

# The Implication of Land Grabbing on Pastoral Economy in Sudan

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**Abstract** The unprecedented increase in the world population coupled with the great demand for food have encouraged several investors to acquire land and water in some developing countries, Sudan is not an exception. This current phenomenon often referred to as “land grabbing” as it always violates the right of local land users and affects the environment. This paper aims to highlight the process by which local and foreign investors acquire communal lands in Sudan and to underline its implication on pastoral livelihood. The paper is mainly based on desk review and deep analysis of some recent documents. The paper has come out with the fact that under the pretext of development and food security, huge communal lands were taken from local producers and leased “soled” to the investors (grabbers). To facilitate land grabbing, the government of Sudan has frequently been embarked on amending land tenure system several times. The Unregistered Land Act of 1971, Ministerial Act of 1996 and the Investment Act of 2013, have paved the way for more land grabbing in Sudan. These acts ignored completely the historical right of the local communities over land resources. Lacks of transparency, unfair compensation and limited or absent consultation of the local communities are some characteristics shaping land grabbing in Sudan. Land for local producers is the main asset and a source of everything (livelihood) thus, denying such right means lacking everything. This explains why food insecurity, spread of poverty, disputes and conflict are now widely dominated most of pastoral areas. The paper aims to contribute to the ongoing debate on land grabbing and open windows for more research in such hot issue. It provides planners with some ideas that might help in formulating sound policy regarding land acquisition. Like any African country, the government of Sudan has to find rational way to make the investment a win win deal if it is really looking for food security, social peace and sustainable development.

**Keywords** Land grabbing, Land tenure, Pastoral economy, Land policy, Sudan

## 1. Introduction

Much research has been written about the foreign investment in agricultural land, particularly in Africa. This is not a new phenomenon as it has been documented since the colonial period. According to Mann and Smaller (2010) large foreign-owned plantations have long existed in parts of Africa, Asia and Latin America during the colonial era. Less attention has been paid to such investment due to the small scale, nature and political arena at that time. In the last two decades the acquisition of large-scale land by both domestic and foreign investors has increasingly been the focus of laymen, public, researchers, civil society as well as a source of global concern (Antonelli et al., 2015). This current anxiety is due to the urgent need for agricultural lands and water to secure food worldwide particularly after the 2008 crisis and recent global climatic changes. In recent years, the term “land grabbing” is widely used instead of

“investment or land acquisition”. Owing to the fact that most if not all the investment in developing countries lacks transparency, democratic decision, respecting human rights (Elhadary and Obeng-Odoom, 2012), lack of consultation, giving less attention to the social cost and environmental impacts and always comes at the expense of land “belong” to local communities (Rullia et al., 2013). This led to define land grabbing as the purchase or lease of vast tracts of land by wealthier, food-insecure nations and private investors from mostly poor developing countries in order to produce crops for export (Daniel and Mittal, 2009). In addition to foreign investors, land may also be grabbed by governments or its affiliations. This is represented in taking the land from native citizens in the name of national interest and refusing to pay fair compensation promptly (Elhadary and Obeng-Odoom, 2012). In the context of this paper, land grabbing refers to the transfer of the communal land to be used or owned by both national and international investors without securing livelihood or providing fair compensation to the local producers.

Due to the secret nature and lack of transparency in the process of land grabbing, having accurate and up to date data is far dreaming. Therefore, most of the data regarding rate,

