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# Rethinking the water dimension of large scale land acquisitions in sub-Saharan Africa

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There is a new phenomenon in developing countries where land previously used by communities is being taken over by foreign investors (mostly from Europe, America, China, Gulf States, and other non-western countries) and governments for agriculture, mining and other economic projects. Findings from several studies have so far pointed to the controversial impact of large scale land acquisitions (LSLAs) on affected communities. LSLAs go along with water grabbing but the latter is often (consciously or unconsciously) omitted in the land deals. This has broad effects on the livelihood of local communities, particularly women. This paper uses many examples and arguments from desktop review to describe land grabbing in Africa and examines the extent to which community rights to water are taken into consideration or neglected in land deals; and the likely effects on women. It interrogates the levels of accountability of foreign investors vis-à-vis landed communities and concludes among others that most land deals neglect communities' rights both to land and water. Women tend to pay a heavy price in the process because they are traditionally responsible for water collection and the provision food for the household.

**Key words:** Land grabbing, water grabbing, accountability, local communities, women, livelihood.

## INTRODUCTION

In recent years, Africa's international media image has shifted from the 'hopeless continent' to a continent where "the sun shines bright" (The Economist, 2011). Human and economic development indicators have consistently improved in a large number of African countries: citizens have enjoyed an expansion of their political, civil and social rights, while governments have strengthened ownership of policy making (Radelet, 2010). Unfortunately, as with all processes of transformation, Africa's resurgence also has its challenges; the most

recent coming from the "new scramble for Africa". Africa is at the center of the new 'global land rush,' pejoratively termed 'land grabbing' or approvingly named 'land-based foreign direct investment' or, more neutrally, 'large-scale land acquisitions (LSLAs)' (Hall and Gaynor, 2012: 12). Land, which has for long served as deity and the traditional source of livelihood of local communities in the continent, is today being taken over by foreign and some local investors for large scale agricultural and mining projects. One argument advanced in the process is that

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“vacant land” is taken for development, for which these communities are the prime beneficiaries.

Large portions of African farmland are being allocated to investors, usually on long-term leases, at a rate which Hall et al. (2012) describe as not seen for decades, not since the colonial period. These allocations also go with water grabbing, a situation where powerful actors are able to deprive local communities from water use and their water-related livelihood bases by taking control of and reallocating this water to their own benefits (Mehta et al., 2012). While no concrete study currently can tell precisely the scale and distribution of both phenomena, recent studies confirm that Africa is the global center of land grabbing (Cotula et al., 2009; Oakland Institute, 2011; Braun and Meinzen-Dick, 2009; Hall et al., 2012). Land grab, according to Borras et al. (2012: 405), is the power to control large quantities of land and landed resources for capital accumulation strategies in response to converging global crisis of food, climate change and finance. Kachingwe (2012) stretches the definition further to describe land grabbing as land transactions without transparent contracts having clear and binding commitments on activities, employment and sharing of other benefits. All these in violation of human rights and in disregard of the free, prior and informed consent of the affected land users, and without a thorough assessment of the socio-economic, environmental and gender impacts. From this premise, land grab could be conceptualized as land deals that give control of large portions of land and landed resources to multinational investors through the use of large capital, processes and mechanisms that shift the power over land and its resources from local affected communities to investors without the informed consent of those on the land and thorough socio-economic and environmental impact assessments, for the interest of global capitalism.

The new surge for land grabbing goes beyond the traditional struggles for power, identity and profit, which are often associated with Africa's natural resources. Africa's resources are targeted by a new wave of large-scale commercial interest from across the globe, spiked by sudden food price increases in 2008 (Action Aid, 2012). In this process, the continent whose population is largely rural continues to be impoverished as increasing numbers of families and female-headed households run the risk of being dispossessed of their land and landed resources, particularly water. The situation for women is slightly different and of concern because of their triple roles of reproduction, production and community service (which are directly and indirectly tied to land and water), and the fact that they are more prone to tenure insecurity. Incidentally, the current gale for African land, which can hardly be separated from the rush for control over water, seems to be neglected both by investors and the state in most of the land deals.

