic contributions, compliance with terms and conditions of investment/lease agreements, performance with respect to environmental and social considerations, indications of grievance/conflict and resolution mechanisms.

Investors could be contractually bound to adopt integrated reporting approaches (financial, environmental, social and governance) for their annual company reports. With the establishment of clear reporting methodologies (e.g. build on some of the methodologies developed by the Global Reporting Initiative²⁵) this could provide a mechanism for sourcing data to feed into the overall M&E framework for the larger investments.

5.1.3 Impact of land based investments

This aspect of the M&E is the most complex and will require the identification of appropriate indicators for evaluating beneficial and adverse impacts of land-based investments at different levels of the economy. Until now much of the literature concerning the impact of land based investments has been based on case studies as opposed to the systematic collection of relevant data. The following points highlight a number of design considerations for this aspect of land based investment monitoring:

1. There is a need for a monitoring system that allows for an evaluation of the impact of land-based investments across a number of sectors for the purposes of better understanding the benefits and disadvantages of different investment models and investment implementation processes. This is particularly important as the role of private sector investment increases and governments have to ensure that these investments translate into general development benefits. The review of case studies by FAO 2012 suggests that the type of investment model and local context as critical determinants of the types of impacts experienced at a local level.
2. The framework has to enable the evaluation of changes over a period of time as in many instances the full effects may not materialise for many years after the investment is initially made.
3. The M&E framework needs to account for the wide variety of situations that an investment can take place in and can take into account factors (e.g. quality of land and natural resource governance; levels of transparency and accountability; level of coherence between national economic growth strategies and rural development strategies) other than the considered investment as a potential source of change.
4. It should capture the beneficial and negative impacts at various geographical scales/ and structural changes at different levels of the economy / impacts between genders.
5. The need to develop a research approach (a common analytical framework) that can be consistently applied in different contexts to allow for comparability. The FAO (2012) recommends developing an analytical framework based upon UNCTAD's Investment Development Indicators Framework. This framework was developed for assessing the development impacts of investment and applies an input-output analysis (backward and forward linkages) with a range of impact indicators in categories such as employment, economic value added and sustainable development. Also financial returns of different investment models should be included.
6. The need to identify suitable indicators and capture data for the analysis of specific issues that are consistently highlighted as issues but as yet no comprehensive data exists for e.g. food security impacts; displacement impacts (from land, but also from other resources such as water, grazing lands and forests); employment impacts – not just the quantity of employment

²⁵ <https://www.globalreporting.org/Pages/default.aspx>

generated but also the quality of employment and where there has been displacement the net impact on livelihoods; degradation of natural resources; technology transfer.

7. To consider the establishment of data collection requirements and methodologies for environmental and social impact assessments for land based investments so that these studies can be used to gather robust baseline data.
8. Explore further the World Agricultural Watch's analytical tool and the Africa Monitoring System to establish whether there are any approaches that could be adopted or any data that could be used.

5.2 Critical Success Factors for a Monitoring and Evaluation Initiative

Whilst there is a degree of urgency to better understand, in particular, the impact of land acquisition associated with investment there is also a longer term need for a robust land-based investment system that add values to decision makers, institutions and administrative systems in the respective countries. As such and aside from the points raised in section 5.1 above any monitoring and evaluation framework initiative must:

1. Respond to the needs and priorities of the government concerned. This will require greater engagement with government to build a greater appreciation of "the country's needs" vis-a-vis land governance and administration. For example, monitoring large scale land-based investment might not be the priority. There could be a broader information system development need e.g. robust data for land use planning such as reliable data on areas of land cultivated, areas of land used for accessing communal resources e.g. grazing, forest resources, water. At the same time it is important to start the initiative with something concrete, with the possibility of expanding into other areas of land policy and administration.
2. Have an objective that is not driven by the need to extract of data to feed into international datasets but one that is more concerned with developing:
 - a. A land-based investment monitoring and evaluation system that is useful to policy makers; and supports the decision making processes of national institutions with primary responsibility for decisions on land and land-based investments.
 - b. A system that builds on a clear understanding of existing data collection systems (on land and also development impact); the gaps vis-a-vis the needs of institutions responsible for land governance and administration; and how those gaps could be closed. It needs to integrate with and build upon existing government data collection and monitoring systems.
3. Have clarity of purpose - What is it that needs to be monitored? What information is going to be most useful to policy makers?
 - a. What types of land-based investments do we want to track?
 - Threshold size – is over 1000ha to high or do we need to go lower to capture a better picture of national investor activity.
 - Lease agreements
 - Pre-lease agreements
 - Foreign or domestic or both
 - Which sectors?
 - b. Are we concerned with tracking progress of the investment against the content of the investment agreement?
 - c. Or are we more concerned with establishing the comparative impact of different investment models for the purposes of identifying those models that reconcile the development objectives of a country and local communities with the commercial objective of the private investor?
 - d. Are we interested in the positive and negative impacts at different levels of the economy and over different timescales?