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deals and size are collected through media or from international organizations. Despite this limitation, available literature has shown that this phenomenon has been growing over during the last years (Cotula, 2013; Nolte, 2014) and the number of land-related deals has dramatically increased since 2005, reaching a peak in 2009 (Rullia *et al.*, 2013). Since 2008, around 180 deals have been recorded, while reports of new deals continue to surface (Daniel and Mittal, 2009). The International Land Coalition (ILC) reports that between 2000 and 2011 large-scale plots of land acquired or negotiated, in total, 203 million hectares of land worldwide (ILC, 2012). Not far from this figure, Oxfam refers to 227 million hectares acquired since 2000 worldwide (Oxfam, 2011). With regards to Africa, the Food and Agriculture Organization (FAO) estimated that foreign investors had acquired at least 20 million hectares in Africa in between 2007 to 2009 (FAO, 2009). In 2010 the World Bank estimated that about 45 million hectares had been acquired since 2008; most of these land deals were for areas ranging between 10,000 and 200,000 hectares. The land grabbed for agriculture is constantly increasing and is currently reported (May 2012) to range between 32.7 and 82.2 million hectares, depending on whether only completed or also ongoing property-right transactions are accounted for (Rullia *et al.*, 2013). These fragmented and to some extends contradicted figures have proven the lack of transparency regarding such issues as always done in a secret way with top leaders in most African countries. It worth mentioning that the land grabbing is done with limited or no consultation, lacking of adequate compensation, and without seeking opportunities to create new jobs for local producers (Cotula, 2009; World Bank, 2010).

Several factors contributed to the rapid increase in land grabbing. These include massive population growth, food insecurity, global financial crises, climatic changes and urbanization (Elhadary and Obeng-Odoom, 2012). According to Shete and Rutten (2015) soaring grain prices in 2007/08 and fear for not accessing sufficient food for their citizens have fuelled the quest for large-scale arable land acquisition. In the same line Abebe (2012) notes that the primary factor behind land grab in recent years is the threats to global food security and the steady increase in the price of food globally. But for Daniel and Mittal (2009) there are only three main trends driving the land grab movement: the rush by increasingly food-insecure nations to secure their food supply; the surging demand for agro-fuels and other energy and manufacturing demands; and the sharp rise in investment in both the land market and the soft commodities market. Not far from the previous drivers Mann and Smaller (2010) indicated that the new investment strategy is more strongly driven by food, water and energy security. From what it has been said it seems that securing food mainly after the crisis in 2008 is the major drivers behind land grabbing elsewhere. Since the 2008 surge in food prices, foreign interest in agricultural land has increased and, in less than a year, investors have expressed interest in and acquired some 56 million hectares of land, of which 29 million were in

sub-Saharan Africa in 2010 (World Bank, 2010; Elhadary and Obeng-Odoom, 2012). This implies that securing food in the long term, especially for land and/or water-scarce countries is a major driver that forced for example, Gulf (oil) Countries to invest land in Sudan (Antonelli *et al.*, 2015).

Several researchers have mentioned that despite its global nature, most of land grabbing is located in developing countries (Elhadary and Obeng-Odoom, 2012), and evidence suggests that considerable land areas are indeed targeted in developing countries (Nolte, 2014). Owing to the fact that cultivatable land worldwide is limited (Cotula *et al.*, 2009) with the exception of large tracts of land in Sub-Saharan Africa and Latin America and, to a lesser extent, East Asia (FAO, 2011; Antonelli *et al.*, 2015). This image enhanced by the International Food Policy Research Institute (IFPRI) as it has reported that foreign investors sought or secured between 15 million and 20 million hectares of farmland in the developing world between 2006 and the middle of 2009 (Daniel and Mittal, 2009). This gives explanation why current land investors are targeting countries with abundant land and water resources, such as Sudan (Umbadda, 2014). Under the pretext of development, having hard currency and securing food for all Arab countries, huge communal land in Sudan were leased or sold to in and outside investors. Thus, the major objective of this paper is to broaden the knowledge in the above mentioned issue and find out its implication on local livelihood in developing countries taking Sudan as an example. The paper also investigates the process of land acquisitions, its implication of communal livelihood and how existing land tenure facilitates the grabbing of communal land. Given the fact the very few articles written on land grabbing in Sudan, this paper will contribute to the ongoing debate and open chances for more research. To fulfill the above objectives the paper is organized into six sections. The first section is an introduction followed by methodology. The third section is on land grabbing in the context of land governance in Sudan. The implication of land grabbing will be discussed in section four. Section five is about the discussion and the final section is about conclusion.

## 2. Methodology

Methodologically, the paper is based mainly on a desk review of a recent and comprehensive literature written on land grabbing worldwide. This also supported and enhanced by personal observation and experiences of authors in land tenure issues in Africa. To have reliable data, the paper used figures collected by international organizations.

