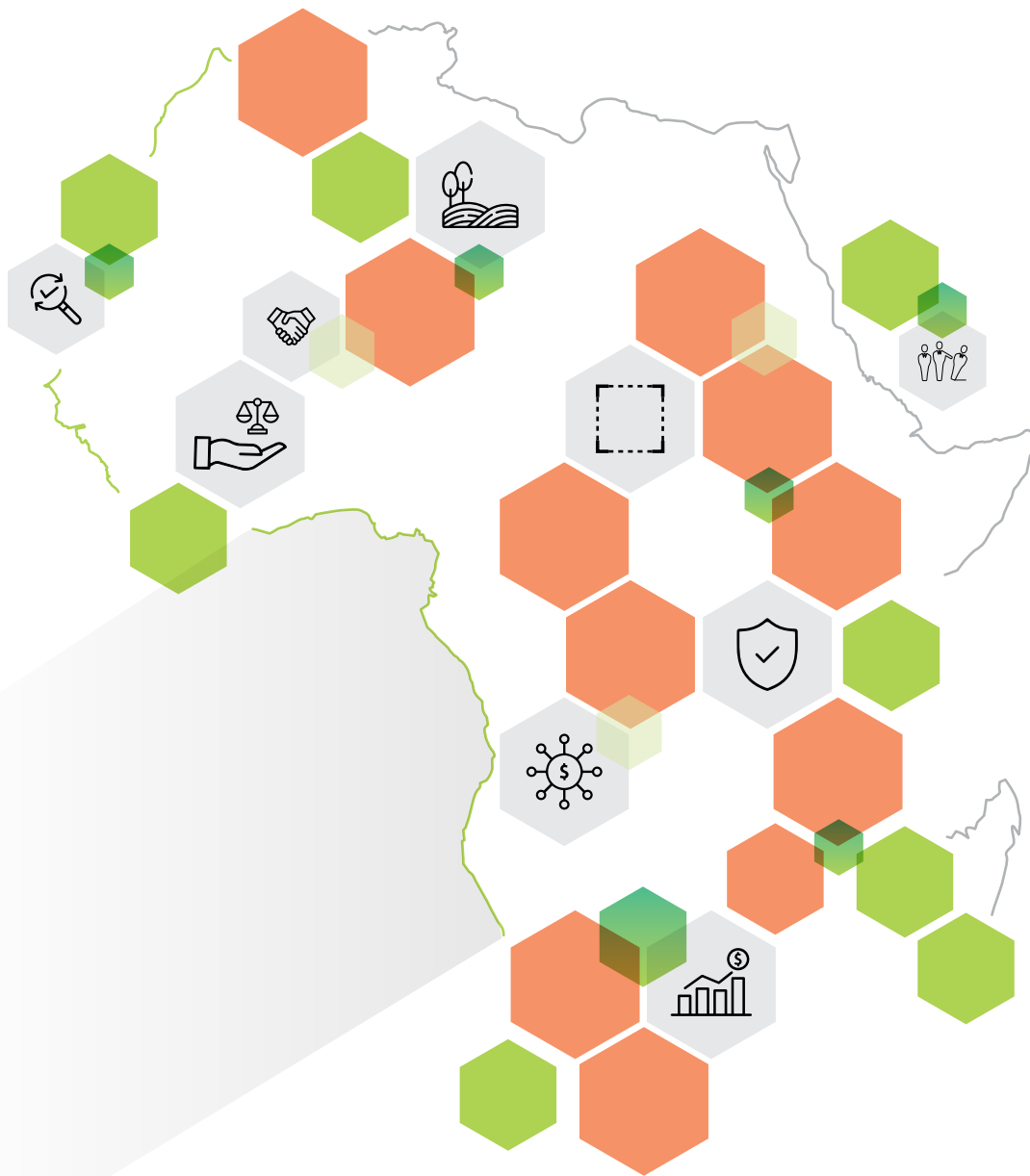


LITTLE PROGRESS IN PRACTICE: ASSESSING TRANSPARENCY, INCLUSIVENESS, AND SUSTAINABILITY IN LARGE-SCALE LAND ACQUISITIONS IN AFRICA



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KEY MESSAGES:

Despite the progress made in terms of global and national land policy frameworks, effective changes in practice remain limited. This is particularly the case with regard to large-scale land acquisitions (LSLAs), as highlighted through this assessment of the implementation of the VGGTs in the context of land deals in Africa.

Key results for Africa include:

- 78% of all deals assessed show unsatisfactory levels of VGGT uptake and implementation
- 20% of all deals assessed do not comply with any of the VGGT principles
- 87% of countries present unsatisfactory results regarding VGGT implementation
- Main areas of concern include:
 - Weak or non-existent consultative processes
 - Lack of respect for national law and legislation, including investment and land legislation
 - Low regard for legitimate tenure rights, including informal tenure of local communities and indigenous peoples
 - Lack of respect for human rights
 - Lack of safeguards, unlawful expropriation, and minimal application of agreed-upon compensation measures.

Even after 10 years of monitoring, a recurring issue across all deals in Africa is the continuous lack of data and the dire state of transparency with regards LSLA.



RATIONALE AND OBJECTIVES

All over the world, mega-trends reshaping the global economy over recent decades have been exerting new and rapidly intensifying pressures on land – pressures that have been particularly apparent through the large-scale land acquisition (LSLA) hype that took place around 2009-2010. These pressures, and related challenges, led to the development and implementation of innovative legal, regulatory, and guiding frameworks to strengthen land governance at both international and national levels, including actions to operationalise international soft law instruments, such as the Voluntary Guidelines on the Responsible Governance of Tenure (VGGTs). These pressures also led to legislative measures such as new national constitutions that, for the first time, entrench rights for the landless; national legislation that covers wide-ranging policy areas related to land and land investments; and effective support for securing land rights, including the collective registration of community, indigenous, or pastoral lands¹.

Notwithstanding these aspirational global frameworks and land policy reforms at national levels, one main question remains: how have these significant legal improvements impacted on the practices in the land sector?

This report endeavours to contribute to answering this question by presenting results of a monitoring exercise based on the implementation of the VGGTs. More specifically, the objective of the report is to

assess compliance of LSLAs with globally-agreed agricultural investment principles by monitoring VGGT implementation with regard to LSLAs at continental, country, and deal level using Land Matrix Initiative (LMI) data.

The report has two particular foci:

- Firstly, in line with the Land Matrix focus of monitoring LSLAs, only the implementation of the VGGT sections related to large-scale agricultural investments are covered in this report.
- Secondly, in view of the continental policy processes in Africa, with the African Union having implemented the continental Framework and Guidelines for African land policy, the report has an Africa focus. Continental reports for Latin America and Asia, as well as a global synthesis, are underway.

The first section of the report presents the conceptualisation and methodology behind this monitoring exercise, detailing how an open database such as the Land Matrix can be used for the monitoring of global frameworks and, more particularly, of the VGGTs. The second section is dedicated to the results of the exercise at various levels, from continental (Africa) to national and deal level, as well as from a thematic perspective according to the articles and chapters of the VGGTs. The report concludes by highlighting the main findings and developing some recommendations.

¹Cotula, L.; Anseeuw, W.; Baldinelli, G.M. (2019). Between Promising Advances and Deepening Concerns: A Bottom-Up Review of Trends in Land Governance 2015–2018. *Land*, Vol.8, No106, p1-13. <https://www.mdpi.com/2073-445X/8/7/106>.

ASSESSING LSLAs BASED ON THE MONITORING OF VGGT IMPLEMENTATION

Using the Land Matrix open data for VGGT implementation monitoring

It is increasingly accepted that data ecosystems² are necessary for more inclusive, open, and solid monitoring. Indeed, during the 2018 Dubai Data Conference, the 2018 Committee for Food Security in Rome, and the 2017 and 2018 World Bank Land and Poverty Conferences, several sessions and their proceedings underscored the added value of open data ecosystems to i) strengthen data overall by opening up to more data sources; ii) overcome unilateral biases of a one-data-source approach; and iii) allow for inclusive and broader policy engagement. Non-traditional data sources are also progressively being brought to the fore to tackle continuous gaps in conventional statistical data, including both issues in coverage and openness³. This is all the more the case for the land sector, where data is often extremely scattered and politically sensitive, and tends to focus only on certain sectors and tenure regimes (documented rights).