This paper interrogates the extent to which water grabbing is subsumed in the current state of land grabb-

ing in Africa and investigates the extent to which community rights to water are ignored in the process. In other words, how does the rural poor in Africa, particularly women, fare as a result of this renewed interest in Africa's land and water resources, and why and how can their water justice be mainstream in the process of large scale land acquisition? Yet, it is important to note that the acquisition of land for economic exploitation in itself is not new but what is new in the context of “land grab” is when “large-scale land acquisitions either (1), violate human rights, particularly communities' rights of free, prior and informed consent, (2), are not based on thorough socio-economic and environmental impact assessments, particularly the impact on women; (3), are not based on transparent contracts including specific, clear and binding commitments about the rights and obligations of the parties concerned, or (4), ignore effective democratic planning and meaningful participation (Action Aid (2012), IIED, ILC and IFAD).

## MATERIALS AND METHODS

A plethora of literature exists on large scale land acquisitions (LSLAs) in Africa and South America. Most of our analysis is drawn from desktop reviews on the phenomenon of LSLAs in Africa, complemented with restricted field observations and experiences from Cameroon. Although we concentrated on published articles from peer reviewed journals, we also consulted reports of international organizations (IFAD, GRAIN, and others), government, and non-governmental organizations interested in the subject, including some social blogs and internet sites. These diverse sources aided in verifying and ensuring the reliability of information collected. We then interrogated and analyzed this information on LSLAs deals with the help of the framework on accountability and water justice.

Three simple spread sheets were used in the process of collecting the secondary information. The first was used to identify the countries affected by LSLAs and highlight the water bodies related to this land where possible, as portrayed in the literature. In the second sheet, we tried to tabulate the general effects of LSLAs on water generally while paying attention to those areas and information recorded in our first sheet. The third sheet was used to record the effects of water grabbing on community livelihood especially on women. The three sets of data collected were then brought together following our research objectives to describe the process in LSLAs, the link between land and water grabbing that is apparently neglected, and how this is affecting the lifestyle of the rural communities and women in affected areas. The discussion that issued is done within the framework of accountability.

The discourse on LSLA is often articulated within the context of accountability (as both a right and power) and legitimacy (IDRC, 2013, Pollack, 2012) which call to question the legality of the process. Thus, because of women's substantive rights, the state and other actors involved in LSLAs become accountable to them in deals that may affect their water rights, as states and local councils contract land deals that diminish the rural woman's possession and use of water. Cotula (2011) believes that most LSLA deals ignore accountability as a right. He notes that little or no consultation is done by the investors to the local people, especially women who are mostly affected by LSLA. This can be attributed to the fact that formal land tenure is rare in the sub-Saharan region (Sparks, 2012). Land has been nationalized in most African countries. In Ethiopia

for example, land is nationalized and private ownership outlawed and only long-term land leases may be acquired (Cotula, 2011). In Cameroon, Fonjong et al. (2012), and Egbe (2001) observed that private ownership is only allowed after a tedious process of land registration. Nonetheless, costly and cumbersome procedures mean that very few rural people hold ownership rights. Customary tenure systems are however, very functional in some countries and perceived as legitimate, giving local resource users the feeling that they have sufficient tenure security without need to seek formal title (Cotula, 2011). But this is not the case in countries like Cameroon and Ethiopia where customary rights are not legally recognized. As a result, the government has sole legal authority to sign off transactions (Cotula, 2011), especially to land considered "empty and underutilized" (Fischer and Shah, 2002) without consulting women and other local users who are directly affected. These contracts always go with the free donation of large quantities of water to the contractors.

Accountability as a power consists of the mechanisms, skills, and capacities to claim power and avenues to challenge failures or breaches of obligations (Pollack et al., 2012: 6; Argawal et al., 2012:16). Lack of information and sometimes outright ignorance and legal illiteracy of the rural woman may be a source of powerlessness and inability to challenge existing land laws and LSLAs practices that infringe on their right to water. They may not even be aware of the role of the chiefs and/or local councils in such land deals. Even efforts from civil societies to make the state and local government answerable to their citizens are not enough (Pollack et al., 2012; 2013). This might be propelled by the absence of a good representation in all arms of governance to put through their case.