### **Land grabbing in the context of land tenure policy in Sudan**

Acquiring large-land for agriculture and other purposes like mining or industry is not a new in Sudan. It can be traced back to the 19<sup>th</sup> century; however, but it is still going on today. There are signs that this process will continue in the future (Babiker, 2011). Since its independence Sudan has

embarked on amending the land tenure system and even introduced new laws to facilitate land acquisition (Elhadary, 2010). Use and access to land in Sudan as well as in most of African countries is governed by two overlapping and contradicting laws. These are “traditional” “communal” “customary” and “official” “formal” “statutory” or “state”. (for more details in land tenure issues see (Elhadary 2010; Elhadary and Samat, 2011; Elhadary, 2014; El Amin, 2016). Recently several African countries including Sudan have embarked on legalizing the communal right. In Sudan the situation is still vague especially after the introduction of land Act 1970. This act declares that the land or “unregistered land” is for all under the control of government (Elhadary, 2010). This means that if well implemented, ending completely the system of communal land tenure. However, this system has proved very resilient, and is still widely applied in many rural areas (Elhadary, 2010; Elhadary, 2015). Up to the present time, large group of people is still believe in communal right and that land is theirs while the state insisted that this system is no longer valid and it becomes part of the historical legacy of the country (Elhadary, 2007; Elhadary, 2010). Accordingly, the government usually allocates land to the investors, rich people and their loyalties without taking into consideration the historical rights of local people. The reality has shown that the government of Sudan enforces this act when there is an interest otherwise the situation is accepted as it was before 1970. For example, if there is a conflict over land right between the investors and communal users, the government refers to the act of 1970 and asks for official document which is hardly to find under the system of communal right. Thus, the winner in this case is the investors and of course the loser is the local producers. This led Wallin (2014) to state that it is primarily the poor and marginal people who are forced to sacrifice their lifestyles and traditions, for the sake of modernity and growth, without adequate compensation for their losses. In this situation El Amin, (2016) affirmed that the state legislation has created land tenure dualism simultaneously incorporating both the practice of customary tenure pursued by farming and pastoralist communities and the legal status of these communal lands as state-owned. This foggy situation led Sudanese and non-Sudanese to invest (grab) heavily on communal land. In this line Sulieman (2015) stated that the successive Sudanese governments have a long history in supporting land grabbing under different names and justifications.

The unregistered Land acts of 1970 followed by abolition of native administration in 1971 and the introduction of Ministerial Act in 1996 are some implemented Acts to facilitate land grabbing in Sudan. These acts provide the state legal right to control the communal land and more importantly remove any chance of legal redress against the state (Elhadary, 2010). As it says, no court is competent to deal with any suit, claim or procedures on land ownership against the government or any registered owner of investment land allocated to him (Ayoub, 2006; Egemi, 2006). It is important to note that the Ministerial Act 1996

transfers the functions of leasing unregistered land from federal level to local institutions at state level (Sulieman, 2013; Sulieman, 2015). This act has been implemented after the adoption of federal system in 1994 when Sudan was divided into 26 states; sixteen in the north and ten in the South. This Act implies that even the State has a power to lease land in “legal” way without even referring to the centre to get the approval. The Act also gave the authority to the minister of agriculture in Gedarif State to legalize large scale mechanized farming for 25 years leasehold (Sulieman, 2015).