As such, the Land Matrix presents a relevant instrument to monitor LSLAs' implementation of the VGGTs for two main reasons:

- As an open data ecosystem, the Land Matrix database allows for all sources to contribute to the data, making it one of the most encompassing, comprehensive, and inclusive databases on LSLAs in the world.

- Being an independent initiative implemented by academics and civil society and mobilising a wide range of actors and networks, it represents a legitimate third party for contributing towards monitoring a global framework such as the VGGTs, which is led by the United Nations (UN) and implemented at country level.

Methods and data

The Land Matrix monitors large-scale land deals involving conversions of land over 200 hectares (ha) from either local community use or important ecosystem service provision to large-scale commercial production in the food, biofuel, mining, tourism, timber, and carbon-trading sectors. To do so, it uses both official and non-official data (such as press articles, company reports, contracts, and analytical and research reports) as well as applying different data methodologies to develop its data ecosystem⁴. Since 2019, the variables captured have expanded to incorporate data on conflicts, consultation, and the actors involved, among others – variables that are crucial for this monitoring exercise.

Land Matrix-VGGT alignment

Through an assessment of the VGGT chapters, 16 Land Matrix variables have been identified which align with 18 VGGT articles focusing on LSLAs, as outlined in Table 1. Since several Land Matrix variables contribute towards one VGGT article in

²A data ecosystem is a platform that combines data from numerous providers and builds value through the usage of processed data (See McKinsey (2021). Data ecosystems made simple <https://www.mckinsey.com/business-functions/mckinsey-digital/our-insights/tech-forward/data-ecosystems-made-simple> (accessed 13/09/2021).

³Fritz, S., See, L., Carlson, T., Haklay, M., Oliver, J., Fraisl, D., Mondardini, R., Brocklehurst, M., Shanley, L., Schade, S., Wehn, U., Abrate, T., Anstee, J., Arnold, S., Billot, M., Campbell, J., Espey, J., Gold, M., Hager, G., He, S., Hepburn, L., Hsu, A., Long, D., MasÃ³, J., Mccallum, I., Muniafu, M., Moorthy, I., Obersteiner, M., Parker, A., Weissplug, M. and West, S. (2019) Citizen Science and the United Nations Sustainable Development Goals, *Nature sustainability*, 2398-9629: 922-930.

⁴The Land Matrix captures a variety of intentions. For the purposes of this assessment, the following filters were applied for the data download: transnational investors, size greater than 200ha, initiated after the year 2000; and mining deals excluded. All data was downloaded from February to June 2020.

most instances, monitoring of such articles is then a combination of all these contributing variables. The variables, although mostly relating to articles within Chapter 12 on investments, also cover rights and responsibilities related to tenure (Chapter 4); safeguards (Chapter 7); indigenous peoples and other communities with customary tenure systems (Chapter 9); informal tenure (Chapter 10); markets

(Chapter 11); expropriation and compensation (Chapter 16); valuation (Chapter 18); and resolutions of disputes over tenure (Chapter 21). The articles that are monitored are listed and described in detail in **Annex 1**.

BOX 1:

Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security

The Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT) were produced by the Food and Agriculture Organisation (FAO) and endorsed by the Committee on World Food Security in 2012. The purpose of the guidelines is “to serve as a reference and to provide guidance to improve the governance of tenure of land, fisheries and forests with the overarching goal of achieving food security for all and to support the progressive realisation of the right to adequate food in the context of national food security”.⁵ The VGGTs include 25 chapters, each composed of several articles, ranging from legal recognition of tenure rights to the administration of tenure (see **Annex 2**).

⁵FAO (2012). Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security. Rome.

Table 1: LM-VGGT alignment exercise resulting in the identification of 16 Land Matrix variables to monitor 18 VGGT articles

LAND MATRIX VARIABLES USED TO MONITOR VGGT ARTICLES

- Status of community land tenure
- Contract farming
- Displacement
- Promised benefits
- Consultation of local community
- Materialised benefits
- Community reaction
- Negative impacts for local community
- Promised compensation
- Gender related information
- Received compensation
- Purchase price
- Presence of land conflicts
- Leasing fees
- Organisations and actions taken
- Actors involved in the negotiation/admission process

VGGT ARTICLES	● ● ● ● ● ● ● ● ● ● ● ● ● ● ●															
Chapter 4: Rights and responsibilities related to tenure																
4.5 Protect legitimate tenure rights																
4.9 Means of resolving disputes and provide remedy																
Chapter 7: Safeguards																
7.3 Identify all existing tenure rights																
7.6 Prevent forced eviction where no recognition of tenure rights																
Chapter 9: Indigenous peoples and other communities with customary tenure systems																
9.9 Hold good faith consultation																
Chapter 10: Informal tenure																
10.6 Prevent forced eviction for informal tenure with no legal recognition																
Chapter 11: Markets																
11.4 Information on market transactions publicised																
Chapter 12: Investments																
12.2 Support small-holder sensitive investments																
12.4 Investments in partnership with government and tenure rights holders																
12.7 Hold consultations with indigenous peoples and communities																
12.9 Develop capacity in consultations																
12.11 Ensure negotiation process is open and understood by all																
12.12 Investments do not contribute to food insecurity, environmental damage																
Chapter 16: Expropriation and compensation																
16.3 Ensure fair valuation and prompt compensation																
16.9 Provide alternative housing, resettlement or resources																
Chapter 18: Valuation																
18.5 Transparent valuation information																
Chapter 21: Resolution of disputes over tenure rights																
21.1 Access to dispute resolution																
21.6 Provide legal assistance																

Scoring system

The Land Matrix monitors LSLAs at deal level. For every deal monitored for this assessment exercise, VGGT article scores were calculated based on the Land Matrix variables (see **Annex 3**). A scorecard was developed (see **Annex 4**) using a categorical approach in order to ascertain objective scoring, whereby scores were assigned (from 0 to 3 in increasing order) to precise categories of possible answers/observations. If only one Land Matrix variable defines the article, the score for the VGGT article for a particular deal corresponds to the variable score, but if the VGGT article is defined by several variables, the VGGT article score is calculated based on a numeric average of the variable scores. Once the deals have been scored, a country VGGT score can be calculated by applying an arithmetic average of all deal scores within a country.

Data availability and retention tests

Data availability within variables differs significantly among deals, and thus among countries and regions. For example, an analysis at regional level for the African continent shows that while information on contract farming is readily available, information on leasing fees or compensation is less so.

To ensure the monitoring process is reliable, a minimum data threshold has therefore been applied, using a two-step retention test:

- 1. The first step is at deal level.** For a deal to be retained, it needs at least two Land Matrix variables with a score, thus scoring two different VGGT articles.
- 2. The second step is at country level.** For a country to be retained, it needs a minimum of two deals retained in step 1.

