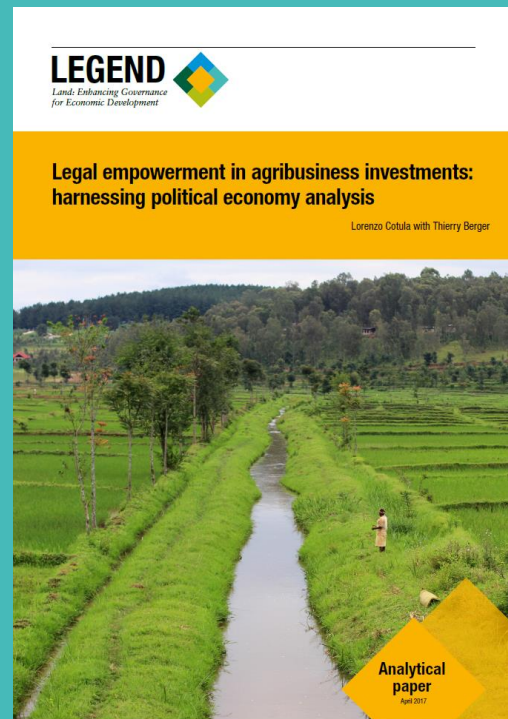


Legal empowerment in agribusiness investments: harnessing political economy analysis

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Agricultural investments and local communities

- Hopes and fears for rural livelihoods: inclusion in business venture as farm workers or outgrowers, better infrastructure but also potential negative impacts
- Challenge when investor comes in: ensuring that rural people can make informed choices, exercise their rights and have their voices heard
- Role of legal empowerment practitioners is to support local people



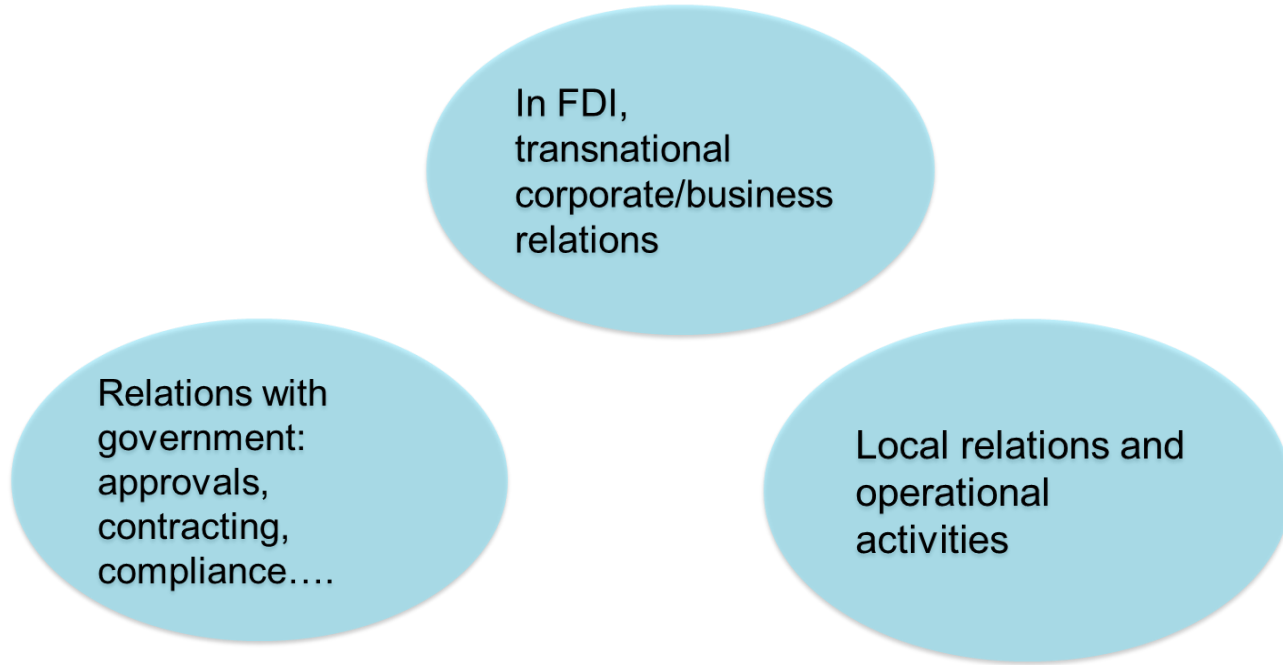
What is legal empowerment?

- Helping people to engage with the law so that they can achieve what they value
- Traditionally: interventions at the grassroots level
- In agribusiness investments: legal services to help people secure their land rights, consultations processes, negotiate with companies or redress grievances, etc.

*What is legal
Empowerment?*

Aim of intervention	Examples of approaches	Examples of issues/arenas
Raise awareness, provide information	Trainings, radio broadcasts, village theatre	Land rights, investment approval process, remedies, proposed laws
Strengthen ability to act on the awareness	Support to local organisations, charters and committees; hotlines, exchange of experience, community paralegals	Land rights, community-investor negotiations, investor-state contracts, legal redress, proposed laws
Provide direct support in law-related processes	Legal advice, law clinics, technical support, community paralegals	Administrative processes, litigation, grievance mechanisms, community-investor negotiations, participation in law making

Economic reality of AB: multiple dimensions



Vested interests

- Land: politically sensitive issue, vested interests & power imbalances
- Diverse national contexts, varying roles of national elites – from land acquirers to partners, intermediaries, facilitators
- Local-level distribution via patronage networks, but trickle down depends on context-specific settlements
- Transnational business relations, political economy of trade and investment treaties

Role of Political Economy Analysis in designing Legal Empowerment Interventions

- PEA tools can help make sense of these issues / different levels
- Identify appropriate levers of influence
- Manage risks involved
- Assess whether legal empowerment appropriate, and which approaches/cases – based on likely effectiveness, risks
- Design and implement more effective interventions
- Broaden range of possible approaches at local, national and international levels

Examples

- Local level: Experiences with local charters to diffuse power within community, eg Senegal, Cameroon, Tanzania
- National level: Supporting national government eg FAO/CFJJ’s “twin track” approach in Mozambique, and improving transparency eg CCSI & CED’s investor state contract scrutiny
- International level: Supporting scrutiny of international frameworks eg Myanmar CSO BIT advocacy, activating transnational levers for redress, international human rights proceedings; eg FPP’s RSPO complaints
- Risk management strategies, eg diffuse community representation

Key take away messages

1. Politics matters
2. Broaden the scope to activate the most effective levers
3. Take a holistic approach: not just LE, but work with PS, technology
4. Ensure communities are in the lead
5. Consider the risks as well as the opportunities
6. Develop new alliances

LEGEND

*Land: Enhancing Governance
for Economic Development*



Land: Enhancing Governance for Economic Development (LEGEND) is a DFID programme that aims to improve land rights protection, knowledge and information, and the quality of private sector investment in DFID priority countries. It includes the development and start-up of new DFID country land programmes, alongside knowledge management activities, a challenge fund to support land governance innovations, and management of complementary DFID grants, MoUs and contracts, and supported by a Core Land Support Team.



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