Good government is produced through a virtuous relation between active citizens and strong government, based on the representation of people's needs and aspirations in policy making and implementation processes (Fox, cited in Agrawal and Ribot, 2012). Where this virtuous relation breaks down and where decision-makers become unaccountable, their legitimacy as in the case of LSLAs can be called into question. But the situation can be murky in sub Saharan Africa where LSLAs have been facilitated and legitimized by the fact that the real owner of the land is not specified in their weak land statutes. Thus, in interrogating the effect of water grabbing in LSLAs, the extent to which the interest of local communities and women have been mainstream in the deals depend on how accountability has been conceptualized to include the voices of affected communities.

## FINDINGS

### **The extent of LSLAs in the sub-continent is phenomenal with anticipated mixed fortunes**

About eighty four (84) countries are reported to be targeted by foreign investors, but just eleven of these countries concentrate 70% of the reported targeted surface. Amongst those eleven, are seven African countries namely; Sudan, Ethiopia, Mozambique, Tanzania, Madagascar, Zambia and DR Congo (Anseeuw et al., 2012). According to the Land Matrix results, these investments originate from three groups of countries: emerging countries like Brazil, South Africa, China, India, Malaysia, Korea; Gulf States; and countries in the Global North (USA and European Countries) (Anseeuw et al., 2012).

Sub Saharan Africa, particularly Central Africa has

witnessed a rise in the prevalence of large-scale land acquisitions with a growing documentation of cases whereby foreign investors have acquired large amounts of farmland above 1000 hectares (Chu, 2013). A report by Oxfam (2011) declared that the amount of land that has been sold or leased in developing countries is as high as 227 million hectares, a significant increase from the World Bank's (2010) previous estimate of 56 million hectares. The International Food Policy Research Institute believed that between 2005 and 2009 alone, over 20 million hectares of land were grabbed (IFPRI, 2009). In Mozambique alone, there have been 96 large-scale land acquisitions, according to the International Land Coalition's database, over half of which are for agriculture (ILC, 2012). In Senegal, reports estimate that 17% of arable land has been acquired in large-scale land transactions, the majority for bio- fuel cultivation (Wild, 2011). Rulli et al. (2012) described this phenomenon as dramatic, going by the number of land deals concluded between 2005 and 2009 alone.

A greater number of these deals involve the acquisition of thousands of hectares of land without due respect for the entitlements of local land users through proper consultation, informed consent or adequate compensation for the loss of land-based livelihoods (Chu, 2013). It is this quantity and pace of land acquisition that draws global attention to a phenomenon which Mehta et al. (2012, 195) think could have remained largely invisible.

Yet, African governments have welcomed such large-scale land investments, some considering it an opportunity for the transformation of their hitherto subsistence-based agricultural sector. LSLAs is argued as being opportunities for the transfer of technology, the expansion of local infrastructure, generation of rural employment, and achieving national food security (Salami et al., 2010; Braun and Meinzen-Dick 2009). Seen from this angle, host governments in a dozen of African countries have promoted it by providing investor-friendly land market environments marked by very small land rents, tax waivers, limited restrictions on production and exports as can be seen with US-based Herakles Farms in Cameroon. In fact, even investment treaties usually require governments to treat investors in a 'fair and equitable' way, and require compensation for direct or indirect expropriations (Polack et al., 2013: 26).

Although new opportunities could be created from increases in land investments for national growth, the most outstanding issue which remains central and inadequately addressed are critical questions regarding the rights of poor local communities. Castel and Kamara (2009) have pointed that since such investments are largely meant for the export market, they do not necessarily contribute to ensuring local food security and are more likely to put local livelihoods at risk (von Braun and Meinzen-Dick, 2009). This entails the dispossession and displacement of rural households, damaging their local livelihoods, food security and access to key resources

such as water (HLPE, 2011:34). Furthermore, the so called new opportunities might necessarily be to the benefit of local communities if these communities do not have the skills and capacity to get hold of them.

It is also argued by proponents of LSLAs that it will create local employment and development. This is not only untenable but creates employment and development at what scale and price? Gurara, and Birhanu (2012, 1) have in this respect pointed that LSLAs deals have very loose binding clauses on the size of employment expected from investors. Can sixty or a hundred or even five hundred low-paid unskilled jobs created by these companies be equated to hundreds of thousands of villages eternally displaced from their primary source of livelihood and sometimes done without due informed consent and inadequate compensation? LSLAs clauses on employment and development need to specify the type of development, numbers and types of jobs to be created over a specific time target. Where such specifications do not exist, investors would have been given open checks to do as they like and the employment they create can only be a form of window dressing.