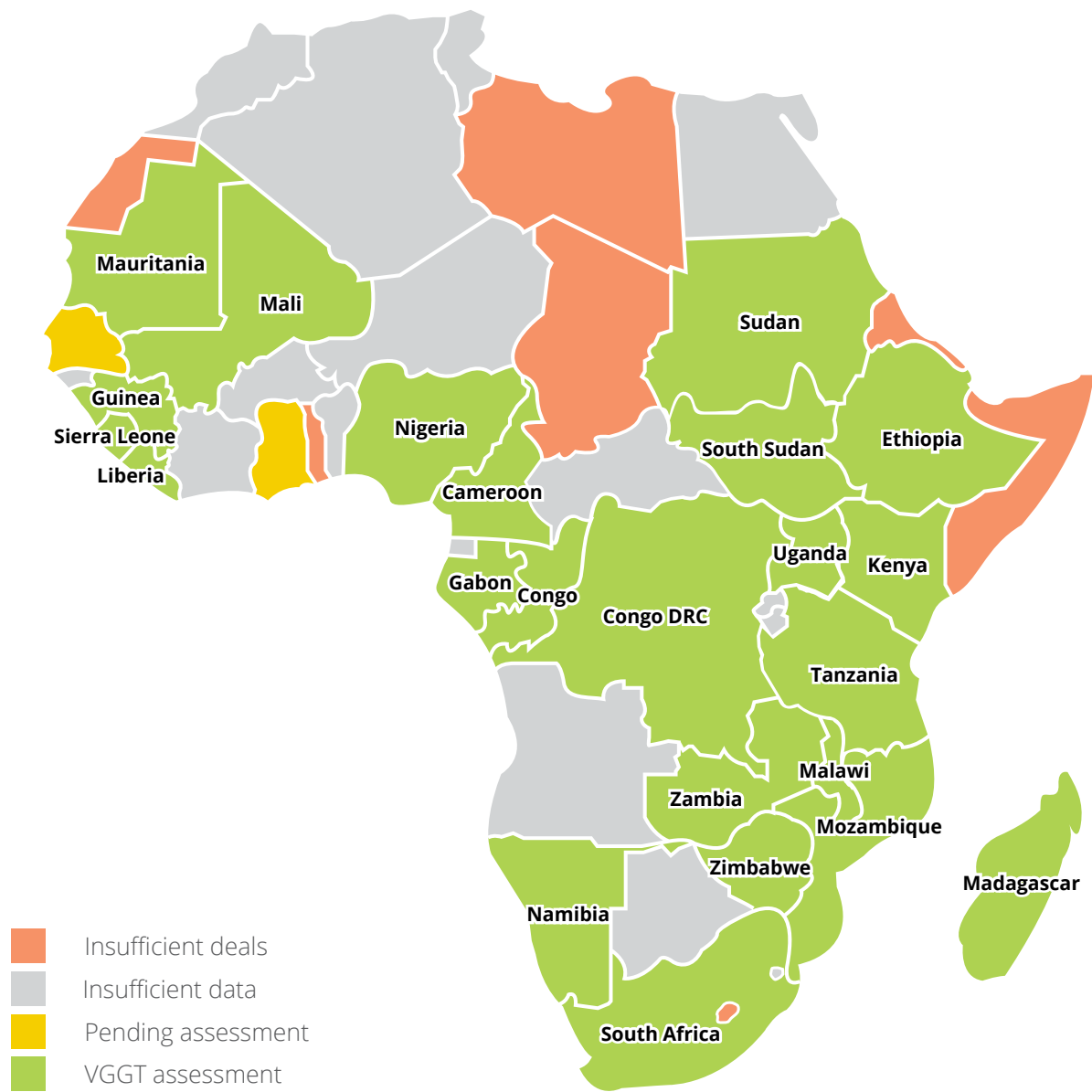
By ensuring that only countries that have information for at least two variables for a minimum of two deals are retained, the two-step retention test prevents the monitoring process being biased by countries with too little data. For example, since Angola only had data for one variable, even though it had data for five deals it did not pass the retention test. On the other hand, should a country meet both thresholds, its entire dataset will be retained.

Applying the two-step retention test to Africa:

- **8 countries** were not included in the assessment at all because they had 'insufficient deals', that is, they either did not record any deals or the deals did not meet the LM criteria used in this exercise.
- **22 countries** have deals recorded but failed the retention test, and are classified as 'insufficient data'.
- **2 countries** for which data is still being updated based on ongoing data campaigns and data entry (Senegal and Ghana), are pending assessment.
- **23 countries**, with a total of 730 deals collectively, passed the retention test and were fully assessed.

Figure 1 shows the 23 qualifying countries (in green) included in this monitoring exercise based on the results of the two-step retention test.

Figure 1: Countries in Africa included in this monitoring exercise, based on a deal and data scoring system

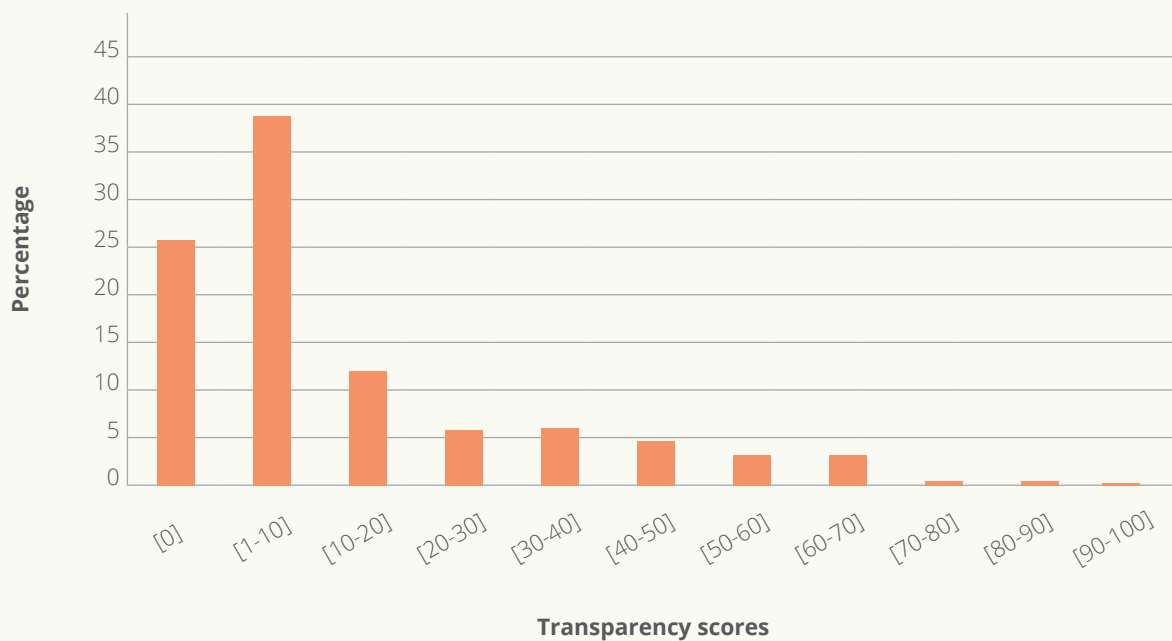


BOX 2:

LSLA remain opaque, despite calls for more transparency

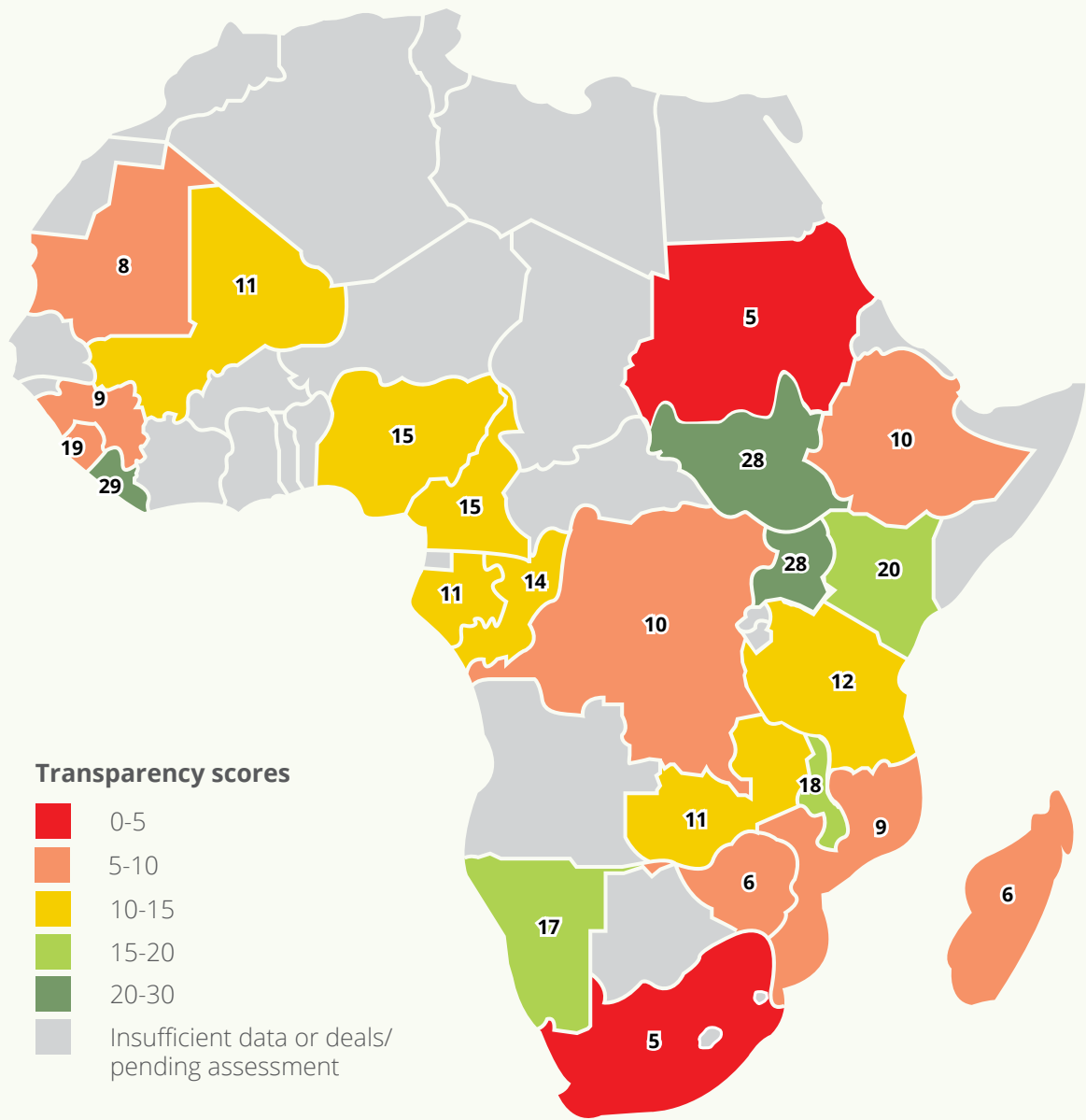
Across the continent, LSLAs remain characterised by a continuous lack of information, as demonstrated by the transparency score (TS), that is, the percentage of variables that have data in relation to the number of variables, calculated per deal and per country as part of this monitoring exercise. The TS is calculated out of 100, so, for example, a deal that has data for all Land Matrix variables retained for this monitoring exercise would thus score 100%. Numerous deals in Africa have either no information at all (26% of the deals) or have data for less than 10% of the variables (38% of the deals). Indeed, only 7.7% of the deals have a score higher than 50 (Figure 2).

