

Land and land-based investment governance: international dimensions

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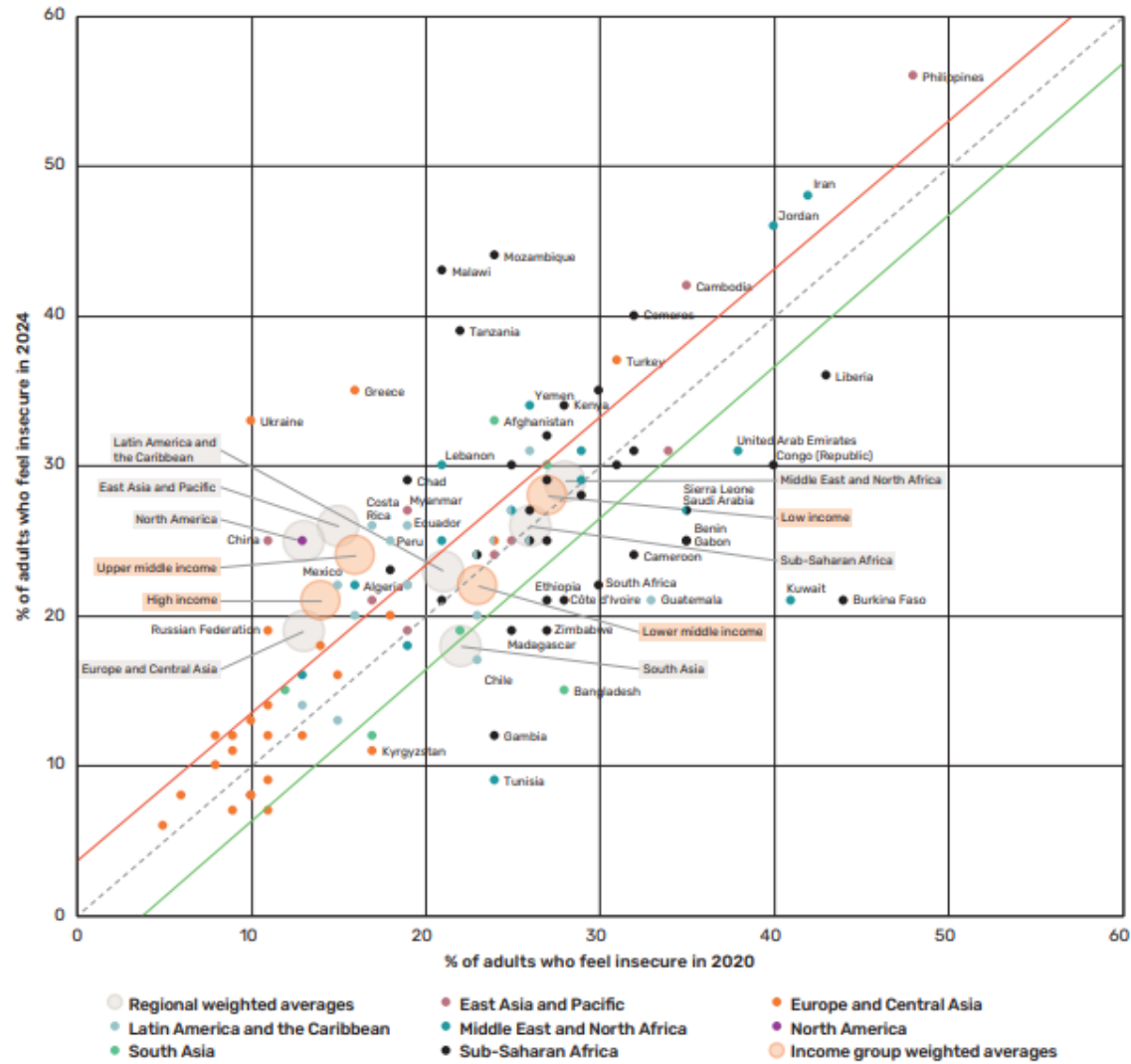
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Land provides the foundation for livelihoods, culture, social identity and the collective sense of justice, particularly in many low and middle-income countries