### **Behind every land grab there is water grabbing with far-reaching implications**

Water is very important in the drive for LSLAs. It determines which land is attractive to investors that can easily be converted into productive use at reduced cost. Water grabbing is thus subsumed in LSLAs. In water grabbing, powerful actors take control of valuable water resources for their own benefit, depriving local communities whose livelihood often depend on these resources and ecosystems. In the process, water becomes a private rather than public good whose access must be renegotiated and/or paid for by indigenous communities in the long run. Water is a central component of land deals which, sometimes are often intentionally ignored to favor investors. The right of investors to access the water required to cultivate acquired land is embedded in land leases, but is seldom paid for (Woodhouse, 2011). Most investors favor land with good access to water and the potential for irrigation as is the case with most of the Cameroon Development Corporation plantations in South Western Cameroon, where their banana plantations are located within areas having plenty of water. Franco et al. (2014) observe that investors are unlikely to grab land without being assured of water for cultivating crops.

In fact, hidden behind every land grab is a water grab. Investors who have been taking up vast stretches of farmland in recent years celebrate the fact that the access to water they gain, often for free and without restriction is worth more over the long-term, than the land deals themselves (Grain, 2012). Neil Crowder of UK-based Chayton Capital says: "...The value is not in the

land"..., the real value is in water..." (Grain, 2012: 3). For example, Saudi Arabian companies have been acquiring millions of hectares of land overseas to produce food for home consumption. The issue at stake here is not inadequate land in Saudi Arabia for food production, but lack of water in the kingdom which is being sought for in countries like Ethiopia (Grain, 2012). Indian companies like Bangalore-based Karuturi Global are also doing the same.

The global assumption of farmland investors is that water is abundant in Africa and water resources are vastly under-utilized, and ready to be harnessed for export oriented agricultural projects, ignoring the fact that Africans already live in water-scarce environments and climate change is likely to increase these numbers significantly (Grain, 2012). Massive land deals accompanied by water grabs could rob millions of people of their access to water and risk the depletion of the continent's most precious fresh water sources (Grain, 2012). This report believes that land deals in Africa involve large-scale, industrial agricultural operations that will consume massive amounts of water as they are strategically located in major river basins with access to irrigation. They occupy fertile and fragile wetlands, irrigated farms or arid areas that can draw water from major rivers at the expense of local farmers, pastoralists and other rural communities who already lack sufficient access to water for their livelihoods. Such mega-irrigation schemes like those on the Nile can jeopardize the freshwater needs of an entire region. The Nile which is a lifeline for ten countries, especially Egypt, Ethiopia, South Sudan, Sudan and Uganda, is already a source of significant geopolitical tensions, aggravated by the numerous large-scale irrigation projects in the region (Grain, 2012). This is obvious, particularly with the construction of the Aswan dam to regulate the flow of the Nile in Egypt, which has affected water needs in the economically, ecologically and politically fragile basin.

What is more interesting and of concern to here is the fact that the three countries in the basin: Ethiopia, (South Sudan and Sudan) have leased out millions of hectares of land, and are still putting more on offer. In South Sudan and Sudan alone, some 4.9 million hectares of land have been leased out to foreign corporations since 2006 (Grain, 2012). For this land to be used, water which is in short supply will need to be irrigated. Amazingly, none of those grabbing or selling/leasing the land seem to think about the water issue. Both Oakland Institute (2011) and Grain (2012) contend that if all the land leased out is put under production and irrigation, it will increase the countries' use of freshwater resources for agriculture by a factor of nine, a situation which the FAO (2012) believes the recent land deals outstrip water availability in the Basin (Grain, 2012). FAO establishes 8 million hectares as the total 'maximum value' available for total irrigation in all ten countries of the Nile basin (Grain,