- e. Do we want to develop a common monitoring and evaluation framework in collaboration with other researchers to allow for comparative analysis in the future?
4. Acknowledge and understand the political economy of land based investments and how this would potentially impact on the successful implementation of a monitoring and evaluation system and the identification of management strategies to ensure a successful outcome. This is particularly important if the initiative is to ultimately achieve greater transparency and accountability around land-based investments.

5.3 Next Steps

In light of the critical success factors identified above and given the reality of the political economy of land based investments it is felt that before any detailed proposals for such an initiative are developed extensive engagement with the governments of potential pilot countries is required.

As such the recommended next steps in developing a proposal for a Pilot Monitoring and Evaluation System for Land Based Investments are:

1. The identification of two potential pilot countries. Working with two pilot countries as opposed to one provides opportunities for testing approaches in different contexts and to compare experiences. Ideally the countries need to meet the following criteria:
 - a. The country is already motivated to develop a more robust monitoring and evaluation system and has already initiated certain activities in this regard e.g. Ethiopia and Tanzania and may welcome the opportunity for support in light of recent initiatives in country to better understand the situation regarding land based investments; and
 - b. The country is located in a region where there is a potential institutional body to collaborate with at regional level for the purposes of replicating the approach in other countries e.g. UEMOA and the West African Land Observatory initiative (refer to 2.2.4).
2. The development of a clear engagement strategy with potential pilot countries of choice in order to:
 - a. Build support for the initiative and identify in country partner institution.
 - b. Get a greater understanding of the M&E needs of the country and a greater appreciation of existing data collection and management systems in country that could contribute to an overall M&E systems for land based investments; and identify areas that would need to be strengthen and/or gaps closed;
 - c. Better understand the political economy of land based investments in country and identify strategies to ensure the successful implementation of a M&E system for land based investments.
3. The identification of a mechanism for facilitating regional/sub regional collaboration and knowledge sharing during the course of implementation of the initiative that allows:
 - a. Key actors (e.g. LPI) and representatives from other related initiatives regionally to participate in/contribute to the initiative;
 - b. Engagement with regional institutions that will provide the future platform for knowledge dissemination across Africa in the long term;
 - c. Other countries to share their experiences with monitoring, evaluation, transparency and disclosure in the realm of land based investments e.g. LEITI;
 - d. Feed data and lessons into other ongoing monitoring processes, e.g. the Land Matrix.

Such a mechanism might include the establishment of a regional steering/advisory board with membership of key representatives that would be in a position to add value to the initiative and also facilitate knowledge transfer. In addition, the initiative might also organise specific regional events, webinars for the purpose of knowledge sharing.

In due course it is expected that the LPI, at the supranational institutional level, will be in a position to guide governments in the monitoring and evaluation of land-based investments. The design and development of an M&E framework for land policy development and implementation and more specifically an M&E framework for large scale land-based investments are key objectives of LPI's five year strategic plan and road map. As such the LPI is a key partner in any initiative to provide support to governments on the development of monitoring and evaluation systems. This would ensure that any M&E system is aligned with and feeds into the work of LPI, especially as LPI would be the platform for sharing the experiences and outcomes of any pilot country initiative across Africa.

It is anticipated that outcomes of these activities would enable a concept note and initial funding proposal to be developed for the Design and Implementation of a Pilot Monitoring and Evaluation System for Land Based Investments in two countries.