Affected by evolving policy priorities, linked to developments such as political transitions (1990s), the global farmland rush (~2005-2015), energy transition investments (critical minerals, carbon)

FIGURE 1.4: CHANGES IN TENURE INSECURITY BETWEEN 2020 AND 2024 (FOR ANY HOUSING OR LAND PROPERTY)

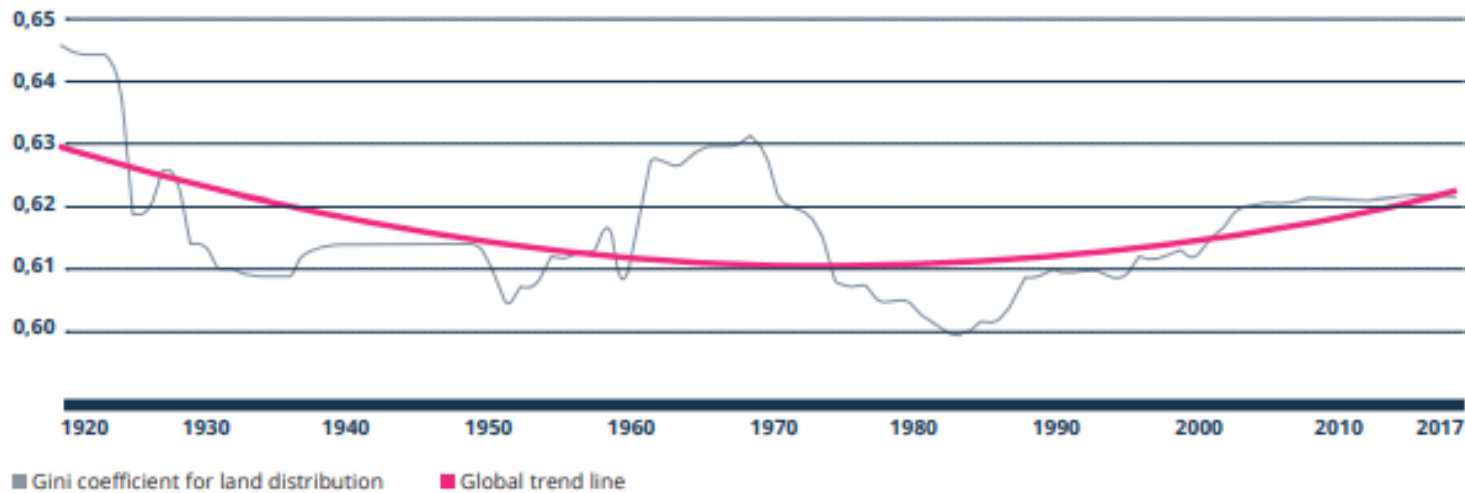


Source: Nizalov et al (Prindex, 2024)

Land inequality is increasing again

Available data, despite their limitations, do permit us to look back at land inequality trends over the past 100 years.