**Table 1.** Summary view of water situation in some selected areas affected by LSLAs in Africa.

Countries	Localities	Anticipated/concluded land deals (in hectares(H))	Water implication
Cameroon	South West Region	20000H to Herakles USA to grow oil palm	Company has excessive water rights and youths have led protests against likely risks on the environment and livelihood. Although the issue of water has not come out strongly in their demand, 20000H include major water catchments of the area.
Mozambique	Limpopo River	73000H sugar cane deal with Procana	River has potential only for 44000H above which will impact downstream users.
Kenya	Yale swamp	7000H by US Dominion Farms	Local populations have been displaced and they suffer from water pollution, from spraying and there is no water for pasture and other related water activities.
Ethiopia	R. Omo and L. Turkuna	Huge dam for electricity and commercial agriculture	Dam threatens the livelihood of more than 1 million fishermen and herdsmen.
Mali	Inner Niger Delta	470000H by UK, US, China, Libya, Saudi Arabia companies	Exceeds irrigation capacity of 500000H for the area. There is water scarcity.
Senegal	Senegal River Basin	375000H by China, France, Saudi Arabia	River irrigation potential of 240000H, far above capacity, leading to the current water crisis.
Tanzania	Wami River	20000H to Eco-energy (sugarcane)	According to the EIA report, the amount of water requested from Wami River for irrigation during the dry season was excessive and would reduce the flow of the river leading to local tension.

Source: Adapted from Grain, (2012).

2012).

The situation in the Nile Basin is a reflection of what obtains in most of the subcontinent. Table 1 gives us a glimmer and puts into perspective the implications of LSLAs on the water situation. As is the case with the rest of the paper, we have limited our discussions to surface water without examining the likely effect of LSLAs on underground water which can also be huge and devastating to the population but beneficial to agro-companies.

Table 1 reveals that the demand for water by large scale land investors in Africa is threatening its supply. This has promoted water poverty, thereby increasing the misery of the poor communities, particularly those who depend on natural springs and streams. It is common to observe situations where water is rationed in many areas surrounded by these agro-plantations because crops need to be watered. This is the case of the Molyko Banana Plantation of the Cameroon Development Corporation where there is constant water and water spraying of the bananas, while the surrounding populations of Molyko, Muea and Bomaka go for weeks without water or have to negotiate for water rights from these plantations. In Mali where two companies, Moulin Moderne du Mali and Malybia have acquired over 120,000 ha of land in 2010 (Troy et al., 2010; Oakland institute, 2011), the extraction of 4 million cubic meters of water per annum affected millions of people downstream (Hertzog et al., 2012). Furthermore the impact assessment report for the Quifel Agribusiness of 2009 in Sierra

Leone cautioned on the likely risks associated with the extraction of so much water upstream from River Rokel (Faye et al., 2011).

In the process, women become a vulnerable segment of the population, paying the highest price. Similarly, as in the cases of River Omo and Lake Turkuna in Ethiopia, there are situations where water grabbing takes place in its own right. Water in many of such cases is grabbed for the construction of hydroelectricity dams and by mining companies during mining. Both scenarios, just like the case where water is grabbed for agriculture lead to population displacement and destruction of local livelihood bases either due to flooding or pollution.

### Women are possible causalities of water poverty

Throughout the world, women are intrinsically linked to water resources because of their roles and responsibilities in using and managing water for domestic needs. Since women and girls often cook, clean, farm, and provide health care and hygiene for their households, they are on the front line of their communities' and countries' water issues. Indeed, Moser's triple role framework (productive, reproductive and community management roles) associated with women's gender roles of childcare and home management defines household maintenance and ensuring household subsistence and survival as the basic responsibilities of women (Moser, 1993).

Women's reproductive roles (in childcare, household maintenance and subsistence) therefore highlight the centrality of water as the key determinant of their reproductive and domestic functions, and working conditions, as they are key users and play a crucial role in ensuring the availability of water and food for household survival. Global challenges like over-consumption, population growth, privatization and climate change all affect the quality and accessibility of water, and put a strain on limited freshwater systems. This may have a negative impact on women's access to water for domestic use through the pollution of water sources, reduction of the water table and/or the privatization of a water source. Women who are responsible for securing water for domestic use will be forced to adjust to such changes. Moreover, water scarcity and contamination disproportionately impact low-income women and girls, as the school performances or opportunities for many girls who must walk miles to access clean water are compromised. Without basic education or the ability to get a formal wage-earning job, many women become locked in a vicious cycle of poverty. This has a ripple effect that impacts communities and countries socially, economically and environmentally.