Parallel to the land acts, the government has recently introduced the National Investment Encouragement Act 2013 to ensure more grabbing of communal land. This Act provides comfortable environment and eliminate most of the constraints facing investment process. Moreover, it says that the land allotted for the project shall be handed over within maximum period of one month. Not only that, the investors may also owned land if fulfilling some specific purposes. This idea is highlighted by Elzobier, (2014) when he stated that the current Sudanese laws do not permit the ownership of land to foreigners. However, the new law will allow land ownership under specific conditions to serious investors. In the light of this, El Amin (2016) stated that the act gives foreign investors immunity from prosecution and arrest and approves the right of foreign investors to own Sudanese land. The Act goes even further to mentioned that the council is responsible to stand on behalf of foreign investors in case of objections by individuals, ministries, government institutions and local communities regarding land or in the case of initiation of court proceedings against investors to regain communal land granted by the government. The act also provides tariff exemption and an exceptional exemption from taxes for a period of ten years (Sudan Ministry of Investment, 2016). The Investment Act turned a blind eye in dealing with communal right and did not give them rooms to participate in decision making. This Act reflects clearly that the government is planning to lease or “sell” lands to domestic and foreign investors confidentially. This appears from the outstanding facilities given to the investors and from finalization of all the complicated processes in only thirty days. Moreover, the Act provides the investors with full power to use communal land without taking care of the previous land users thus, opening the door very broadly to both Sudanese (government officials or government affiliation) and non – Sudanese investors to grab more pastoral land in Sudan. According to El Amin (2016) the current state tendency to put state legal ownership over communal lands into effect for large scale sale or lease to investors amounts to denying Sudanese pastoralists and farming communities of their land use rights established for generations. The following section provides some figures about land grabbing in Sudan.

Increasing hard currency, development and ensuring food security are some drivers mentioned by Sudanese government in justifying the lease of large farming to the investors. Most of the underlying reasons are stated to be

food security and increasing the country's agricultural exports (Suliman, 2015). This slogan has been repeated even today in the local and regional media with some modifications "Sudan has an ambition not to feed their local people only but to secure food for all Arab countries". In the light of these drivers coupled with the above mentioned investment facilities, several irrigated and non-irrigated schemes have been implemented in Sudan usually at the expense of land related to local communities (pastoralists) (Elhadary, 2010). Sugar schemes companies of Elginaid, New Halfa, West Sennar, Kenana, Asalaya, and lately White Nile Sugar are some of the irrigated schemes established in communal land (table 1).

**Table 1.** Sugar Companies in Sudan

Company Name	Location	Area in hectares	Year of production
Elginaid	Gezira State	16,262.4	1962
New Halfa	Kassala State	16,800	1966
West Sennar	Sennar State	14,994	1976
Kenana	White Nile State	67,200	1979
Asalaya	White Nile State	18,892.44	1980
White Nile	White Nile State	67,200	2009

Source: Kenana Engineering and Technical Services (not dated)

Not only sugar schemes that have negatively impacted, but also mechanized farming is considered as the major sector behind eroding most of communal land legacy in Sudan. Mechanized farming was introduced during colonial era in small area in Gedarif State in 1940s to meet the demand of food to the British army in East Africa (Eltayeetal., 1983; Eltayeb et al., 1985). This parasitic sector jumps from only six thousands hectares in the independence to more than six million hectares in 2010. According to (Ijami, 2006; Egemi, 2006; Elnour et al, 2015) the area under mechanized cultivation is 3,360,000million hectares in Gedarif state only and 6.5 million hectares across the country, and expended to cover seven states. These states include El Gedarif, Blue Nile, Kassala, White Nile, Sennar, and Southern Kordofan. Not only Sudanese government is to be blamed for such expansion, but also other international institutions, such as World Bank have to share the blamed. It has been written that large scale farming is always supported by the World Bank (Elhadary, 2010).

It is necessary mention that mechanized farming is dominated by domestic investors (Umbadda, 2014). This does not mean that all Sudanese citizens can access mechanized schemes. Some special characteristic are needed to get one or even several schemes. Most of the schemes owners are often well educated and most of them settled in urban centers and their union is closely linked to major power centers in the state (Suliman, 2015). This by definition excluded local communities from accessing such right as often not educated and they are politically marginalized. The privileged access to mechanized schemes by the educated elite, retired civil servants and military

officers and traders in Gadarif and elsewhere in the country has been mentioned by many other authors (Komey, 2009).

Not only Sudanese that has grabbed land but also foreign investors have occupied huge communal land. Recently, the government of Sudan allowed companies from different parts of the world to acquire land in Sudan on an unprecedented scale. Saudi Arabia, United Arab Emirates (UAE), Egypt, Syria, China, Gordon, Morocco, and the Republic of South Korea have been the principal sources of land investments in Sudan, taking 1.8 million hectares of agricultural lands (Babiker, 2011). Elhadary and Obeng-Odoom, (2012) believes that from 2004 and 2008, the total of land grabs in Sudan amounted to 4.0 million hectares of land on leases whose average term is fifty years. Table 2 shows clearly that 2,270,000 hectares of Sudanese land has been grabbed particularly by foreign investors.