Figure 2: Distribution of transparency score per deal in Africa



Aggregated at country level, only two countries achieved a TS of 30, while most countries scored between 5 and 20 (Figure 3), illustrating the dismal lack of data and dire state of transparency surrounding implementation of LSLAs on the continent – one of the principal guidelines of responsible investments and the VGGTs in general (Chapter 12 of the VGGTs). This also exposes the incompleteness of the results presented in this report, and of LSLAs overall, which will remain as such as long as transparency does not improve.

Figure 3: Transparency scores per country (for countries included in this assessment), according to information available for the Land Matrix variables used for this monitoring exercise



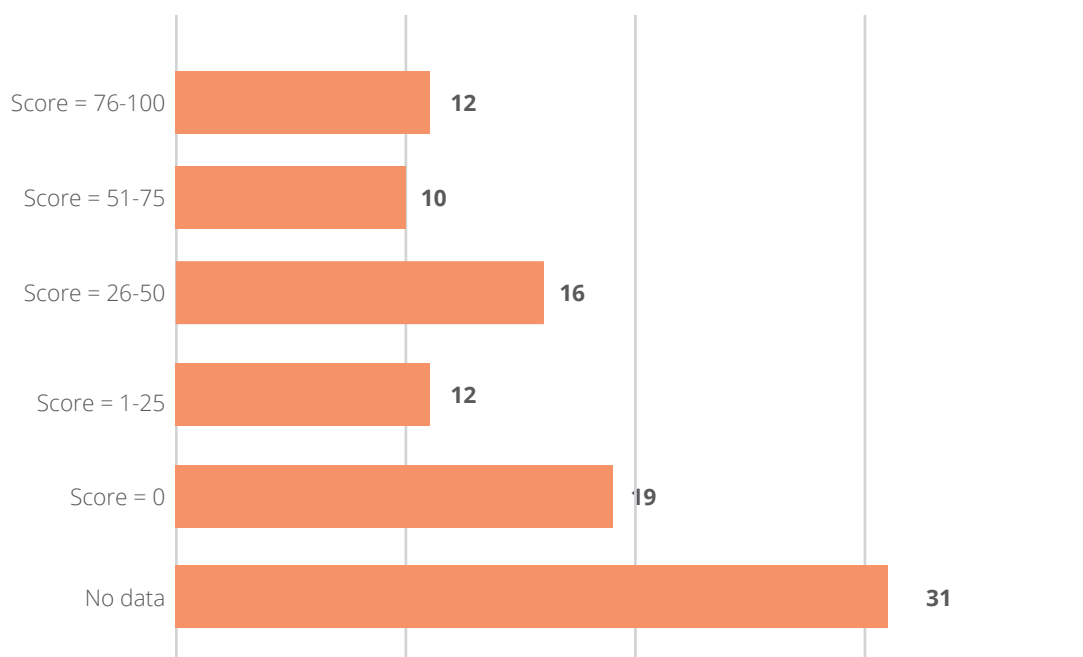
LOW VGGT COMPLIANCE OF LSLAs IN AFRICA HIGHLIGHTS LACK OF CHANGE IN PRACTICE

Although progress has been made in the shape of the development of global frameworks and guidelines, as well as in their uptake into policies at national level, effective implementation of the VGGTs remains low, as underscored by the 32.8% VGGT score on average for the 23 countries covered in this assessment⁶. Moreover, almost 20% of the deals assessed do not comply with the VGGTs and its principles at all (trending towards a VGGT score of 0, meaning that none of the VGGT articles assessed were implemented), while more than 78% show unsatisfactory levels of VGGT uptake and implementation, that is, they scored less than 50.

Only 22% of the deals scored 50 and above, having met the minimum VGGT guidelines and standards (Figure 4).

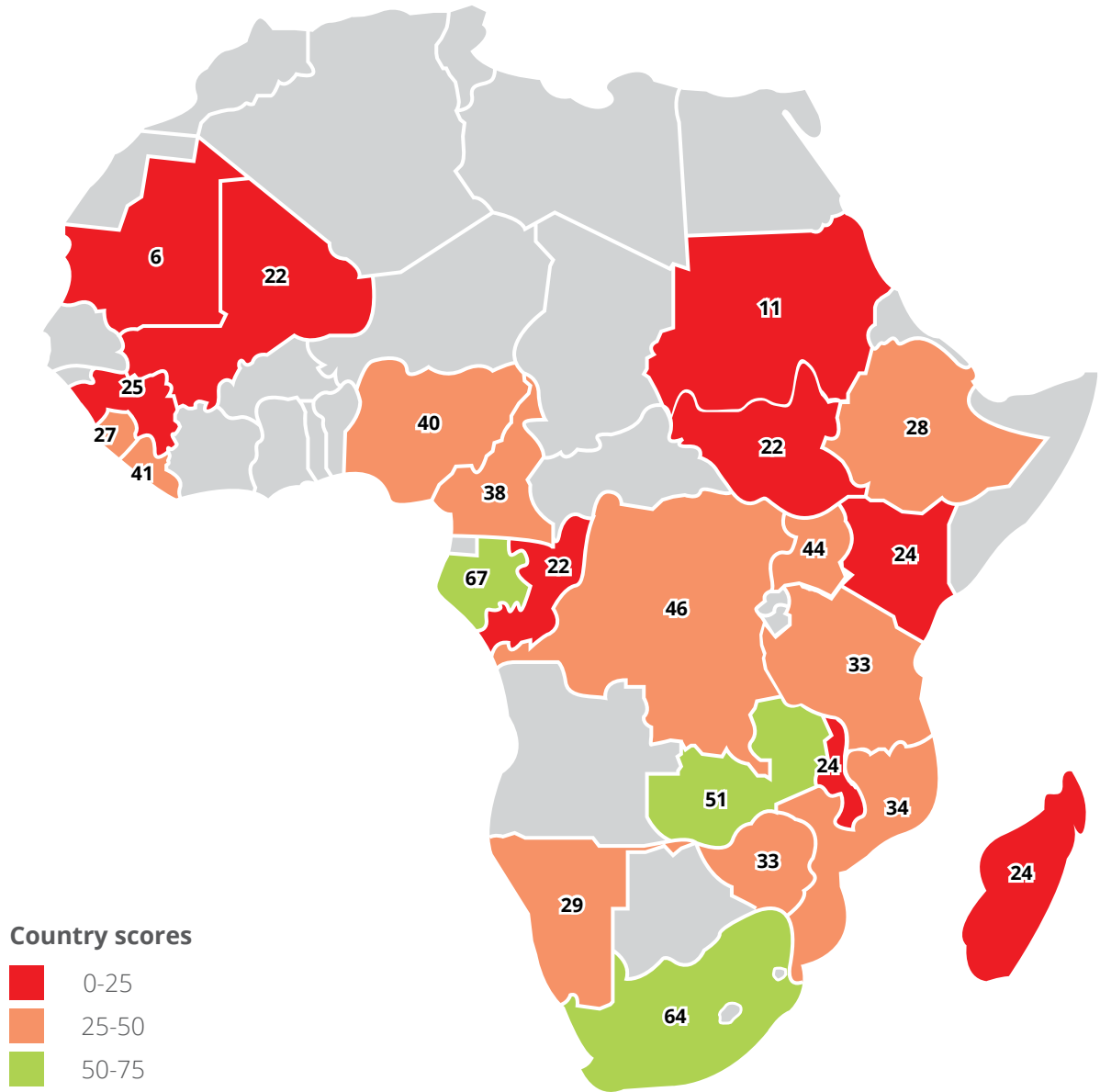
A similar picture emerges when these results are aggregated at country level (Figure 5): 20 out of the 23 countries (87%) present unsatisfactory results in terms of VGGT implementation (that is, they scored less than 50). Mauritania and Sudan presented the worst practices, having scored less than 15, while only three countries (Gabon, South Africa, and Zambia), representing a mere 13%, achieving a score over 50. See **Annex 5** for detailed country pages.

