

# Land Allocation, Acquisition and Readjustments, Different Techniques for Land Redistribution

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This paper is a review of different techniques that have been used for land redistribution in different countries in the world during the last century. Land redistribution may have many purposes. It can aim at redistribution of land from a wealthy group of landlords to poor people in general or to tenants actually cultivating the land to achieve better social justice and give the poor a chance to improve their living conditions. It can have a more economic aim to provide better conditions for investments and improvements of agriculture technology through structural changes of land distribution in order to provide better income opportunities for those land users, who have capacity for such development. It can aim at providing access to land controlled by the State or other bigger groups to an increasing population through land allocation. It can also aim at a redistribution of existing land areas within a group, a village, in order to give new members of the group/village, access to land for their living on behalf of land already cultivated by other members of the group/village.

This review tries to list the most common techniques that actually have been used for these purposes. I have no ambitions to make an evaluation of the success or failures of the techniques and the various consequences over time. But they have been used for a specific purposes in countries (e.g. securing tenants rights to land, land redistribution, land allocation in order to promote agriculture development, providing land for urban development at low costs) and also achieved more or less successful results.

The focus in the international discussion is today on poverty alleviation. In this respect is access to land for poor people one of the key issues, whether it is land for housing in growing urban areas or land for cultivation in rural areas.

## Land Redistribution

Land redistribution can be made in many ways. One form of land redistribution is *land allocation*. With land allocation is usually meant allocation of land that the State claims to own or control on behalf of the nation. This is usually marginal land, which is not used intensively by any specific user. Land allocation very often means that the State allocate the land to de facto users, sometimes combined with conditions of development of the land use, on the size of an allocation to one family etc.

*Land readjustment* can include measures for development of undeveloped land, e.g. to readjust land access partly to include undeveloped land with a potential for development in exchange for already developed land. This can be a part of a more comprehensive *land consolidation* within a larger area, e.g. a village in order to promote economic development and efficiency in the agricultural or forestry. Land

consolidation can be used to improve the ownership structure in a very fragmented area. It can also mean the *division of common* land into more private land parcels.

Another type of techniques is more directly aiming at influencing the market. *Acquisition control*, meaning that the government is controlling whom is allowed to buy a property for a specific purpose, e.g. agriculture, forestry or multifamily housing. This control is often connected to the titling system and means that permission is needed to get a title to a property. The aim can be for instance to promote family farming on behalf of more large-scale enterprises or simply to exclude people seeking investment opportunities in general from the land market. The permission can be combined with conditions regarding competence of the buyer, settlement and prices. A specific form of acquisition control is pre-emption, which means that the State or the municipality can go in and take over an already negotiated agreement on the same conditions instead of the initial buyer. This is a milder form of expropriation.

The State can establish itself as the main buyer of land for a specific purpose, usually agriculture or urban development, sometimes supported by legislation regarding acquisition control, pre-emption and expropriation. In this way, the State can secure that land will be available for a specific purpose at reasonable prices in competition with other interests. The land can be put into a *Land Bank*, which in turn can be used to strengthen family farming or other prioritised purposes, e.g housing.

Tenants, working on land belonging to a landlord can have difficult social positions. Their rights have been strengthened by legislation including right of prolongation of contracts, right to have disputes regarding the land rent solved in specific independent courts, first hand rights to land acquisition if the land is sold and rights of redemption.

Finally, several techniques have been applied in order to *influence the market value* on land in order to keep influence from land speculations and expectations of change of land use and higher land values at controllable levels. Through valuation regulations in connection with expropriation, the State can establish certain price level, which will influence the market prices in an area.

The different techniques are illustrated in the following squares:

Land allocation	Readjustment
<ul style="list-style-type: none"><li>• Distribution of economic viable properties to interested people</li><li>• Usually through a (district) Land Commission (Chiefs?)</li><li>• Demands on:<ul style="list-style-type: none"><li>– development plan</li><li>– proof of possibilities to implement</li><li>– development within a certain time frame</li><li>– Example: Resettlement schemes in Zambia</li></ul></li></ul>	<ul style="list-style-type: none"><li>• Comprehensive readjustment within a village, sometimes combined with extensive new investments in infrastructure, example continental Europe</li><li>• Development of undeveloped land</li><li>• Distribution of common land, example Northern Europe</li><li>• Readjustment within fixed land resources, example Vietnam</li></ul>

### Strengthening tenants rights

- Right of prolongation
- Responsibility for maintenance of fixed assets (buildings)
- Procedures and conditions for setting ground rent
- Transfer of leasehold and investments
- Pre-emption right for the tenant
- Special court to settle disputes
- Conversion

### Access control through land titling

- To stop land speculation and make productive land available for ordinary people
- Control of who is allowed to buy productive land, (and to which price).
- Preference for a defined group of people, e.g. family farming, living on the production on the site and with enough knowledge.

### State Land Acquisition -Land Bank

- State land acquisitions supported by
  - acquisition control
  - expropriation
  - allocation policy, e.g. family farming, settlement condition, income policy
  - examples Philippines, Scandinavia
- Financed e.g. through a Land Fund

### Influence on Land Prices

- Land has no value, examples Mozambique, Tanzania, Zambia (Namibia etc.)
- State acquisition and control
- Expropriation possibilities
- Valuation regulations, influence of speculations, expectations values, the influence of the activity for which the land is expropriated