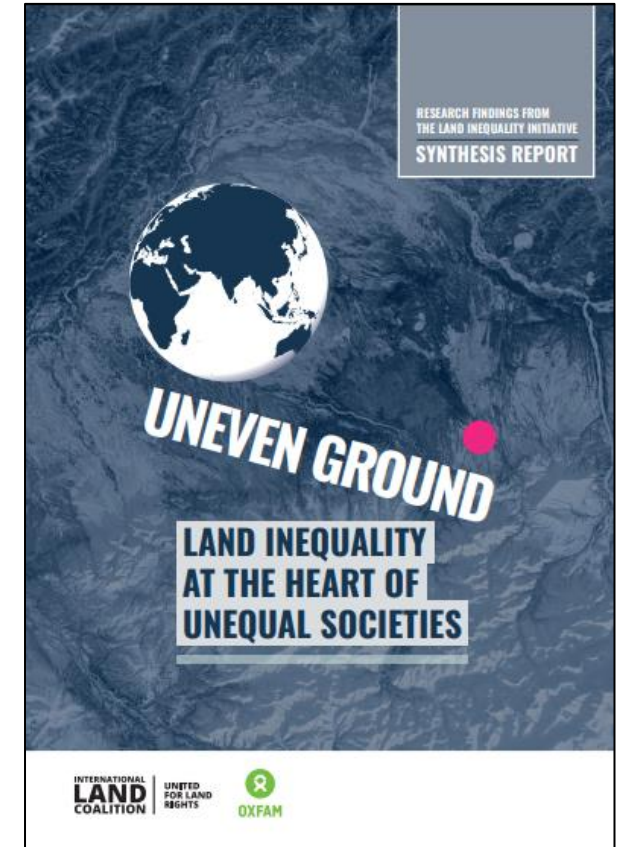
Figure 5: Land inequality over time (1910–2017), measured by the Gini coefficient



Source: The authors, based on various data sources.

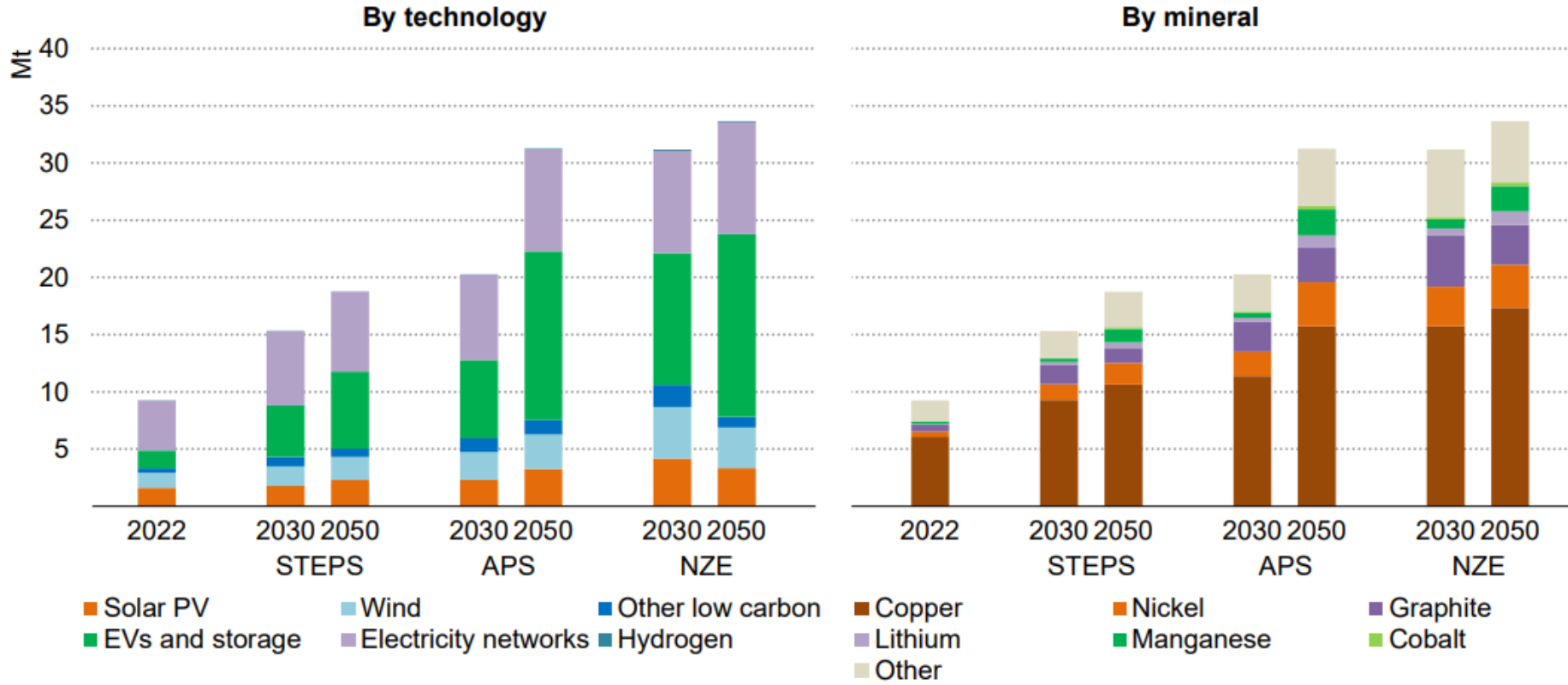
Methodological note: Calculation of the Gini coefficient for land, capturing the distribution of the size of land holding (farm or plots), in private ownership. Data are gathered from all sources available, implementing the same Gini coefficient methodology.

Source: Anseeuw and Baldinelli (ILC, 2020)



Critical minerals demand for clean energy is set to grow by up to three-and-a-half times over the period to 2030 as the world moves through energy transitions

Mineral requirements for clean energy technologies by scenario



IEA. CC BY 4.0.

Notes: STEPS = Stated Policies Scenarios; APS = Announced Pledges Scenario; NZE = Net Zero Emissions by 2050 Scenario. Includes most of the minerals used in various clean energy technologies, but does not include steel and aluminium.

Source: IEA (2023)

Land governance

Primarily national policy and legislation, shaped by historical legacies and waves of reforms – and a politically sensitive issue

But growing recourse to international law e.g. human rights law, investment law

Customary systems an important means for rural people to access land e.g. in many parts of Africa

Land and int'l human rights law

Right-to-property clauses in regional human rights systems – and jurisprudence of regional courts

UN treaty-based bodies and Special Rapporteurs, e.g. CESCR GC 26 of 2022 on land and ESC rights, SR Right to Food

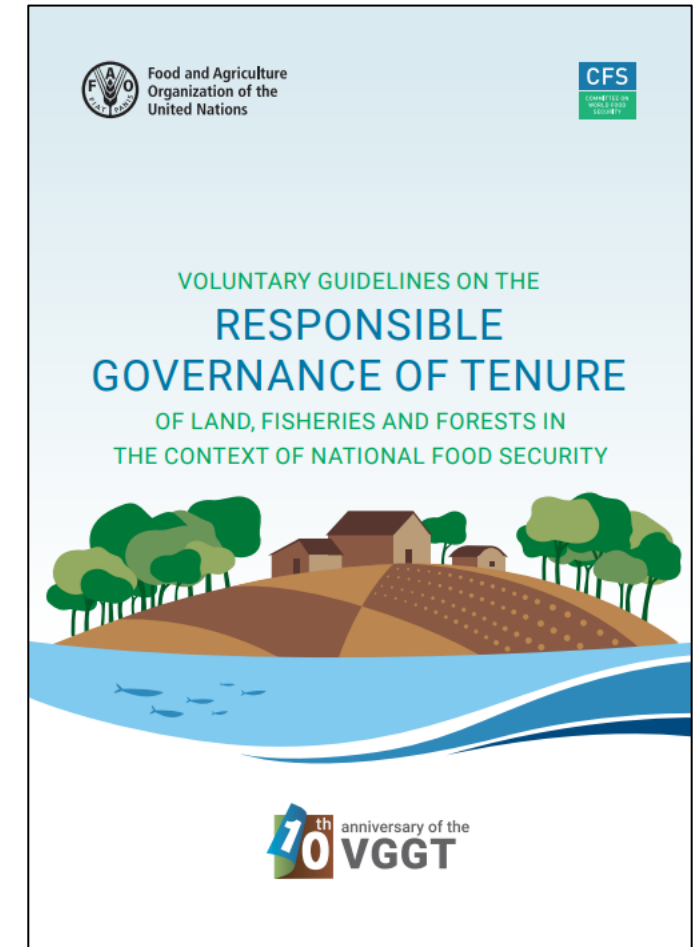
Links to other human rights – and right to land in the UNDROP

Instruments on indigenous peoples' rights (ILO Convention 169, UNDRIP), links to regional human rights jurisprudence esp I-ACHR

International guidance on land governance

“States should recognize and respect all legitimate tenure right holders and their rights. They should take reasonable measures to identify, record and respect legitimate tenure right holders and their rights, whether formally recorded or not; to refrain from infringement of tenure rights of others; and to meet the duties associated with tenure rights.” (VGGT 3.1.1)

“Redistributive reforms can facilitate broad and equitable access to land and inclusive rural development. In this regard, where appropriate under national contexts, States may consider allocation of public land, voluntary and market based mechanisms as well as expropriation of private land, fisheries or forests for a public purpose.” (VGGT 15.1)



National governance: a brief look at trends in Africa

In many countries, land law reforms since the 1990s enhanced recognition of customary land rights

Depending on the country, provisions on gender, pastoralism, collective landholding by 'communities'

Often together with an emphasis on market-based mechanisms, aim to promote large-scale investment – and possible tensions between policy objectives

Intersections with other legislation e.g. priority of mining over other land uses, rise of carbon legislation



ALIGN

Advancing Land-based Investment Governance

Supporting government, civil society and other actors to strengthen the governance of land-based investments

Supported by FCDO (2020-2026)

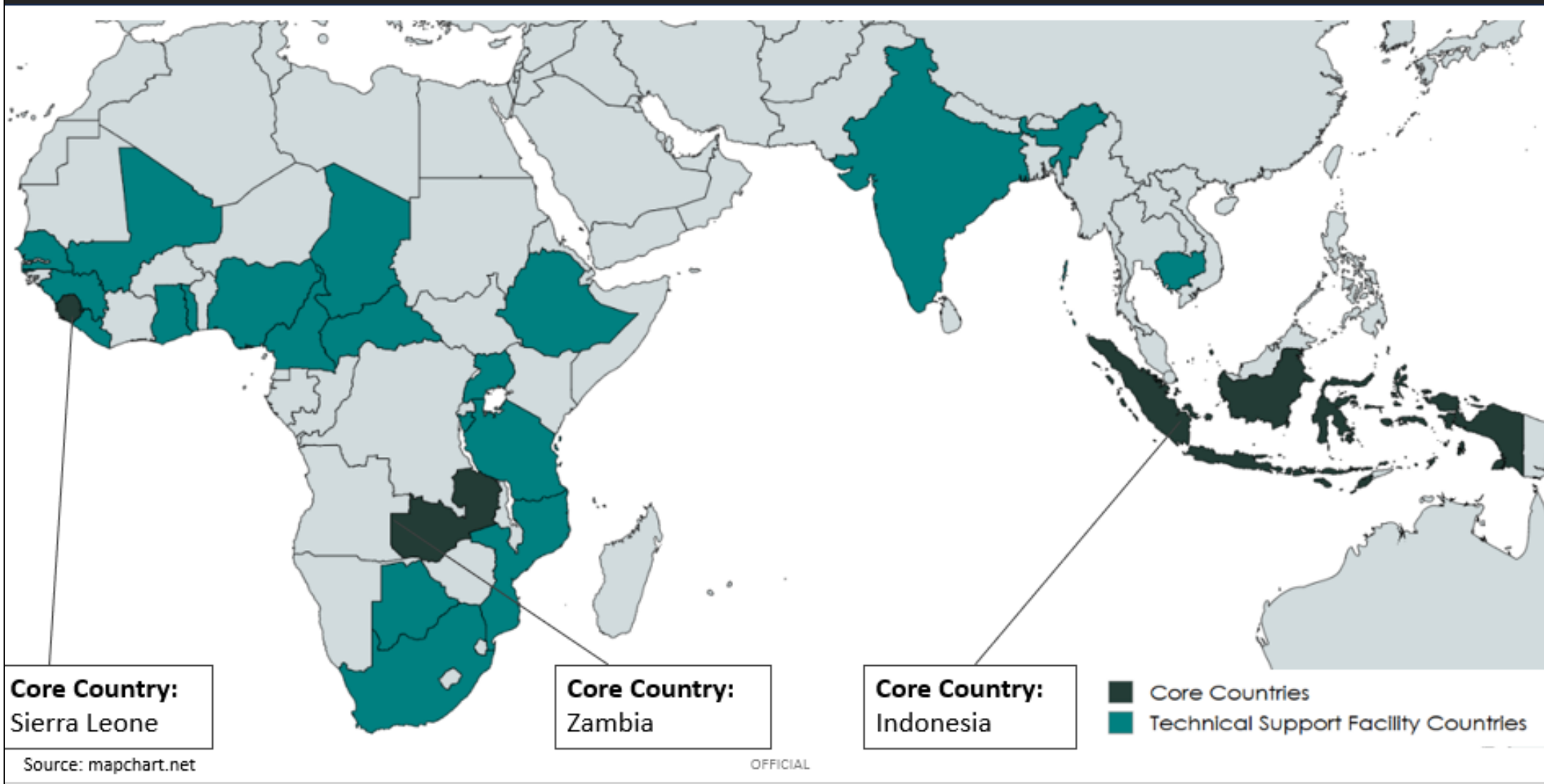
Workstream 1: Sustained work in Sierra Leone, Zambia, Indonesia

Workstream 2: Technical support facility (23 countries in Africa and Asia)

Workstream 3: Evidence, action, innovation



Countries worked in since start of ALIGN





International processes to follow

International Conference on Agrarian Reform and Rural Development – ICARRD+20
(Colombia, February 2026)

Upcoming FAO/ILC/CIRAD study on trends in global land ownership

Int'l fora relevant to land include: Africa Land Policy Conference, ILC Global Land Forum, Committee on World Food Security, ...

Links with int'l policy processes on carbon, critical minerals, investment and trade

Thank you!

The screenshot shows the IIED website's collection page for 'Law, economies and justice'. The page features a navigation bar with categories like 'planning', 'Forests', 'Governance', 'Communication', 'Economics', 'Poverty', 'Monitoring, evaluation and learning', 'Land acquisitions and rights', 'Energy', 'Law', 'Gender', and 'Drylands and...'. The main heading is 'Law, economies and justice' with a sub-heading 'Working with partner organisations around the world on renegotiating the law to promote fairer, more sustainable economies'. Below this, there are two tabs: 'In this collection' and 'Overview'. The main content area displays a grid of 12 items, each with a thumbnail image, a title, and a date range. The items are:

- Critical minerals and the just energy transition: opportunities and challenges** (Project, January 2023 - ongoing)
- ALIGN: Advancing Land-based Investment Governance** (Project, August 2020 to March 2026)
- ALIGN Indonesia** (Project, August 2020 to March 2026)
- ALIGN Zambia** (Project, August 2020 to March 2026)
- ALIGN: Enhancing understanding and improving practices** (Project, August 2020 to March 2026)
- ALIGN responsive support facility** (Project, August 2020 to March 2026)
- Rethinking investment treaties and dispute settlement in the light of sustainable development** (Project, January 2014 - ongoing)
- Assisting communities to seek legal redress for land rights violations** (Article, August 2020 to March 2026)
- Democratising international investment law** (Project, 2014 - 2017)
- Mapping community development requirements in the mining sector** (Project, April 2021 - ongoing)
- Civil society improvements to land tenure governance in Guinea** (Project, Began June 2019)
- Strengthening land governance, local to global** (Project, Began January 2014)

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<https://www.iied.org/collection/law-economies-justice>