Figure 4: Almost 80% of the deals assessed show unsatisfactory compliance with regard to VGGT implementation



⁶Note: 190 of the 730 deals included in this assessment did not show any information relevant to monitoring VGGTs. In other words, even though a country has passed the retention test, some of its deals may have no information for certain (or all) variables. The remaining 540 deals (74%) were thus used to derive an average VGGT score.

Figure 5: In only three countries in Africa do the majority of deals comply on a satisfactory basis with the VGGTs



Similarly, as Figure 6 shows, the results of the thematic areas of this report, represented by the chapters of the VGGTs, demonstrate that, at a continental level, land deals in Africa are generally the least performing when it comes to i) consultative processes (Chapter 9); ii) responsible and inclusive investment and respect of national law and legislation (Chapter 12); and iii) respect of legitimate tenure rights, including informal tenure (Chapter 10) of local communities (Chapter 4) and indigenous peoples (Chapter 9). Against this backdrop, measures to respect human rights and provision of impartial and competent judicial and administrative bodies to timely, affordable, and effective means of resolving disputes over tenure rights, including alternative means of resolving such disputes, remain limited (Chapter 21). This is also the case for aspects related to

safeguards (Chapter 7) and unlawful expropriation and application of agreed-upon compensation measures (Chapter 16).

Conversely, states, together with other parties such as investors and civil society, seem to improve with ensuring that information and valuation regarding transactions are publicised (Chapter 18). This is evident in some countries, for example, Liberia and Sierra Leone, and some sectors, like forestry in the Democratic Republic of Congo (DRC), which are performing well. This is also strongly linked to initiatives aimed at making investment contracts public, for instance, OpenLandContracts, and investment data more transparent, such as the Land Matrix. There is, however, still a long way to go by governments and, more particularly, by investors to make contracts public.

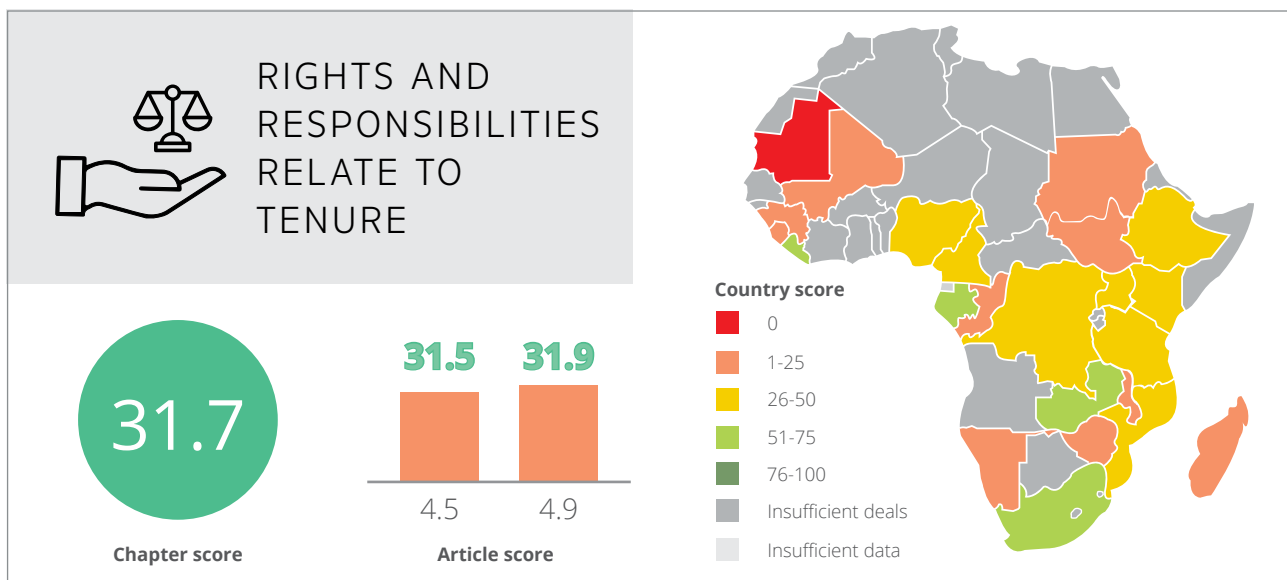
Figure 6: Compliance with implementation of the VGGTs according to chapter in the framework of LSLAs at continental level in Africa



NON-CONSULTATIVE PROCESSES AND NON-RESPECT OF LEGITIMATE (FORMAL AND INFORMAL) TENURE RIGHTS HIGHLY PROBLEMATIC

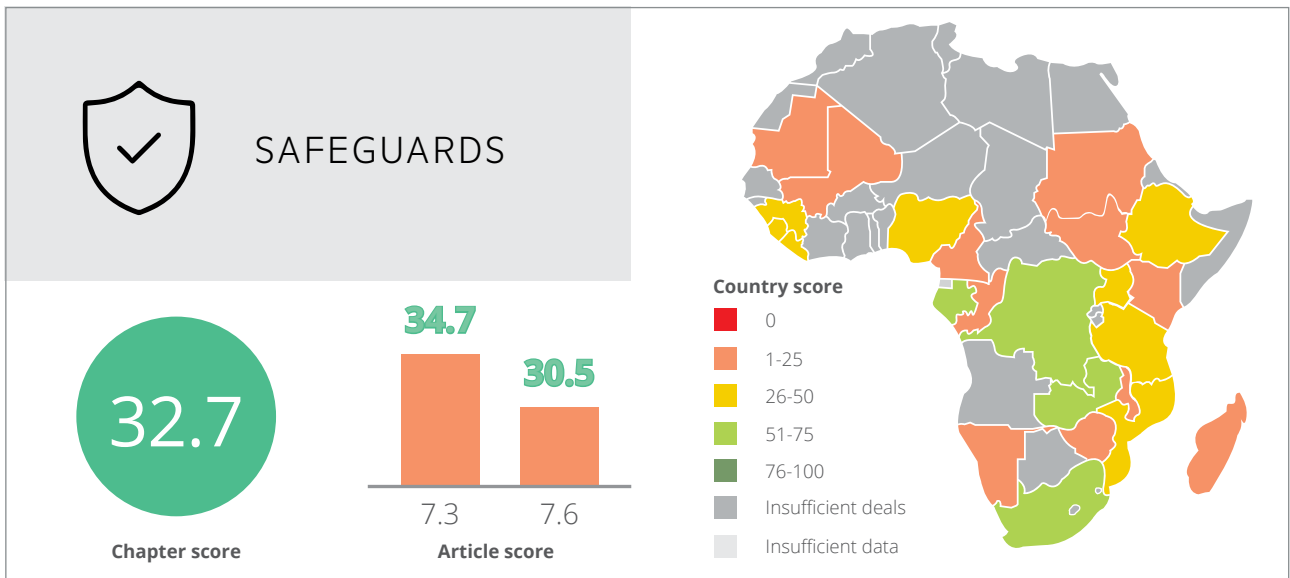
These divergent degrees of compliance call for a deeper look into the results by simultaneously disaggregating them by country and thematic/VGGT chapter in order to identify, at country level, where

and what progress has been made with respect to transparency, inclusiveness, and sustainability in LSLAs in Africa.