We find women most helpless in today's global water stress because they often work in informal markets and do not have the resources to participate in competitive markets that are worsening water scarcity. Things are even worse since as primary managers of water resources at the local level, their voices are not heard in large scale land transactions. This widespread disregard of women's voices in resource-based decisions, discrimination in access to information, and limited access to justice, hinder women from negotiating their land rights in general. It also prevents them from adequately renegotiating a new set of rights to replace existing entitlements when new investments in agriculture change the landscape (Action Aid, 2012). Many African governments have failed to document the details of land use patterns, or to provide figures on it and secure women's access to and control over natural resources.

Access to, and control over land and other natural resources therein, particularly water, are indispensable elements of the enjoyment of certain human rights. This is especially relevant to people whose livelihoods are pegged to such resources. For example, if small scale farmers are deprived of their access to land and water for cultivation, it could impact their rights to food as they will lose the basis for producing or procuring the food they need. If people are rendered homeless as a consequence of eviction from land, their right to adequate housing is directly compromised. For communities (the Pygmies of east Cameroon, for example) whose cultural and spiritual identities are strongly linked with their ancestral land, the denial of access to such land could also lead to the violation of the right to participate in cultural life.

Women bear disproportionate costs, displacement and

land reallocation increase pressures on their already tenuous land rights. Displacement also undermines women's capacity to meet their primary role in subsistence food production. The common lands (usually grazing and forest) upon which women depend for foraging and firewood are most likely to be given away for foreign investment (Behrman et al., 2011). Furthermore, women directly bear the costs of higher food prices that result from the commercialization of staple foods. They experience greater demand on their labor if the commercial activity on the land is labor-intensive.

Agriculture on large scale causes water stress, both through use of water and runoff of agricultural inputs. Due to the need to feed more people, forests and grasslands are converted into farmland, often increasing soil erosion, sedimentation, and the use of fertilizers and pesticides. Frequent ploughing and excessive irrigation also pollute fresh water systems with sediments, salts and pesticides (Khroda, 1996). This has a negative impact on women as small scale farmers and caregivers depend on these water sources for their livelihood. Lack of access to safe water has a far-reaching impact especially on women and children, who suffer from water related illnesses or lost opportunities. It is estimated that rural people in sub Saharan Africa, mainly women and children, spend about 40 billion hours each year fetching water (Nkonya, 2008). Moreover, lack of access to safe water traps women in the vicious cycle of poverty: water-related illnesses reduce their ability to engage in a full day of productive work, which in turn increases poverty and the risk of subsequent illnesses to collect (safe) water (MOFPED, 2000, 84) even before the current situation of water grab. Their lots are likely to be aggravated with possible increase of distance under the current dispensation of LSLAs which exclude them. Carrying water over long distance and especially across steep terrain may lead to health risks, such as a marked cranial depression, frequent backaches and headaches, malformed spine, obstructed birth, and high mother and baby mortality rates. MOFPED, (2000) continued to note that in order to avoid this drudgery, women may resort to collecting water from contaminated sources because it is easy to access, but which might have broad health consequences.

## DISCUSSIONS AND PERSPECTIVES

The so anticipated new agricultural investment and transformation opportunities brought by LSLAs come along with human rights excesses including the right to water, food, the right of indigenous peoples to self-determination (De Schutter, 2009; Polack et al., 2013) and the consent of the local people. Contracts generally lack the free, prior and informed consent of local inhabitants (Cuffaro and Hallman, 2011). Agreements lack transparency and, until recently, saw little input from civil society. Officials feel immune from public scrutiny

which results to increased corruption in the host country (Cotula et al., 2009; FAO, 2009). These deals are often part of complex packages (Cotula et al., 2009) and generally include incentives for the host country's employment opportunities, new or improved infrastructure, and technology transfer. But affected communities cannot maximize these opportunities because they are either not protected in the deals or no prior situational analysis is carried out to ensure that they can compete favorably (for them) with non-natives in the current context of globalization where opportunities know no boundaries. More employment opportunities for example, may end up going to migrants or expatriates because local indigenes do not possess the required skills.

The secret nature in which land deals are negotiated makes it hard to know exactly what is being handed over to foreign companies. However, from contracts that have been exposed or made public, it appears that the contracts tend not to contain any specific mention of water rights at all despite the fact that LSLAs and water are interconnected. Such neglect of the water component in the land deals leaves the companies free to build dams and irrigation canals at their discretion, sometimes with a vague reference to 'respecting water laws and regulations' (Grain, 2012, 14). This is the case of the agreements signed between the Ethiopian government and the Karuturi and Saudi Star in Gambela. Some contracts however, have a minor user fee agreement for the water, but without any limitation on the amount of water that can be withdrawn (Grain, 2012). In few cases, minimal restrictions are imposed during the dry season, when access to water is so critical for local community users. In instances where governments have the political will and capacity to negotiate conditions to protect local users and the environment, it is made increasingly difficult due to existing international trade and investment treaties that give foreign investors strong rights in this respect (IISD, 2009; Grain, 2012; Polack et al., 2013).

A more effective mechanism to LSLAs that can lead to a win-win situation is to ensure the downward accountability of public authorities to their citizens. For example, Hilhorst et al. (2011:25) argue that it is important that local authorities, formal and informal, become more accountable, track developments and seek to regulate the arrival of agro-investors into their communities. They can minimize damages if they accept only those that will "really" contribute to local development, develop clear contracts with conditions on sustainable resource use which are monitored and enforced, and protect key common pool resources like water and cattle racks from acquisition. The starting point is the awareness of farmer organizations, local governments and customary authorities of what is at stake and how they can act (Polack et al., 2013). The emphasis here is strengthening accountability as right and power and the legal empowerment of affected communities whereby citizens

acquire stronger rights to their resources and a greater say in decision-making processes affecting them, and also become better equipped to make the most of opportunities for public accountability through collective action and effective use of political leverage. Legal empowerment will require a combination of law reforms to address gaps and limitations in regulatory frameworks and weaknesses in democratic processes, and of collective action to give real leverage to legal rights (Cotula, 2007; Mathieu, 2008; Polack et al., 2013), particularly rights over land and water resources.

Advocates of the land deals and mega irrigation schemes argue that these big investments should be welcomed as a development opportunity to combat hunger and poverty in the continent (Grain, 2012). However, carrying out these great irrigation schemes under the current proviso does not seem to be a solution to water scarcity, hunger and poverty. Instead, it is greatly impoverishing Africa's rural population. LSLAs might be considered an opportunity for Africans if only their collective and customary rights over land and water sources are strengthened not trampled. But it is so far not the case. This is not to say that all is bad with LSLAs. Studies have demonstrated that while many investments reveal major accountability gaps in the processes of land allocation by state, customary authorities and management of other resources like water, some investments show some promising contributions to rural development. However, LSLAs can achieve more in this direction where a true development partnership is construed with local communities in mind, through effective local mobilization, organization and information sharing.

## Conclusion

Most early critics of LSLAs were generally directed on its effect on the displacement of farmers and village communities, the extremely low price paid for the land, the neglect of the free and informed consent of the population in the process of land acquisition, and the effect of monoculture on biodiversity and the environment, among others. The water dimension of LSLAs was largely ignored until recently when researchers, academics and civil society organizations are focusing attention on the relationship between land grabbing, surface and underground water situation in affected communities. While these early literature might have missed the water dimensions of these land deals, it is difficult to assume that corporate investors were not aware of the fact that water and land grab are interwoven and therefore the water was deliberately not paid for mindless of the fact that the land is taken almost for free.

Most of the examples highlighted in this paper suggest that behind every land grab there is water grab and provide reasons to argue that water may be one of the

hidden drivers of LSLAs. Viewed from this angle, no compensation has so far been provided to affected communities that can be judged as good enough for the loss of their land and water. Employment and development opportunities promised may be enticing but are not automatic, and may not necessarily benefit the population of affected areas if the population is not specifically mainstreamed into the deals and contracts. In the absence, we are left with Land deals that do not take into account local communities' rights to water, and investors' corporate social responsibility is unlikely to consider water justice and improvement in the livelihood of the local inhabitants as stipulated. Such attitudes of investors account for the negative connotation often associated with LSLAs and investments in the literature; and most often, drawing more attention to its dark cloud while neglecting the silver lining. In fact, states and investors may conspire to grab and control large expanse of land with a hidden agenda for water but they cannot go too far and get away with it because water grabbing affects the very essence of community existence which will force them to react in the long run. So can the introduction of a price for water in land deals make the process a win-win or increase the benefit of local people?

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## Conflict of Interests

The author has not declared any conflict of interests.

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