**Table 2.** Recent international land grabbing in Sudan

Country	Area (ha)	Location	Type of contract	Nature of contract
Syria	30,000	unknown	Gov-Gov	50 years free lease
China	100,000	Gezira Scheme	Private investors	unknown
South Korea	700,000	unknown	unknown	unknown
UAE	400,000	unknown	unknown	unknown
Egypt	400,000	unknown	unknown	unknown
Saudi Arabia	60,000	Nile State	Private (Alrajihi group)	40 years free lease
USA	400,000	South Sudan	Jarch management group, Ltd.	Unspecified lease
Morocco	Unknown	White Nile State	Private investors	unknown
Gordon	170,000	Nile State	Gov-Gov	unknown
Total	2,270,000			

Source: Babiker, 2011.

This not the end of the story, currently the process of communal land grabbing is increasing very rapidly. In April 2012 it was revealed that the government granted 116,000 hectares to a Qatari company, 100,000 hectares to the United Arab Emirates, 168,000 hectares to a Korean company leased for 33 years in Gezira scheme and 840,000 hectares for 50-year lease each to Egypt and Saudi Arabia. This is nearly totaling 2 million hectares (El Amin, 2016). The land granted to Saudi investors is said to be a freehold (literally a land enclave within Sudan belonging to Saudi Arabia) (Umbadda, 2014). Additionally, the China Shandong International Economic & Technical Cooperation Group, Ltd acquired a contract to utilize 67 square km (26 square miles) of land in the Rahad Irrigation Scheme in May 2012. The same company intends to concurrently open up about 667 square km (257.5 square miles) for cotton production in several Sudanese states, including Khartoum and White Nile

State (Linke, 2014). On 15 February 2013, the Sennar state authorities confiscated 167,945 hectares from the small farmers without permission or compensation in favor of a Saudi company for export of cereal production (Elzobeir, 2014). Also, in the 30<sup>th</sup> of March 2013, the authority of White Nile State leased 72,843 hectares without permission or compensation to the local farmers, the real owners of the land. Furthermore, in 2013 around 420,000 hectares has been granted to Kuwait. This is equivalent to a quarter of the size of the State of Kuwait (Alrakoba Jan 30, 2014; El Amin, 2016). In July 2015, the Northern State's Ministry of Agricultural confiscated 161.9 hectares of agricultural land from 80 families in Allar village, Merowe locality, to sell to Turkish and Saudi investors who are expected to cultivate non-traditional export crops. The Ministry dispossessed the community on the pretext that their lands were fallow, while local farmers complained that the government had failed to install the promised irrigation infrastructure. In 2016 there is strong rumor saying that Sudan leased 420,000 hectares to Saudi Arabia for 99 years in the eastern part of Sudan.

Farming as well as the construction of several dams have negatively affected the livelihood of the local communities. Recently, some dams such as Merowe and Setiet Dams were constructed and some other like Kajbar and Elshriq Dam are under construction. These Dams have continued to displace thousands of communities away from their traditional land. This happened at the expense of minor ethnic groups such as the Nubians and the nomadic groups on the peripheries. The top-down view on development may not correspond to the views of the people affected when it is changing their lifestyle against their wishes (Wallin, 2014). Merowe Dam Project took five years to be constructed (2003-2008). The Dam mainly designed for power generation and to boost Sudan's agricultural sector through irrigation, covering about 300,000 hectares (Linke, 2014). The use of EIA Environmental Impact Assessment has forced the government to make compensation to the families affected by such constructions. Despite these, still some affected families are protesting against unfair compensation.

The government of Sudan not only leased land for farming purposes but also took from the local communities and vested it to the investors for Mining, oil and recently gold excavation. After the separation of the South in 2011, the government of Sudan has embarked heavily on gold mining to compensate the loss of oil revenue. Huge land has been allocated for gold mining, whereby the largest areas were allotted to foreign private enterprises. The amount of gold produced increased significantly with the foundation of a Sudanese- French joint venture, the Ariab Mining Company (Calkins and Ille, 2014). Currently, there are 16 intentional companies working in mining areas besides, thousands of small-scale gold miners.

#### **Implication of Land Grabbing on Pastoral Economy**

No one denies the positive impact of investment on land for both hosted and sent to countries if well managed. The World Bank (2010) for instance, argued that large-scale investment in agriculture will result in a win-win solution for

both investing and hosting countries, provided that inward investment is well managed (Antonelli et al., 2015). Foreign direct investment in agriculture not only bears risks, but also offers some important development incentives for rural areas and other economic opportunities. The crux of this is that the realization of opportunities is critically conditional on good governance (Umbadda, 2014). Good governance ensures that traditional land right will not be abused by investors and vice versa. Sudan is well known in the media and international organization as a place of poverty, conflict and corruption. Thus, grabbing will continue of course at the expense of the rural land users. It is hard to hear that the investor is going to use idle, vacant or reform new land. Several researchers have highlighted the impact of current grabbing on pastoral communities (Elhadary, 2010; Elhadary, 2014; Rullia et al., 2013). Poverty, scheme workers, give up herding, migration, inequality, food insecurity and tension are some of social illnesses dominated pastoral areas. Local communities have lost one of their major assets and become increasingly dependent on food aid and international food subsidies, despite Sudan being a major exporter of food commodities produced by large-scale farmers (Rullia et al., 2013). Some researchers like Stone (2001); Daniel and Mittal, (2009); IFAD (2009) express their worry about the situation of food security and human right of rural communities. According to Daniel and Mittal, (2009) land grabbing by foreign investors pose a threat to rural economies and livelihoods, land reform agendas, and other efforts aimed at making access to food more equitable and ensuring the human right to food for all. This implies that there is an inverse relation between increasing investment in poor countries and the goal of securing food supplies for poor and vulnerable populations. For the IFAD (2009) the grabbing will transform communal land into large industrial estates connected to far-off markets (IFAD, 2009). In the same vein Stone (2001) stated that the percentages of populations involved in farming dropped dramatically worldwide. Today there is no evidence among the recent land deals suggesting that the current trend will be any different from past examples (Daniel and Mittal, 2009). This entails that there is no hope for local producers to secure their livelihood in such situation. The slogan of today is to "get big or get out" (Stone, 2001). Nothing in the literature highlighted the positive impact of land grabbing on local communities except the paper about Zambian investment cases written by Mujenja and Wonani (2012). The study concludes that local land users benefit from job creation and indirect livelihood opportunities through increased household incomes. This conclusion is questioned by this paper.

Regarding Sudan, this paper has shown that huge land was taken from local communities and vested to the national and foreign investors. These lands are not usually vacant, even if not in continuous use on revenge it is a land for local producers accessing it longtime under the system of communal land tenure (Elzobier, 2014). The misconception among investors and even the national government is that a

vacant land in Sudan means a land without ownership. They do not understand or neglect the system of communal land right in Sudan. It is true to say that there is no even single hectare of land in Sudan, (except Sahara), without an owner, regardless the type of ownership. Empty or vacant land in Sudan practically does not exist. In fact, this assumption must be treated with caution, since much of the so-called “available” land is inhabited and being used by local communities for agricultural purposes, including fallow cycles and pastoralism (Mann and Smaller, 2010). Most land acquisitions are justified on grounds of investment and development, but they typically lead to a displacement of local farmers and rural dwellers, who receive no compensation or restitution and are left expecting that the returns of this foreign investment will trickle down to them (Elhadary and Obeng-Odoom, 2012).

Land grabbing has negatively impacted on livelihood of pastoral communities and further led to social unrest, socioeconomic inequities, and fueling conflict and war over resources. EL-Amin (2016) stated that the civil war, which is still ranging in South Kordofan and the Blue Nile states, the recent violent confrontations in rural Khartoum and similar ones in different parts of the Sudan, all indicate the future forms of resistance to come; including violence, which such land allocations could ignite when investors begin implementing their projects on the land. In the same line Sulieman (2015) confirmed that among the immediate consequences of converting communal property to individual property is creating a fertile environment for conflicts between different land users. Some authors justified that some of Sudanese joined opposition rebel because of land issues. For example, the Nuba rebellion against the central government was a response to state apathy toward Nuba grievances; including land expropriation for business interests at the expense of Nuba poor farmers (Komey 2009). The grievance created by large scale acquisition of communally-owned land and the dispossession of local communities has been a major factor in South Kordofan’s and Blue Nile’s youth joining armed movement (ELAmin, 2016). In this line Elhadary (2010) stated that the system of land in Sudan need to be revised and the taken (stolen) land need to be relocated fairly if the state is targeting sustainable peace. Two options are only left for the State to hear either to listen to the voices of pastoral communities (marginalized) and involve them in land tenure policy or to hear the voices of their weapons in fighting.

Communal land users all over the Sudan even in areas around Khartoum, the capital, have expressed their objection against the current unfair land investment “grabbing” either peacefully or harshly. This paper cited some cases that have taken place in several parts of Sudan including Khartoum, the capital. According to Sudan tribune (2016), three people were killed in 2006 in a peacefully protests against the constructions of Meroe Dam in Northern Sudan. A same number also killed in 2007 when the government responded cruelly to protests against Kajabar Dam in northern Sudan. In Sennar State, the security authorities arrested on 14 February

2013, 78 small farms owner as a result of a accusing the government of stealing their land and sell it to foreign investors without their consent, consultation, or any understandings or respect for their humanity (ElZobier, 2014). According to Al Sahafa newspaper, farmers in Sennar say that “this land belongs to them, it was inherited from their fathers and grandfathers since the 1940s, and that they do not want to reserve land for coming generation. One of the high profile cases that gained wide publicity is the violence that erupted in Omdoum, part of Khartoum, over communally-owned land vested to Gulf investor in 2013. According to Naharnet (2013); El Amin (2016) communal users have expressed their objection for a couple of days till the police entered the scene, one of the protestor was killed and some injured. Later the top political leadership intervened, the Gulf investor withdrew and the land reverted to the community to be distributed as a residential extension to Omdoum neighborhood.

### 3. Discussion

Land tenure system in Sudan has amended several times aiming not secure it for local communities, but to provide the state full power to control and distribute land when and where it perceives fits, normally to investors and their affiliations. The Unregistered Land Act 1970 followed by the deterioration of native administration then the introduction of Ministerial Act of 1996 are some of the laws that negatively impacted on the livelihood of local communities. The weakening of the native administration, a representative body stand on behalf of pastoral communities to protect their right to land, has completely eroded the culture of communal land system and further led to political marginalization. The hijacking of the local representative institutions coupled with wide spread of literacy often make local producers more vulnerable and their voices are hardly to be heard. In such situations, the traditional role of local leaders as mediators and supporters of their community is totally eroded, giving the government a golden chance to lease or even sell land to their supporters and foreign investors.

The introduction of land Investment Act of 2013 has killed the last hope of local communities and has left them vulnerable to more land right abuse. This recent act has paved the way for national and foreign investors to access “owned” more land in Sudan. It seems that the government is seeking hard currency rather than food security or “development”. The collapse of Sudan economy owing to the separation of South has encouraged the government to search for any source of revenue even if it is against their entire population wish to compensate for the great loss of oil revenue. It is expected that the parasitic investment in Sudan will lead to secure food, generate new jobs, create good infrastructure, produce advanced technology and reserve the environment. The reality shows that these benefits are not achieved in the case of Sudan. The paper is not against the local or foreign investment; however it calls for an

implantation for a win-win situation. This approach ensures that increasing investment in farming will generate economic opportunities to both sending and receiving countries if well managed. Several research institutions and international governance agencies have proposed ways to make the land grab phenomenon a win-win situation, in which food-insecure nations will increase their access to food resources while benefiting “host” nations through investments in the form of improved agricultural infrastructure and increased employment opportunities (Daniel and Mittal, 2009). The high jacking of pastoral right, lack of transparency and corruption in selling or leasing land led the paper to use the term “grabbing” instead of “investment” or “acquisition”. The violation of communal right has impacted negatively on the pastoral livelihood and triggering the conflict among most of pastoral areas in Sudan. In the absence of transparency and accountability communal lands are often disposed investors in deals unknown to the public and the communities concerned (Elzobier, 2014). Lack of access to land forced local producers to engage in casual labour, informal urban sector and in some cases work as seasonal labours in big farming in Gedarif, White Nile, and Blue Nile States, while some of them turn to traditional gold mining.

Unlike some African countries that formulated legislations to allow local communities to participate in the current trend of investment, Sudan does not even recognize local communities’ right. A growing number of countries have enacted legislation or policies requiring consultation and consent with affected communities. Under Mozambique’s Land Act, community consultation must be undertaken regardless of whether the land has been registered. Ghana and Tanzania have also enacted laws that include local communities in the decision-making. Sudan is in the same line with failed experiences like Ethiopia and Liberia. Coultas (2013) mentioned that in Ethiopia the government has forced tens of thousands of people off their land, and given it to ‘investors’ in 2012. Also, in Liberia, around 169,000 hectares had allegedly been given to a British palm oil company, without consulting over 7,000 people who have lived on the land for several generations.

In a country where a number of its population depends on land in securing their livelihood, it is unfair to open the door widely for foreign investment. The government of Sudan should think carefully before selling or leasing land to the investors. Sudan is in an urgent need to facilitate accessing land to local producers and legalizing such right. It is not rational to lease a land for 99 years and give full chance to investors to grow whatever they like. This is even contradicted with concept of sustainable development where the right of the coming generation is fixed. The trend of current grabbing coupled with the huge debt means a form of a new colonization which is even danger that was in the past. In a country like Sudan where more than half of its people live in rural areas and depends on land to secure their livelihood actions to ignore such right is a ruinous. The government has to think in a win-win situation and has to

adopt cost benefit analysis when it comes to lease land. It is true that the state will access a number of hard currency but how much the government pay to secure food for their entire people, ensure security and settle political conflict. Land is indispensable asset for local community, thus depriving them from this right means devastation to the whole sector. The development of agricultural schemes and the construction of large dams have eroded most of the strategies adopted by the local producers and disturb their traditional lifestyles of subsistence economy. Several animal routes have been closed by expansion of unorganized schemes. The construction of dams has forced large populations to relocate to foreign areas and adapt to new methods of more mechanized agriculture (Wallin, 2014). There is an urgent need to address the parasitic increasing of land grabbing or ruin occurs for all. This should be through the adoption of the concept of good governance. Also international institutions have to shoulder their responsibilities in implementing laws regarding human right.

## 4. Conclusions

This paper highlighted the current trend of land acquisition “grabbing” by domestic or foreign investors in developing countries including Sudan. The paper is not against such acquisition for securing food in hosting and sending countries if a win-win situation for all stakeholders is ensured. Evidences from Sudan have shown that land acquisition is on increase and often at the expense of the right of the local communities. This parasitic economy lacks transparency, accountability and above all neglect the existing land rights of local communities. Sudan has introduces and amends land Acts to speed up the rate of grabbing, instead of enforcing principles that may lead to maximize the interests of all stakeholders. Leasing or selling communal lands has been negatively impacted on pastoral livelihood and in some cases fueling conflicts and tensions against domestic and foreign investors. Without considering the needs of the country and protecting the legal right of pastoral communities securing food through land grabbing will not be achieved. The paper also proposes that Sudan does not endure to massive land acquisition as there are several issues need to be tackled. First and foremost communal land tenure system needs to be legalized. Furthermore, the ways pastoral economy adapted to the harsh environment has to be confirmed and appreciated. This system is in harmony with the socio-economic characteristics and the ecosystem of Sudan. Thus, for Sudan pastoral economy is more relevant than “big” schemes especially when it comes to food security and social peace. If Sudan is interested in adopting the slogan “getting big or going out”; private – public partnership is more suitable than leasing land for 99 years. Sudan as well as the other African countries should consider the importance of food for their security. Nobody knows, in the future, food might replace real weapons against developing countries.

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