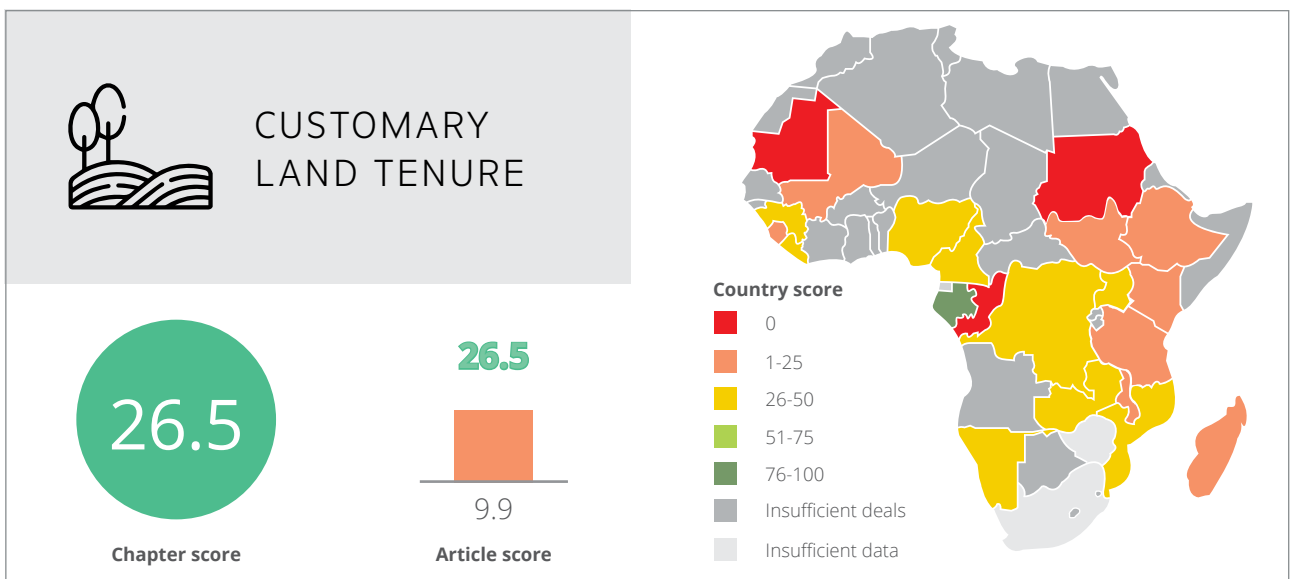
KEY POINTS:

- Overall, performance on rights and responsibilities related to tenure in LSLA projects is low across Africa.
- In all observed deals, protection of legitimate tenure rights is low, with a high risk of arbitrary eviction (article 4.5).
- Access to effective, timely, and affordable tenure dispute resolution is low, as is the presence of impartial and competent judicial or administrative bodies (article 4.9).
- Country scores vary significantly, with none of the applicable VGGT principles reportedly being met in Mauritania (score 0) compared to 75% being met in Gabon and South Africa.
- In countries with higher scores, observed deals reportedly involved fewer displacements, more consultation, and better application of free, prior and informed consent (FPIC) with the communities accepting the land deals.



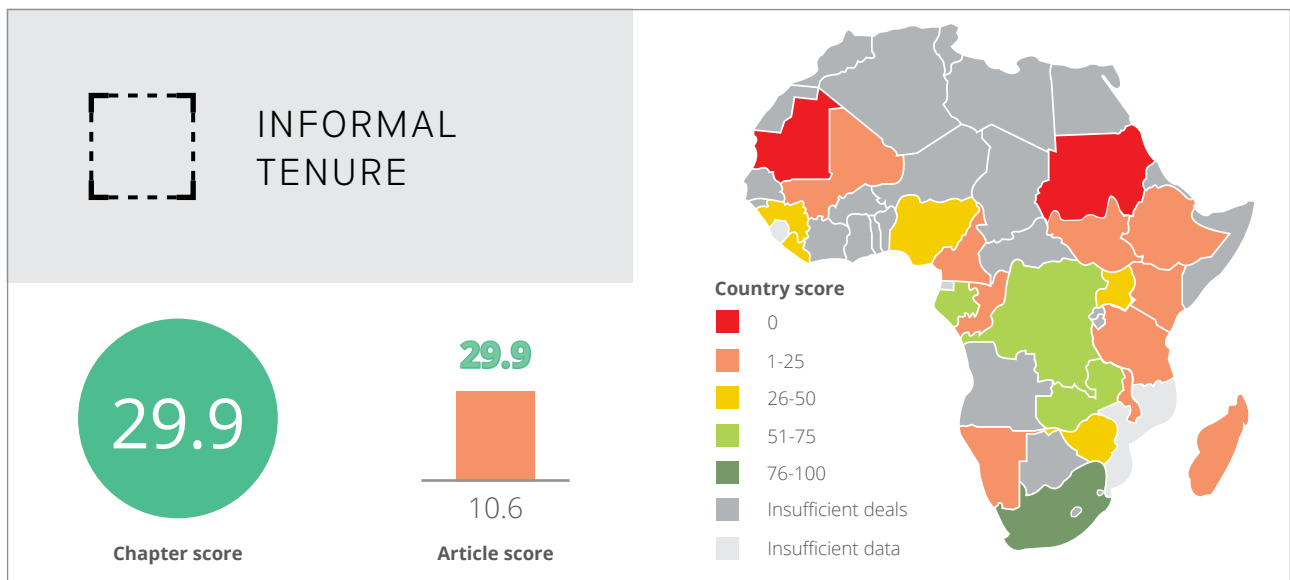
KEY POINTS:

- Across the continent, observed deals show that few safeguards appeared to be in place in the framework of LSLAs.
- Rights-holders were often not identified or included in the allocation of tenure rights (article 7.3).
- Very few deals (2.5%) obtained full consent by indigenous peoples and local communities.
- Obligations under national and international law, as well as VGGT guidelines, appear to be poorly observed (article 7.6).
- This underperformance is generalised for all countries, with only four countries surpassing a score of 50.



