

**Squatting on one's own land. What remains of indigenous land rights when faced with national conservation and agribusiness projects?**

**The case of the Diana region in Madagascar**

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Hello everyone,

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Before we start, we would like to thank the AAG and in particular Stan Stevens for inviting us to this impressive annual meeting. Let me start by introducing myself and my colleague. My name is Cécile Martignac, I'm a French geographer working in Madagascar for CIRAD, a French agricultural research center for international development. My colleague is André Teyssier, a French geographer who also works for CIRAD, as well as for the Land Observatory of Madagascar.

Today is a historical day for both of us because we are making our first presentation in English. Thank you in advance for your patience. Please feel free to interrupt us if we are not clear enough.

Over the next fifteen minutes, we would like to show you how, in Madagascar diapo 2, the overlapping of sectoral policies designed without consultation, not only fails to meet the needs of indigenous populations but also causes exclusion.

Most of you have already heard about Madagascar, an island-continent of incredible biodiversity D3 , reputed for the uniqueness of its native plants and animals.

International public opinion has been very receptive to protecting this amazing wildlife. The successive Malagasy governments have been strongly pressured to conserve them.

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Thus, in 2003 at the IUCN World Parks Congress in Durban, President Ravalomanana made a spectacular announcement: the amount of protected lands

would be multiplied by three in the space of five years—from 1.7 million hectares to 6 million hectares.

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Perhaps you also heard of Madagascar at the end of 2008 during the Daewoo affair? This company had negotiated with the government and obtained the acquisition of 1.3 million ha of cultivable land. This showed the intention to massively release land for foreign investment and develop agribusiness. This huge project caused a national uproar because it was seen as abandoning land to foreigners. It also contributed to the fall of Ravalomanana's government in April 2009, throwing the country into a serious economic and political crisis.

In deciding to extend protected areas massively and cede immense tracts of land to foreign companies, the Malagasy state seems to have ignored the existence of indigenous peoples' rights to the land.

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This can probably be explained by the impression of empty land that is “vacant and without masters”, as was said during the colonial period. This is effectively what a superficial glance at the landscape seems to show.

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But is this impression of available land a reality? And, how feasible are these public policies really, given that they are based on allocating land for single uses, whether biodiversity or agribusiness? How do these policies take into account indigenous populations?

We propose to answer these questions by studying the case of the Diana Region in northern Madagascar.

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First, a few demographic statistics.

This region contains eight hundred thousands inhabitants and covers a surface area of 20,000 square kilometers. Population density is therefore relatively low—approximately 40 inhabitants per sq. km. In theory, a density such as this has little impact on natural resources and should make it possible to free up the land necessary for conservation policies and agribusiness.

Except for the fact that the population is obviously not spread out evenly throughout the region. There are sharp differences in population density. The principal areas with soil and water characteristics that are interesting for industrial farming are already heavily populated, with population densities of more than 400 inhabitants per square km. These areas of high population density

correspond to the land developed since the colonial period. These heavily populated areas contrast with “empty” areas.

Yet, the current pace of population growth against a backdrop of stagnating agricultural yields in an economy that is not very industrialized raises the issue of new land available for development by indigenous peoples. In this context, what public policies will be able to open these lands and draw their borders? In reality, we see that indigenous peoples’ land is defined by default...

This can clearly be seen with the priority that the state gives to fighting erosion. D9 For example, territorial planning documents forbid agricultural development on slopes of more than 12%. Applying this standard would result in freezing 60 % of the regional territory. In reality, this is only theoretical because the state’s capacity to control this is very weak, especially in isolated areas.

Indigenous areas are also amputated by the expansion of both marine and continental protected areas D10. One third of the regional territory has been frozen as part of the fight against deforestation and efforts to protect biodiversity. The zoning is done based on essentially naturalist criteria using top-down technical approaches without any real participation from local communities.

Within these tracts of land, activities (such as fishing, hunting, agroforestry, etc.) are forbidden or heavily regulated, which pushes out indigenous people deprived of some of their resources.

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Finally, new developments by indigenous populations run up against an old and complex land tenure situation. A large share of the land has already been registered since the start of the 20<sup>th</sup> century, mainly to the benefit of colonial concessions. These appropriations are obviously concentrated in the areas most conducive to agriculture.

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In summary, when these constraints are combined, the areas still available for the expansion of indigenous peoples’ activities correspond to :

- slopes of less than 12%,
- and not protected lands,
- and not titled or registered lands.

Ultimately, these areas are defined by default via a process of successive exclusions that leave indigenous peoples with a theoretical space reduced to the strict minimum. In addition, the remaining space is not reserved for them alone. Large-scale projects (mines, agribusiness) and the regular expansion of

protected areas weigh very unequally in the competition for access to land resources.

In the essentially normative situation we are describing here, the indigenous populations are relegated to either the margins or illegality. Indigenous populations become illegal occupants in practice, squatters on their own land.

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What explanation can we give?

Three factors can be cited:

- Despite a decentralization process, power in Madagascar is still very centralized even though the authorities have only limited ability to exercise this power in the regions.
- This also explains the lack of vision and regional policy. Thus, projects, NGOs and donors intervene without guidelines, according to their own convictions and based more on their perception of the situation than on a diagnostic shared with the local population.
- In this situation, each stakeholder produces the GIS he needs to justify and monitor his development project. Therefore, there is no consensus on the regional situation and the dynamics at work. For example, it is currently impossible to determine whether or not deforestation is happening!

In the space of ten years or so, these GISs have become inescapable “truth tools” for administrations and NGOs. Their high-tech aspect gives the information an uncontested aura which frees them from all negotiations with indigenous populations.

Given all of this, what prospects are there for a regional development policy that would take into account the aspirations of indigenous peoples?

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First, one must act on methods to secure land tenure. Moving against the flow of what has just been presented, a new land tenure policy has been trying to foster recognition of indigenous peoples’ rights since 2006. It relies on a participatory approach based on land management by communities. The populations collectively outline the land that they occupy and draw up maps of their properties. The information that they produce is transmitted to the Commune, which is now authorized to deliver a new document to guarantee their rights—the land certificate, which has the same value as a land title.

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On a wider scale, the regional development policy, to be more effective, must be better coordinated and participative.

Currently, regional development plans are in the pipeline. Unfortunately, they copy the French model and, because of this, are little suited to the context in Madagascar. A process still needs to be reinvented: firstly, regional diagnostics shared by the government authorities and indigenous populations have to be built. In this aim, we are participating in the Diana Region development plan, by trying to prove the effectiveness of bottom-up approaches based on participatory GIS such as 'zoning by local knowledge'.

In conclusion, we don't defend involving and empowering indigenous people only for moral or humanist reasons. We defend this position because we believe that this dialogue strategy is what guarantees the effectiveness of regional development policies.

Thank you for your attention!