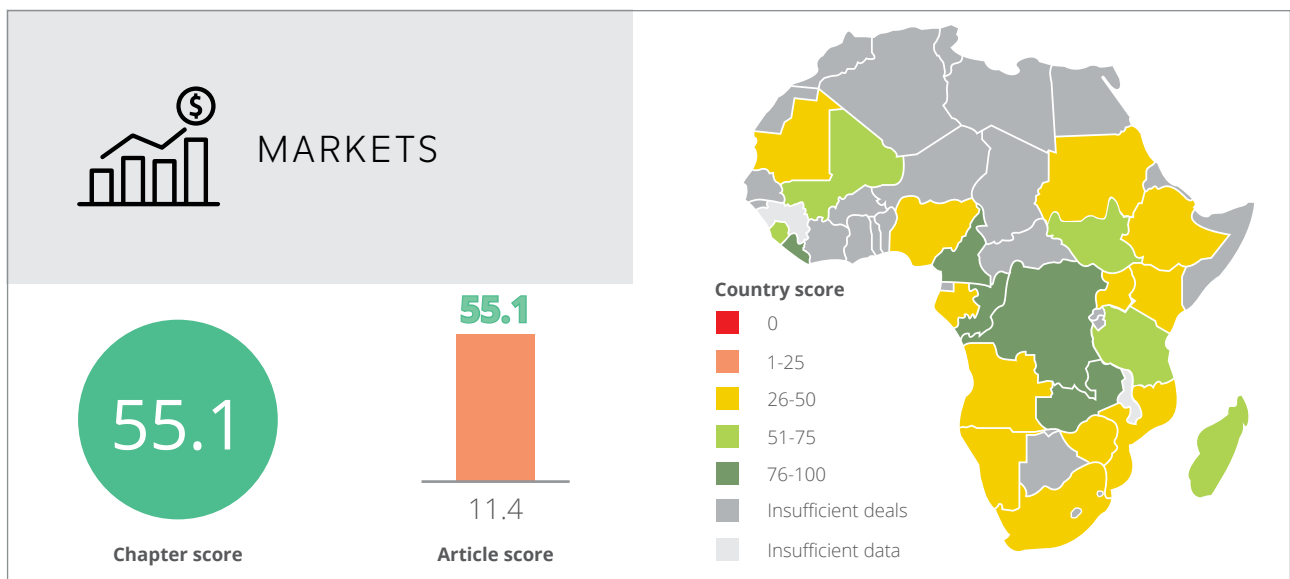
KEY POINTS:

- According to Land Matrix monitoring, performance with respect to customary land tenure is among the lowest scoring chapters.
- For LSLAs in all countries assessed, most projects (85%) failed to include indigenous peoples and local communities in any form of consultative processes, and therefore failed to obtain FPIC (article 9.9).
- Gabon was the only country scoring higher than 50, with several observed deals meeting principles of FPIC.
- Numerous countries received a score of 0 due to the apparent lack of consultation before the implementation of land deals.



KEY POINTS:

- Like customary land rights, informal land rights were poorly accounted for in LSLAs across the continent.
- A low observed continental score of 29.9 indicates that states largely fail to recognise informal tenure and prevent evictions, in violation of existing obligations (article 10.6).
- Again, reported country scores on informal tenure varied widely, from 0 in Sudan and Mauritania to 83 in South Africa.
- Despite the fact that FPIC was only observed in a few deals, local communities rarely outright rejected the deal.

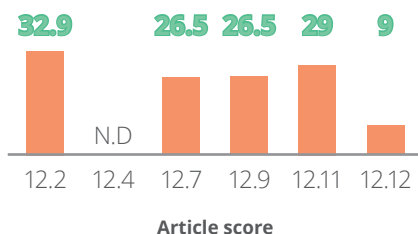


KEY POINTS:

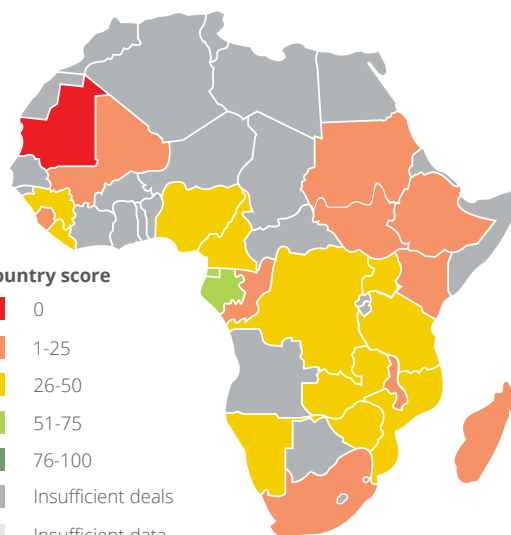
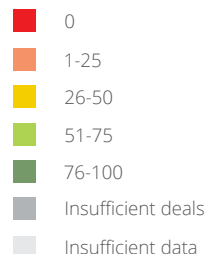
- With a continental average of 55.1, the VGGT chapter on markets scores relatively well, indicating that information on market transactions and market values are increasingly accessible through formal (state) and non-formal (such as OpenLand Contracts) sources (article 11.4).
- Countries with high numbers of forest deals are especially performing well, emphasising high information availability for this sector (through state and other parties). The DRC stood out among well-performing countries, with market information for all deals reportedly being available.
- Even lower scoring countries reported scores around 30, indicating moderate levels of progress.



INVESTMENTS



Country score

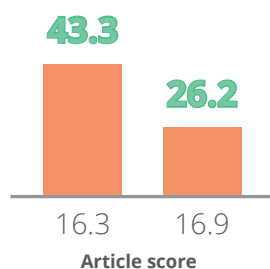


KEY POINTS:

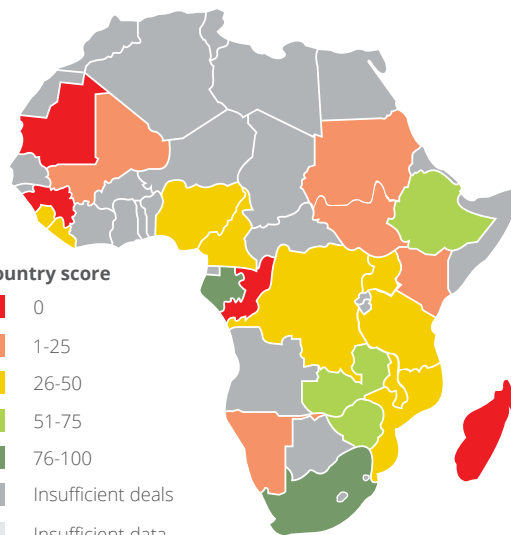
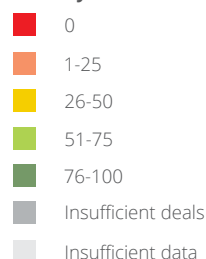
- Across the continent, with the exception of Gabon, data indicates that LSLAs largely fail to be inclusive of smallholders and local populations and, as a result, do not contribute significantly to local development.
- In most deals, there is a limited presence of inclusive development models (article 12.2) and a lack of robust consultations (article 12.7).
- Similarly, in most deals, the state did not appear to inform affected parties of their tenure rights or provide them with assistance (article 12.9).
- Data shows that information was scarcely provided in negotiation processes (article 12.11).
- Overall, there was a notable lack of investments that would contribute to food security and avoid environmental degradation (article 12.12). In fact, none of the projects recorded no negative impacts.



EXPROPRIATION AND COMPENSATION



Country score



KEY POINTS:

- Continental performance on expropriation and compensation is low, with an observed average across all countries of 34.7.
- This is particularly evident in the score (article 26.2) given for the provision of alternative housing or resettlement in cases where individuals are rendered homeless (article 16.9).
- Compensation, whether partial or full, scores relatively better at 43.3 (article 16.3).
- Performance varied widely across countries for this chapter as well, although a large number of countries received a score of 0, raising concerns.



VALUATION



Chapter score

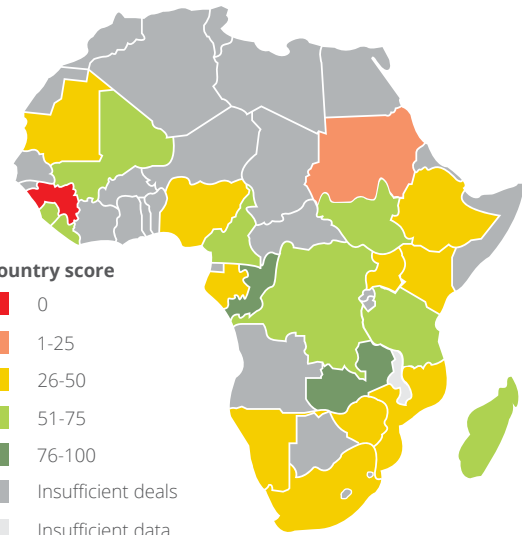
46.9



18.5

Article score

Country score



KEY POINTS:

- The valuation score is relatively positive, with an average across the continent of 46.9.
- As with market information, the valuation information on LSLAs (leasing fee, purchase fee, compensation) made available by the state or other implementing agencies (article 18.5) has become more accessible through diverse sources.
- This, however, varies significantly across the continent and sectors (again, forestry doing better here). For example, country scores ranged from 0 in Guinea and 16 in Sudan to more than 75 for Zambia and Congo.



RESOLUTION OF DISPUTES OVER TENURE RIGHTS



Chapter score

50

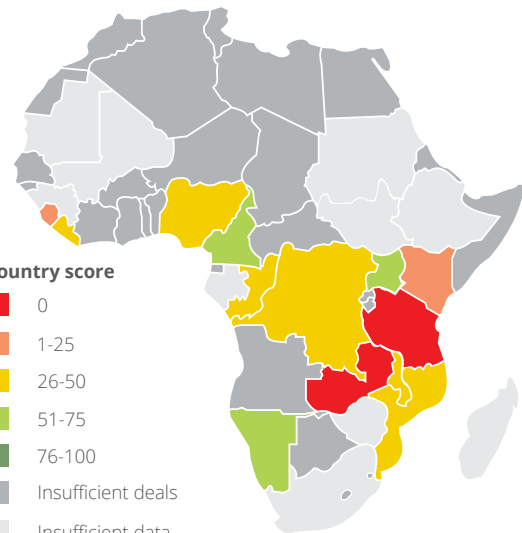
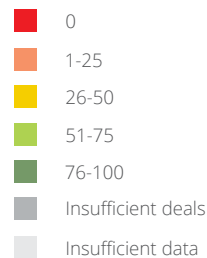


21.1

21.6

Article score

Country score



KEY POINTS:

- For numerous countries, there is insufficient data on the resolution of disputes over tenure rights in LSLAs.
- For those countries where there is data, mechanisms to prevent disputes or access to dispute resolution (article 21.1) are noted in only half of the deals.
- Moreover, data indicates that states generally fail to provide legal assistance to marginalised populations and persons with regard to tenure disputes (article 21.6).
- Only three countries scored above average.

REFLECTIONS AND RECOMMENDATIONS

Despite the progress made regarding the development of global and regional land policy frameworks and guidelines – and to their uptake into policies at national level – land governance practices on the ground have yet to change. This is particularly the case in terms of LSLAs.

As demonstrated, at deal level as much as 20% of the deals assessed do not comply with any of the VGGT principles, while 78% show unsatisfactory levels of VGGT uptake and implementation (a score of less than 50). A similar picture emerges when these results are aggregated at country level, with 20 out of the 23 countries assessed in Africa (87%) scoring less than 50 as well.

Taking a deeper dive into the thematic areas of the VGGTs, as represented by the different chapters, results show that overall, at a continental level, land deals in Africa are the least performing with regard to i) consultative processes; ii) respect of national laws and legislation, including investment and land legislation; and iii) respect of legitimate tenure rights, including informal tenure (chapter 10) of local communities and indigenous peoples.

Against this backdrop, in practice, measures remain limited when it comes to respecting human rights and providing impartial and competent judicial and administrative bodies to timely, affordable, and effective means of resolving disputes over tenure rights, including alternative means of resolving such disputes. This is also the case for aspects related to safeguards, unlawful expropriation, and application of agreed-upon compensation measures.

One of the key, and transversal, challenges, however, is access to information on land overall, and on land deals in particular. Although the results of the evaluation show relatively positive results regarding the improvement of publicly available information and data on land transactions in certain countries, such as Liberia and Sierra Leone, sectors (like forestry), or through particular initiatives (including the Land Matrix and Open Land Contracts, LSLAs remain characterised by a continuous lack of information. Nevertheless, there is still a long way to go by governments, and more particularly by investors, to make information available. Based on the data used for the monitoring presented in this report, very few deals and countries have extensive information for the aspects covered by the VGGT principles with regard to land investment: only two countries have data for 30% of the variables covered in this exercise, and most countries only cover between 5% and 20%. This gives a concrete picture of the lack of data and dire state of transparency surrounding LSLAs – one of the principal guidelines of responsible investments in general, and the VGGTs in particular (chapter 12 of the VGGTs). This also exposes the factual incompleteness of the results we are presenting, and of LSLAs overall, which will remain limited as long as transparency does not improve.

Positive policy change and progress is meaningless if it does not lead to effective (sustainable and inclusive) transformation on the ground. This goes beyond questioning and pinpointing the shortcomings of the frameworks and tools deployed to accompany these changes (such as the VGGTs mobilised in this report⁷). It is about how to mobilise these global frameworks, guidelines, and references in view of achieving effective change overall, and more responsible land investment and increased accountability in particular. In terms of LSLAs, based on this assessment and taking into consideration the aforementioned frameworks, three indispensable reforms still need to be followed up and further implemented. Presented here in broad terms, these will need to be worked out in their specific contexts.

⁷This has been done in other works and publications. See, besides others, Myers, G. & Sanjak, J. (2022). Reflections on the limited impact of the VGGT in sub saharan Africa and opportunities for its future with lessons from Nigeria and Sierra Leone. Land Use Policy, Volume 113, February 2022, 105870.

Fast track land reform: Overall, besides some progress as highlighted in this report, the results show that there is still an urgent need for a large number of countries to engage in land governance reforms, and more particularly their effective implementation, aimed at sustainable, equitable, and inclusive land investments. This calls for all countries, and in particular those that ratified the VGGTs, as well as other global frameworks, such as the Principles for Responsible Investment in Agriculture and Food Systems (RAIs), to effectively fast-track their implementation as a necessary and prerequisite step. While governments need to lead and enforce these reforms, it is necessary for more inclusive institutions, such as national and local multi-stakeholder engagement platforms that include civil society and other actors, to lead the way in following up on implementation, tracking compliance, and demanding rectifying actions and change.

Corporate and investor country accountability: The above measures need to be accompanied by corporate accountability measures throughout global value-chains in all investor countries to hold investors (and their suppliers) based in those countries accountable with regard to investments abroad. Mandatory due diligence standards with varying scopes have been enacted or are under discussion in the European Union, France, Germany, Great Britain, and in the US. Such legislation is urgently required, and will need to be combined with voluntary sustainability standards. They will also need to go beyond compliance-based approaches, such as company codes of conduct and contract clauses, which could allow parent companies and investors to avoid responsibilities.⁸ Reforms should redesign investment protections, affirm investor obligations (in particular on human rights and the environment), and limit protection for investments that fail to comply. Revisiting investment treaties (which should also align with the VGGTs and include, in particular, human and other basic rights as well as environmental aspects) and continuous monitoring of these obligations by multilateral bodies (such as the various G20 regional parliamentary bodies) or independent monitoring initiatives will therefore also be needed.⁹

Increased transparency and monitoring: As demonstrated, a huge commitment should be made towards transparency and monitoring. More broadly, all countries should continuously monitor land ownership and control, land transactions and land use change. In particular, all actors engaged in LSLAs must increase transparency around agricultural investment projects. When public institutions and public capital is involved, it should be made compulsory. This applies to investor and recipient countries as part of their commitment to the implementation of the VGGTs and RAIs. This can also be done by providing a mandate to and support for independent transparency and monitoring initiatives. Open data on LSLAs for agricultural purposes will have an impact on the sustainability of these investments and investor responsibility if the information can be used by relevant stakeholders and more inclusive decision-making processes, such as multistakeholder platforms, to hold investors and governments to account.

ANNEXES

[Annex 1: VGGT Articles incorporated into the Land Matrix monitoring exercise](#)

[Annex 2: VGGT Technical Chapters](#)

[Annex 3: VGGT-related variables and fields from the Land Matrix](#)

[Annex 4: Scorecard for the respective overarching Land Matrix variables](#)

[Annex 5: Country pages](#)

⁸<https://www.fidh.org/en/issues/globalisation-human-rights/business-and-human-rights/corporate-accountability-eu-must-not-squander-historic-opportunity-to>.

⁹Lay, Jann; Anseeuw, Ward; Eckert, Sandra; Flachsbarth, Insa; Kubitzka, Christoph; Nolte, Kerstin; Giger, Markus (2021). Taking stock of the global land rush: Few development benefits, many human and environmental risks. Analytical Report III. Bern, Montpellier, Hamburg, Pretoria: Centre for Development and Environment, University of Bern; Centre de coopération internationale en recherche agronomique pour le développement; German Institute for Global and Area Studies; University of Pretoria; Bern Open Publishing.

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The Land Matrix Initiative's partners are:

