Land and Conflict

A Toolkit for Intervention 2.0

Integrated Natural Resource Management (INRM)

Sound management of natural resources is central to long-term development and resilience. Faced with an urgent need to reduce environmental degradation while improving human well-being, solutions that effectively integrate investments in natural resource management with economic and social development are increasingly urgent. INRM promotes integrated programming across environment and non-environment sectors and across the Program Cycle. INRM supports USAID to amplify program impacts, strengthen gender equality and social inclusion, and identify best practices for integration.

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https://land-links.org/project/integrated-natural-resource-management-inrm-activity/

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Introduction

The purpose of this toolkit is to introduce readers to the complex relationship between land and violent conflict and to provide guidance on recommended approaches and actions to address some of the root causes of conflict. This understanding can help staff diagnose a problem, support strategic planning, and develop projects and activities that build on a robust appraisal of local context and conditions. Much of USAID's work involves access to, or control over, land or resources on land—whether through support for agriculture, silviculture, conservation, infrastructure, urban and peri-urban development and other economic uses. Therefore, land represents both a uniquely powerful risk of conflict and a uniquely powerful opportunity for cooperation and peacebuilding across USAID's full programmatic spectrum.

Improving how land is governed—that is, determining control over, access to, and use of land and the resources that come from it—has important development benefits. A more transparent, accountable, and inclusive land sector can promote resilience, increase security, create platforms and opportunities for peaceful dispute resolution, provide incentives for adaptive behaviors that help individuals and communities respond to climate and other shocks, and expand the assets people hold. For women and other frequently marginalized groups, secure rights to land and resources can increase their voice and decision-making opportunities, enable their participation in governance and peacebuilding bodies, and strengthen their adaptive capacities. For these reasons, land should not only be viewed as

a point of fragility, but also as a critical productive and social asset that contributes to strengthening resilience and inclusive peacebuilding.

Unfortunately, formal land institutions are often weak, subject to corrupt dealings, fail to deliver services because they are under-resourced or inaccessible, or ignore the needs of populations unused to or excluded from formal legal systems. Customary or informal land governance systems are often under pressure from forces of economic development and economic and political elites, migration, urbanization, and growing pressure to preserve land for climate change mitigation or biodiversity conservation. These systems may not be recognized by, or able to coordinate well with, formal systems. Historic injustices and current inequities, including discriminatory social norms and practices, can translate into highly unequal patterns of land and resource access, control, and ownership. These factors contribute to marginalization, grievances, and insecurity. In addition, weak land governance can adversely affect economic growth, human rights, food security, greenhouse gas emissions, natural resource management, and women's empowerment.

In addition, the impacts of climate change on conflict and security will manifest through changes in land and water systems. Many climate-security issues the Agency must address involve changes to resource availability that contribute to land conflict. Moreover, beyond addressing these conflicts, the Agency's ambitious mitigation and adaptation goals must be carefully managed to avoid inadvertently triggering

conflict over land and resources. As climate change advances and degrades human security overall, carefully designed programming can help limit deforestation, reinforce resilience, and bolster durable peace, but will only be sustainable if it is conflict-sensitive and considers local land use dynamics.

This toolkit explores key issues, discusses lessons learned from USAID programming, and suggests relevant program interventions. It includes a Rapid Appraisal Guide that can be used to help determine which land issues are most relevant to conflict in a particular setting, and which offer good opportunities for building cooperation, peace, and ultimately greater resilience to shocks and stresses. The Rapid Appraisal Guide can be used to support Strategic Planning processes as well as project and activity design and implementation stages. It also provides recommendations for how to incorporate land and conflict concerns into program monitoring and evaluation. The toolkit emphasizes that land issues must be approached from a systems perspective that builds on the realities of the local context to better ensure the sustainability of programs and broader peace and stability.

To that end, this toolkit addresses the importance of "do no harm" when programs and activities touch on land issues (CDA, 2022), which involves understanding and mitigating the potential for negative impacts on conflict dynamics, combined with other longer term measures to enhance resilience

or peace. Doing no harm also requires that USAID staff recognize that development and humanitarian interventions themselves alter local conditions and power dynamics, sometimes for the better and sometimes for the worse. Building in time to pause, reflect, and course correct is essential.

Conflict sensitive programming, which builds on the "do no harm" foundation, identifies opportunities to strengthen social connections that help reduce tensions and conflict while promoting peaceful, positive outcomes. This does not mean that all USAID programming must become peacebuilding programming; it means that improved peace and resilience are inherently important for successful development outcomes and on their own merits. This toolkit should allow USAID staff to gain a deeper understanding of some important forces that drive violence and develop more strategic, focused, and sustainable interventions.

NOTE: Be sure to check out the **Rapid Appraisal Guide** on page 30. The Guide has been designed to help staff understand which land issues are relevant to violent conflict and which interventions may be useful in a particular context.

Key Issues

Throughout history, people have fought over land and the resources on and under land. Climate change, urbanization, rising demand for lands and resources, and localized environmental changes have all tightened the connection between land, resources, and violent conflict. Yet, while land is often a significant factor in geographies experiencing conflict, it is also a critical element in peacebuilding and economic reconstruction and development.

The Context

How land is governed matters for economic development, peacebuilding and conflict mitigation, and women's empowerment. In places where land and resources are well governed, individuals and communities experience important benefits. These often include enhanced perceptions of security and reduced levels of corruption, both of which create positive incentives to invest in and conserve land and property. Well-governed land systems provide accessible and trusted processes for dispute resolution, which can reduce the need to resort to violence. Well-governed land systems also provide efficient and accountable processes for registering and recognizing land and property claims, for supporting transactions in land (i.e., sales, leases, other use rights), and for collecting any related taxes that can support public service delivery and contribute to an enabling environment for economic growth.

Good land and resource governance is inclusive. Secure access to and rights over land is particularly important for women, youth, and groups who experience exclusion or marginalization, and are often barred from governance institutions and decision-making about land. In much of the world, historic injustices related to traditional land tenure practices, colonialism, and the transformation of economic systems, have profoundly shifted land holding patterns and resource use, contributing to intergenerational marginalization and long-standing grievances (van Leeuwen, Mathys, de Vries and van der Haar, 2020). These social patterns of exclusion and discrimination shape how land is accessed and used, potentially exacerbating feelings of resentment and increasing perceptions of threat and insecurity. Good land governance should encourage accessible, clear processes to enable more people to participate in decision-making related to how land is used, managed, and developed. The benefits of good land and resource governance include improved economic, social, and environmental outcomes, which can contribute to reducing some disputes and conflict (CDA, 2022; Zakout, Wehrmann and Törhönen, 2006).

The following subsections briefly examine phenomena that can trigger land-related disputes and conflict. These phenomena include land tenure insecurity, human mobility, urbanization, high value natural resources, group marginalization, increasing environmental degradation, broader patterns of violence, and post-conflict stressors. Climate change is not included as a separate section, but rather, should be considered across actions as it exacerbates all other trends.

Land Tenure Insecurity

Land can be seen as a "prize" and those who control it, often among the elite in a society, may have increased opportunities to financially profit and exercise political or military power (Boone, 2014). Conflict over who controls land can, therefore, combine economic and political elements with social or emotional (or spiritual/cultural) values, underscoring the need for context-specific understandings. When an opportunity or triggering event presents itself (i.e. a moment in time that crystallizes grievances), key actors in government, opposition groups, or among communities can leverage existing land grievances to ignite or sustain conflict. Understanding the conditions in which land disputes can arise will lessen the risk that development interventions inadvertently exacerbate existing faultlines and contribute to conflict. Creating and supporting institutions that facilitate peaceful use and non-violent competition is a central goal of work in the land sector. Whether disputes are handled peacefully or lead to conflict and violence often depends upon the perceived legitimacy and effectiveness of land and resource governance systems, which can be formal/statutory, customary/collective, religious, or informal (as in informal settlements). Other issues that contribute to tenure insecurity include:

- Overlap of formal and customary systems or other governance systems (aka legal pluralism), which can create confusion and ambiguity that powerful actors can exploit;

- Systems that lack the capacity to record and effectively enforce land and resource rights;

- Informally negotiated use rights, which may be "invisible" to officials and difficult to enforce;

- Complex and expensive processes for mapping and registering rights, which create barriers for some and opportunities for others;

- Missing, inaccessible, or out-of-date critical land information; and

- Social norms and practices that support discrimination against some groups.

There are many tested approaches to improve tenure security. These range from providing formal documentation of land rights in areas where pressures on land uses are rising, to strengthening the capacity of government or customary systems to manage lands, land administration systems and dispute resolution processes in a more equitable and inclusive manner.

Human Mobility

People move for many reasons. Some migrate in search of economic opportunities that can improve resilience and bring new ideas and talent to a destination location. Some are displaced by conflict, disasters, health crises, or changing environmental conditions. Others, such as some pastoralists, have livelihoods that rely on seasonal movement. These reasons often converge with other factors to create the conditions that drive a decision to move. Movements can be permanent, temporary, seasonal, or circular depending on the conditions, constraints, and opportunities people experience. Whatever the cause or reason, temporary, circular, or permanent movements of people have the potential to create impacts that lead to grievances, particularly when movement requires a rapid absorption of many people, when government policies favor some groups over others, and when migrants compete with local people for scarce resources and services, which can include access to land and water.

Armed conflict, mining, infrastructure development, or disasters can cause displacements of people — sometimes forcible.

A common source of tension in recent decades across West and Central Africa involves the movement of herders and their livestock into settled farming areas (Brottem, 2021). While such movements have been occurring for centuries and are rarely caused by a single factor, they have recently triggered violence in countries, including Mali, Burkina Faso, Nigeria, Uganda, Cameroon, and the Central African Republic (Molenaar, Demuynck and de Bruijne, 2022). If traditional systems for negotiating access, transit, and dispute resolution are not working well, disputes related to land uses or damage to crops can lead to violence. Some violence is also associated with cattle theft between pastoralist clans and communities. These inter- and intra-community tensions can be compounded by activities of violent extremists, the creation or expansion of conservation areas, and government policies that value crop agriculture over pastoralist production systems.

In other contexts, armed conflict, mining, infrastructure development, or disasters can cause displacements (some forcible) of people. In Colombia, Indigenous and Afro-Colombian communities, along with many other rural dwellers, have been displaced by civil war and economic activities, such as mining and palm oil production (IDMC, 2019; Van Ackern, 2015). Displacement-induced migration severs the deep cultural ties and the sense of identity that Indigenous and other local communities draw from their traditional territories.

The international community looks to the United Nations' Guiding Principles on Internal Displacement to help state and non-state actors develop approaches to recognize the rights and meet the needs of displaced people. Internally displaced persons also have rights to durable solutions to meet their needs. The IASC Framework on Durable Solutions highlights that durable solutions meet the assistance and protection needs of displaced persons, enabling them to either: i) safely and voluntarily return to their place of origin, ii) sustainably integrate into a host community, or iii) sustainably resettle elsewhere in the country.
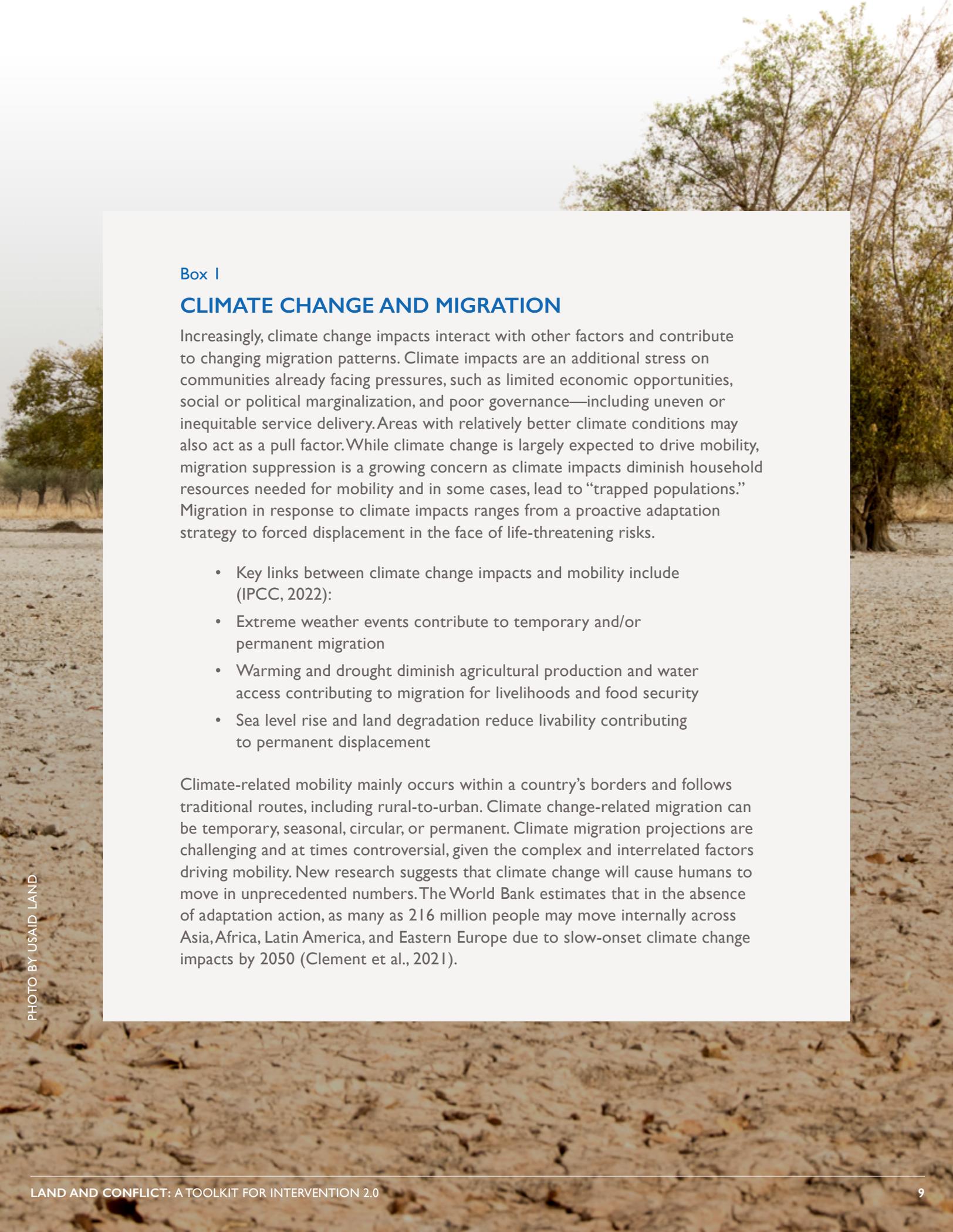
Box 1

CLIMATE CHANGE AND MIGRATION

Increasingly, climate change impacts interact with other factors and contribute to changing migration patterns. Climate impacts are an additional stress on communities already facing pressures, such as limited economic opportunities, social or political marginalization, and poor governance—including uneven or inequitable service delivery. Areas with relatively better climate conditions may also act as a pull factor. While climate change is largely expected to drive mobility, migration suppression is a growing concern as climate impacts diminish household resources needed for mobility and in some cases, lead to "trapped populations." Migration in response to climate impacts ranges from a proactive adaptation strategy to forced displacement in the face of life-threatening risks.

- Key links between climate change impacts and mobility include (IPCC, 2022):
- Extreme weather events contribute to temporary and/or permanent migration
- Warming and drought diminish agricultural production and water access contributing to migration for livelihoods and food security
- Sea level rise and land degradation reduce livability contributing to permanent displacement

Climate-related mobility mainly occurs within a country's borders and follows traditional routes, including rural-to-urban. Climate change-related migration can be temporary, seasonal, circular, or permanent. Climate migration projections are challenging and at times controversial, given the complex and interrelated factors driving mobility. New research suggests that climate change will cause humans to move in unprecedented numbers. The World Bank estimates that in the absence of adaptation action, as many as 216 million people may move internally across Asia, Africa, Latin America, and Eastern Europe due to slow-onset climate change impacts by 2050 (Clement et al., 2021).

Urbanization

Urban areas can hold the promise of better, more prosperous lives and draw people to cities. However, urban expansion can also generate serious conflict. Developing cities involves building infrastructure, new housing, and commercial spaces. This often requires governments to take land for development through expropriation or compulsory acquisition—processes that can be highly conflictual. (Dadashpoor and Ahani, 2019; Lombard and Rakodi, 2016).

In other cases, urbanization can result from people being pushed from rural areas as they are displaced by conflict, disasters, or a changing climate. Municipal officials may be ill equipped to absorb new residents. Rapid and unplanned migration to cities can lead to a range of problems. These can include the creation and growth of urban informal settlements and resettlement areas.

In Somalia, for example, as conflict and drought-induced internally displaced persons (IDPs) have arrived in Mogadishu, informal settlements expanded (Zickgraf, Betancourt and Hut, 2021). Cities in the country lacking adequate urban planning processes or municipal capacity have difficulty delivering public services to settlement areas and people face acute food insecurity. Settlements are often developed on private land, owned by host community members. Long-term, secure leaseholds are not readily available, and evictions to accommodate those who can pay higher rents are common. Despite these challenges, many IDPs prefer the uncertainties of the city to the problems they face in rural areas and thus, continue to move and require accommodations. Recognizing this, the Government of Somalia has adopted a durable solutions-based approach and developed National Eviction Guidelines that prohibit forced evictions and create a framework for planned, legal evictions (Zickgraf, Betancourt, and Hut, 2021). Working with municipal governments to provide secure access to, control over, or tenancy for housing, land, and property for women, men, and their families can help reduce disputes among groups and can contribute to peacebuilding.

Land Grabbing

In recent years, the rising demand for land for farming, ranching, forestry, urban expansion, infrastructure development, renewable energy, oil and gas production, and mining has sparked alarm—particularly in the developing world where local people, whose land rights are often insecure, may be wrongfully displaced to make way for investments and projects that are often developed and/or approved by economic and political elites. As competition for land has intensified over the past decade, domestic elites and mid-sized producers, along with foreign investors, have been accused of acquiring rights to land in opaque, corrupt ways that forego community consultation and that violate human rights (Yang and He, 2021).

Many industries are implicated in the practice of land grabbing, including those critical to achieving important development outcomes. For example, solar and wind farms and electric vehicle production rely on mineral-intensive technologies and are likely to drive significant mining investments that could spark new conflicts over land and resource access and use (USAID, 2021). Although concerns about "green grabbing" for conservation have been less prominent than those related to agribusiness, there is concern that efforts to protect as much as 30 percent of the world's land by 2030, as proposed in the United Nations Convention on Biological Diversity's Global Biological Diversity Framework, may lead to displacement and human rights violations (Mukpo, 2021). Similar concerns are being raised about land with potential to earn carbon credits (Fleischman et al., 2021; Scheidel and Work, 2018).

Large-scale land acquisitions often have harmful, even deadly, impacts on Indigenous Peoples and other marginalized populations. Research alleges that during the COVID-19 pandemic, large-scale land-based investments in Brazil, Colombia, the Democratic Republic of the Congo, Indonesia, and Peru were permitted to move forward without legally required consultations or free, prior, and informed consent, leading to human rights' violations,

arrests, and violence (Middlesex University, Yale Law School, Forest Peoples Programme, 2021). Large-scale acquisitions can also have harmful gendered impacts. Women supply significant amounts of agricultural labor, yet they benefit unequally when land deals are concluded. They may not participate in cash distributions and any jobs created by investments go predominately to men, who earn and control this cash income (Ryan, 2018). Youth and very poor households may also be unequally represented and benefited when land transactions are negotiated, increasing, rather than decreasing their vulnerability to harm and creating land-related grievances. One useful approach is supporting the private sector to use enhanced due diligence and consultation processes that identify and mitigate land-based risks, alongside support to help governments recognize and register local land rights claims (USAID, n.d.a).

High-Value Natural Resources

It is important to consider how access to and use of land and high-value natural resources is mediated by local political economic structures. When local people are not adequately consulted and lose access or use rights to lands with high-value natural resources, their losses may be unrecognized and uncompensated. This marginalization can contribute to grievances and lead some people to participate in or support armed conflict that seeks to recapture land and resources (Homer-Dixon, 1999).

High-value natural resources have been used to finance conflicts by funding militia, rebel groups, or transnational criminal organizations (May, 2017; Lujala and Rustad, 2011). In eastern Democratic Republic of Congo (DRC), the control of lucrative artisanal mines sites has fueled and prolonged the deadliest global conflict since World War II by financing armed groups (USAID, n.d.). Diamond, gold, jade, tin, tantalum, and tungsten mining have all been closely linked to conflict and violence in countries, such as Burma, Colombia, DRC, Liberia,

Sierra Leone, and Venezuela. In northern Burma's Kachin state, the control of jade mines by armed groups and Burma's military forces lies at the heart of a vicious cycle of exploitation and conflict that has ravaged the region for decades (Global Witness 2015, 2021). In Colombia, illegal gold mining by some estimates generates about USD $2.4 billion a year in criminal revenues, three times more than narco-trafficking (Ford, 2021). As demand for green energy minerals increases, conflicts between communities, government, and mining companies have the potential to increase. By 2050, renewable energy technologies, such as solar, wind, and electric vehicles are projected to drive as much as a 500% increase in demand for some green energy minerals, which may increase tensions over mineral resources and spark new conflicts (USAID, 2021).

If well-managed, revenues from high-value natural resources can contribute to economic growth and development. However, resource revenues can facilitate or encourage corruption and undermine economic performance and governance and also increase the risk of renewed violence (Collier and Hoeffler, 2004). In addition, conflicts often revolve around how land with high-value natural resources is acquired, how it is used, and what benefits (or harms) the extractive use creates; these are often called environmental, social, and governance (ESG) risks (Buckingham, 2021). If not adequately addressed, these land-related ESG risks can contribute to inter-community conflict (USAID, 2022). Communities may have unrealistic expectations about the benefits that are likely to result from an investment, which also contributes to misunderstanding and grievances. Regular, open dialogue and accessible, accountable grievance mechanisms are critical to build trust and avoid harm.

Marginalized Groups

Many social groups experience marginalization or exclusion that deprives them of opportunities to fully participate in social, economic, and political spheres. Marginalization can be part of the legacy of colonial rule, historic racism, and bias. While all individuals represent multiple identities that create unique relationships with the state, their societies, and their land, some people face barriers to participation and inclusion associated with intersecting identities that others do not. Understanding these relationships and patterns are vital for analyzing power dynamics related to land.

WOMEN AND GIRLS

In both formal and customary systems, women and girls face additional challenges accessing, using, and controlling land and resources on land. Around 40 percent of economies limit women's property rights (World Bank, 2022). Discriminatory gender norms and practices can make it difficult for women and some men to register rights they hold under the law. These norms can create pressure for women and girls to cede land inheritance rights to brothers or male relatives. These norms can also lead to threats or violence being perpetrated against women who seek to protect land or claim rights to land. As a result of pervasive and discriminatory gender norms, women, girls, and LQBTQ+ community members also experience unique economic and physical violence in situations where access to and control over land and resources come under pressure or are contested.

While discrimination against women is contrary to most national constitutions and a host of international agreements, it persists and remains common. Efforts to manage conflict must be acutely sensitive to this reality, taking action to prevent discrimination and gender-based violence, while also recognizing women and girls as key drivers of solutions. Securing women's land and resource rights, which evidence demonstrates supports women's empowerment by increasing their bargaining power and decision-making authority (Meinzen-Dick et al. 2019), can be a helpful pathway to reduce women's vulnerabilities and enable more women to participate in peacebuilding efforts (UN-Habitat 2021). While women can be especially vulnerable to harm during and after conflicts, research suggests that when they are empowered and have opportunities to meaningfully participate in peace and security processes, women can play an important role in post-conflict reconciliation, recovery, and peacebuilding (USAID 2020).

Securing women's land and resource rights can be a helpful pathway to reduce women's vulnerabilities and enable more women to participate in peacebuilding efforts.

INDIGENOUS PEOPLES

Indigenous Peoples, who often pursue traditional livelihoods that are intimately tied to and dependent on their land and territorial resources, are particularly at risk of harm and have been subject to violent reprisals for defending their territorial claims (Le Billon and Lujala, 2020). There is a growing body of evidence that underscores the valuable contributions of Indigenous Peoples to protect and conserve biodiversity, limit deforestation, and provide essential ecosystem services (Baragwanath and Bayi 2020; Walker et al. 2020). As a result, there are increasing calls to include Indigenous Peoples as partners in the global fight to combat climate change, and to recognize and protect their territorial claims (IPCC 2019).

In recognition of their unique relations to land and territories, Indigenous Peoples receive special protection under a number of international agreements (UN Office of the High Commissioner for Human Rights; UN Office of the High Commissioner for Human Rights, 2015). USAID's Policy on Promoting the Rights of Indigenous Peoples underscores the importance of land and historic territories for Indigenous Peoples.[1] The policy notes that many formal legal systems have failed to recognize the legitimate tenure rights and territorial claims of Indigenous Peoples and that: "[i] Insecure tenure rights have contributed to high levels of conflict between Indigenous Peoples and other communities, including incidents of displacement, which has contributed to further impoverishment, joblessness, homelessness, hunger and food-insecurity, and increased morbidity, and community disarticulation" (USAID, 2020, p. 10).

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[1] As noted in USAID's PRO-IP Policy, there is no one definition of Indigenous Peoples that is accepted under international law and peoples referred to as pastoralists, aboriginal, First Nations, native, or ethnic minorities, among others, may be considered indigenous. The PRO-IP Policy sets out criteria to identify if a group is indigenous. It is important to understand who is indigenous in an area as well as the power dynamics that exist among and between indigenous groups and non-indigenous groups or actors.

MINORITIES

In countries around the world, ethnic, religious and racial minorities are subject to discrimination in their access and rights to land. This is not only a developing world problem. In the United States, African Americans have faced many legal and social barriers to owning, retaining, and financing property (Hinson, 2018; Quisumbing King et al., 2018; Horst and Marion, 2018). In the aftermath of the U.S. Civil War, prosperous African American farmers and business owners were viewed as a threat by some white communities, who responded with widespread violence throughout the Jim Crow and later eras, further entrenching inequitable land and property holding patterns. From the early days of colonization, Native Americans were forcibly driven off their lands and faced loss of cultural heritage and persistent violence for defending their traditional territories and resources from annexation by the national and local governments and from settlers.

Attacks on the land rights of minority and marginalized communities continue. During some violent conflicts, minorities have been subject to ethnic cleansing, which drives them from the land they own or control. Ethnic cleansing is an atrocity crime and if it occurs, efforts should be made to monitor attempts by perpetrators to exclude victim groups from access to or use of their lands. In Myanmar, legal changes to a key land law in 2019 created extreme barriers for Rohingya refugees to return and reclaim lands they controlled for generations (Yeung, 2019).

YOUTH

In some countries, youth (which USAID defines as 10-29, but which other actors, such as government officials, may define as between 18 and 35-40) often face difficulties accessing land for their use (USAID, 2022). As land for development becomes scarcer, a smaller percentage of youth are inheriting land - the primary way young people in the developing world acquire rights to land (Yeboah et al., 2019). This can make it even harder for young women who already face barriers to inheritance to acquire land. As life

expectancy rises, youth must wait longer to inherit land, which can contribute to intergenerational disputes. In places with customary land governance systems, control over land is typically managed by male leaders over the age of 35 or 40. This can also create inequitable intergenerational power dynamics that frustrate the ability of the young to enter some rural livelihoods, build homes, establish their independence, and otherwise age out of the youth category. Some research from Africa suggests that violence and the displacement associated with it may be one way for youth to access otherwise scarce land (Kobusingye, 2020).

Increasing Environmental Degradation

Ecosystems around the world are degrading as the world's climate changes and as intensive land uses place stress on land and other natural resources, including water. Land degradation, soil erosion, and desertification all contribute to decreased productivity of crops, forests, and rangelands, each of which has implications for food security, nutrition, livelihoods, and human vulnerability. Urbanization, agricultural expansion, and infrastructure development can also contribute to deforestation, pollution of water resources, and loss of wetlands or mangroves (UNCCD, 2022).

Misuse and overuse of resources may result if governments fail to enforce their rights over public lands by excluding users and effectively managing resources. Overuse can also occur when private rights' holders are unable to exclude others or enforce rules designed to sustainably manage resources. When statutory or customary land and resource governance systems fail to secure or enforce legitimate rights, particularly rights to common resources—such as forests, pastures or grasslands, water, and fisheries—rights' holders may be less inclined to moderate their use, a situation that can lead to overexploitation. When land degrades, the amount of fertile, viable land decreases

and the value of remaining "good" land rises. Competition over this increasingly scarce resource increases, which can create a reinforcing, destructive cycle unless adequate opportunities for dialogue and mediation exist (de Jong, De Bruin, Knoop & van Vliet, 2021).

Individuals and communities also face threats from rapid and slow-onset disasters, which displace people, destroy property, and even lead to the loss of physical land, as is the case when the sea level rises and land is submerged. Tension and violence often accompany the initial displacement of people and can be part of the dynamic when displaced people return to their homes, which may or may not have been subsequently occupied. Climate change will further exacerbate these challenges by adding another key pressure on the landscape, including: compounding risks of resource competition, livelihood insecurity and migration, extreme weather events and disasters, volatile food prices and provision, transboundary water management, sea-level rise and coastal degradation, and unintended effects of climate policies (Ruttinger 2015.) For example, in Karamoja, Uganda the joint challenges of shifting rain patterns (shorter, less predictable) and extended dry seasons, when coupled with widespread changes in land use, resulted in new forms of violence challenging a precarious peace (Abrahams, 2021). This pattern is not unique and underscores the need to treat climate change in an integrated manner (USAID, 2022).

Violent Extremism

Land-related grievances often arise when the rules, institutions, and systems that govern land are perceived to be ineffective and/or illegitimate, when land and resource rights are insecure and unenforced, and when communities feel threatened by outsiders or, more powerful actors within their society who seek and take their land. Loss of land, resources, livelihoods, social support networks, sacred spaces, and the sense of identity that flows

from the land, may contribute to impoverishment and feelings of exclusion and marginalization. These concerns motivate environmental and land rights defenders, hundreds of whom have lost their lives or been injured, harassed, and threatened defending the lands they claim, manage, and cherish (Global Witness, 2021).

In some cases, states may use land and property information systems to identify where opponents are located, to impose costs on opponents by destroying land and property, and to retaliate against targets by evicting people from land and housing (among other tactics). Weak or corrupt land and property systems may, therefore, contribute to grievances associated with marginalization and may also be used as a tool to achieve strategic military goals (Unruh, 2016). In both cases, land issues may serve as a cause or driver of conflict.

Members of marginalized communities often report feeling resentment, humiliation, frustration, and anger at being treated unjustly and without dignity by government and other actors, including in relation to accessing or securing rights to land (Shetret, Schwartz, and Cotter, 2013). In coastal Kenya, Muslim communities feel marginalized by land dispossession and the perception that the government has failed to rectify past injustices related to land. They believe the distant and elitist government persistently discriminates against their land claims and provides land to favored groups. Preferential treatment (or the perception of preferential treatment) and reports of corruption at Kenya's Ministry of Lands leave local communities with substantial frustration. As a result, extremist groups, such as the Somali-based insurgency, Al-Shabab, are able to leverage land-related grievances, and provide incentives that attract young people and pave the way for radicalization (Miriri, 2019). Improving land administration services and working with government, civil society, elders, and local leaders to expand youth access to land for livelihoods can help reduce vulnerability and improve the economic and social conditions that erode trust and contribute to grievances.

Post-Conflict Issues and Concerns

Post-conflict actors may target land governance structures and institutions, such as land information systems, to support property seizures and entrench exclusionary practices and policies. Post-conflict settings often see dramatic shifts in power dynamics and problems associated with settling "old scores" or, in some cases, creating new land laws - or flouting old ones - to benefit new leaders and their allies.

In Afghanistan, the Taliban took control of the government in 2021. In many locations, they found a complicated set of property arrangements. Some families occupied property during the civil war in the 1990s, others moved into housing provided by the civilian government in the 2000s. Despite the claims these families had—some decades old—the Taliban ordered people to vacate their homes, businesses, and land to provide these assets as a form of compensation to their soldiers, which intensified insecurity for these families (Gibbons-Neff and Akbary, 2021).

In post-conflict situations, the number of women-headed households may increase as men are captured or killed (UNHCR/Nigeria, 2018). Women-headed households face many challenges in these situations, including figuring out how to defend land and housing in the absence of formal, documented rights. If women's names are not listed on property documents, it can be difficult for them to prove or defend claims, putting them at greater risk of dispossession or displacement. Without formal rights to land and property, women may also have difficulty participating equitably in post-conflict restitution and resettlement activities.[2] Addressing land issues after a conflict ends can support peacebuilding and help break a cycle of violent disputes (CDA, 2022).

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[2] For additional information see the Women & Conflict Toolkit that is part of this toolkit series at: https://www.usaid.gov/sites/default/files/documents/1865/toolkit_women_and_conflict_an_introductory_guide_for_programming.pdf. (accessed June 8, 2022).

Lessons Learned

Thanks to active government, donor, and civil society engagement over the past two decades, many lessons are now available to help development practitioners identify and address linkages between land and violent conflict. There is no single formula that will enable all practitioners to plan successful programming interventions to address land and violent conflict. However, several factors will help ensure that planning, design, and project implementation draw on evidence and programming experience. At a minimum, the starting point for interventions should always be to "do no harm." The aspiration, however, is to take into account the political, social, economic, and conflict dynamics in the specific contest in order to adapt and adjust within them, while doing everything possible to find or create opportunities to promote resilience and inclusive peacebuilding. This avoids harm, but also improves conditions for success across all programmatic sectors.

Identify and Assess Power Dynamics

How land is controlled, by whom, and under what conditions is determined mostly by power relations between individuals and groups. As a valuable asset, control over how land is allocated and used, provides a degree of social, economic, and political power to the person or groups making these important decisions (CDA, 2022). Being aware of who holds this power in formal and informal systems is an essential component of any land and conflict analysis. For example, in formal statutory systems, surveyors, attorneys, and notaries are often extremely important actors who may facilitate or block needed reforms to streamline land registration processes.

In some areas, traditional or customary leaders may hold significant power over how land and resources are allocated, used, and how resource revenues are distributed, making them important actors who can contribute to or help resolve local conflicts (Diprose and Najib Azca, 2020). Drawing on applied political economy analyses, including USAID's Thinking and Working Politically Framework, can be an extremely useful entry point for assessing these relationships at different levels (USAID, 2018).

Strengthen Local Capacities

One of the major issues that contributes to weak land and resource governance and insecure tenure

is a lack of capacity among local actors to deliver needed services and meaningfully participate in discussions, planning processes, and negotiations related to land use, land management, and land transfers. When local actors lack these capacities, they are less able to meet the needs of constituents or engage with others and lead efforts to develop their communities. Conversely, when local actors have effective capacities, they are better placed to address underlying drivers of fragility and improve resilience to shocks and stresses, which can help them prevent, mitigate, and recover from crises (USAID, 2021). Promising approaches include the use of local land use plans or bylaws and conventions that reinforce communal institutions, clarify processes and procedures, and address resilience needs of communities to reduce stresses on the resource base (Johnson and Steinberg, 2020). Rebuilding trust-based relations among communities relies on supporting locally-led dispute resolution or mediation efforts.

Prioritize Equitable and Inclusive Approaches

Promoting more equitable and inclusive access to and control of land can empower more people with increased decision-making, new economic opportunities, delivery of nature-based solutions that address climate change, and can support peacebuilding. Achieving greater inclusivity and more equitable outcomes requires identifying and understanding the spectrum of tenure claims of actors in a particular context and finding culturally appropriate ways to include them in discussions and engagements related to program design, implementation, and monitoring.

In some cases, land laws may need to be revised to recognize and provide equitable rights to women, girls, persons with disabilities, or youth (among others). In these cases, supporting legal drafting and multi-stakeholder consultations can increase inclusion. Providing equitable access to justice

is another way to promote more inclusive land governance. Mitigating the risk of harm to local people requires consistent, meaningful engagement and consultation to understand the scope of their legitimate claims over land and resources, the sources of dispute or grievances, options for trust building and dispute resolution, and options for peacebuilding that address land-related concerns.

Promote Durable Solutions

When people are displaced from their land and lose property, either because of conflict or for other reasons, such as climate-related changes or disasters, they need access to land, housing, and real property. Identifying inclusive approaches that provide short, medium, or long-term tenure security and adequate livelihoods for host communities and for displaced persons is important to promote peace and sustainable development outcomes (HPG, 2020). Numerous options exist to support durable solutions to land-related disputes. For example, people-to-people reconciliation efforts can address housing, land, and property disputes as part of their activities. In some locations, providing cash benefits to support property rental payments may be useful. Regular dialogue between migrant and host communities can also be important to help build trust, explore values each group holds, and highlight the importance of retaining cultural identity and avoiding forced assimilation. Simplifying and streamlining processes to legalize and secure land or territorial claims can help promote more durable solutions for local and indigenous communities (IDMC, 2019).

Plan for Robust Monitoring and Evaluation

Sound programming is built on a solid evidence base. Unfortunately, there is limited robust research on the linkages between different land and resource governance activities and violence reduction and increased human security (Sonnenfeld et al., 2020). A 2020 USAID research analysis points out that while there is a substantial body of literature related to land conflicts in individual countries, quantitative, cross-national data are more limited (Stevens et al., 2020). In addition, there has been less exploration of land-based conflicts between non-state actors versus conflicts between state actors.

Some research finds that land activities or interventions contribute to decreasing levels of conflict and increased reconciliation (Hartman et al., 2018; Beyene, 2017). Promising activities include those that: improve land use planning processes; safeguard reciprocal resource use agreements; support local institutions that resolve land-related disputes - including traditional leaders and customary courts; and, enhance the tenure security of returnees in post-conflict settings. However, more research, ongoing monitoring, and further analysis is needed to clarify how land activities and interventions work alone and in combination with other interventions to promote peace, stability, and reconciliation. A more detailed discussion of land-and conflict-related monitoring and evaluation is found below in the Tools and Resources section.

PHOTO BY ANTONIO FIORENTE

Promoting more equitable and inclusive access to and control of land can empower more people with increased decision-making, new economic opportunities, delivery of nature-based solutions that address climate change, and can support peacebuilding.

Program Options

Land issues are cross-cutting and multidisciplinary. To promote a more holistic and sustainable approach to doing no harm and resolving land conflicts, interventions should consider how to integrate sectoral perspectives into programming. Land conflicts may result from factors as diverse as weak institutional capacity, corruption, discriminatory social norms and practices, or competition over high value natural resources. In many cases, conflict is the result of several factors interacting and creating conditions that make violent disputes more likely. This section outlines the types of programs that mitigate land-related conflict.

Promote Tenure Security

When people feel their rights to access, own, use, and control land are secure and free from arbitrary or illegal interference by others, they are more likely to invest in the land and take actions, such as planting trees or investing in irrigation systems that lead to improved resilience and longer-term benefits. When tenure rights are secure, disputes related to parcel boundaries, land uses, and decision-making over how land is managed, are likely to be reduced. Ensuring that tenure security is enjoyed by many people in society may be important to help improve food security and resilience and to promote good and inclusive governance. The following examples highlight possible approaches to secure tenure.

Feed the Future Tanzania Land Tenure Assistance Activity (LTA) 2015-2021. USAID's LTA activity supported 54 villages across central Tanzania to conduct land use planning, systematically demarcate

smallholder land parcels through participatory processes, and issue nearly 100,000 Certificates of Customary Rights of Occupancy (CCROs). The project's rigorous impact evaluation found that LTA treatment households experienced a sharper decline in land disputes than control households, and were also less concerned, on average, about future boundary disputes. LTA activities reduced the probability that respondents felt they could experience a boundary dispute in the next five years by 32 percent. By the time of the endline survey (in 2020), 66 percent of LTA households who indicated they were not worried about future boundary disputes said it was because their household had received a CCRO and thus had documentation to prove their land rights.

Integrated Land and Resource Governance (ILRG) 2018-2023.
The ILRG program supports interventions in eight countries by providing technical assistance to improve land and resource governance, strengthen

property rights, and build resilient livelihoods as the foundation for peace and stability, resilience, and economic growth. In Zambia, ILRG works in customary land management areas to help resolve long-standing land disputes. Working through local civil society organizations, in this case land alliances, the program developed an inclusive, participatory process to map land and validate claims. The program strengthened the capacity of local land committees to manage dispute resolution processes in a gender-equitable manner. Chiefs also participated in extensive dialogues and training designed to ensure that both women and men could have their land holdings certified and recognized. As of 2022, more than 1,300 disputed land rights cases were resolved and more than 80,000 women and men have received documented rights to land.

Address Conflict Over Resources

In some situations, USAID programming can help identify and mitigate conflicts over land and natural resources. These activities often provide opportunities for groups and communities to come together in dialogue, through participatory exercises and through mediation, to identify practical solutions to address corruption, identify beneficial opportunities to work with the private sector, or manage common resources over which multiple groups may have competing claims or interests. This work is often based on an initial assessment of historic claims to land and resources and how those claims have changed over time in response to political, social, and economic developments. These activities need to understand how power dynamics affect land allocation, use, or control, and impact groups that often face marginalization. Adopting a political economy lens can be extremely helpful to assess dynamics. The following examples highlight possible approaches to address conflict over resources.

Feed the Future Mali Keddo Diren Activity 2021-2023. The Keddo Diren activity works in select communes in four regions of the central part of Mali to help stabilize communities by supporting participatory and inclusive natural resource management of dry season wetlands and rainy season upland pastures. It developed local conventions, typically consisting of a land use plan and a set of community-developed bylaws, to promote participatory management and pasture regeneration. Previously, increasing pressures on these resources contributed to conflict. The goal of this activity was to reduce conflicts between farmers and pastoralists within transhumance corridors and to provide new livelihood opportunities for women and youth to prevent conflict and provide economic empowerment and alternatives to joining violent extremist organizations (VEOs).

Artisanal Mining and Property Rights (AMPR) 2018-2023. The AMPR project built on previous USAID investment in responsible sourcing in the Central African Republic (CAR) through the Property Rights and Artisanal Diamond Development projects (PRADD I and PRADD II). AMPR supports the establishment of legal, responsible supply chains and strengthens peace in artisanal mining areas, primarily in CAR, which is particularly dependent on the artisanal mining economy. In CAR, expanded diamond exports and strengthened legal trade is needed to help rebuild the country's economy and reduce violence. AMPR is supporting inclusive community dialogues to resolve conflict over land and natural resources; developing training manuals to support and strengthen local peace committees, enhancing the role of women in artisanal mining, and facilitating inter-ministerial collaboration. AMRP is also conducting research on the changing nature of pastoralism in CAR and the nuanced dynamics between herders and armed groups, artisanal diamond mining actors, and farming communities.

Securing Peace and Promoting Prosperity in Karamoja (EKISIL) 2017-2023. The EKISIL program is an ongoing multi-year effort that uses a people-to-people approach and builds on the USAID-funded PEACE III and Growth, Health, and

Governance programs to empower traditional women's leaders and councils of elders to support trauma healing. It also supports peace committees, land officials, inter-ethnic youth clubs, and other local structures to prevent and resolve natural resource disputes and livestock theft within and between communities. EKISIL brought these groups together in this conflict-prone area to address underlying social, economic, ecological, and governance issues that often fuel conflict in the regions of Kaabong, Kotido, Abim, and Moroto.

Zahabu Safi 2018-2023. The Zahabu Safi (or, Commercially-Viable, Conflict-Free Gold Project) project provided commercial opportunities to artisanal miners by linking them to responsible gold buyers in international markets and by strengthening partnerships between artisanal mining cooperatives and institutional investors or anchor institutions within the DRC. The goal of the project is to establish a conflict-free artisanal and small-scale mining (ASM) gold supply chain in eastern DRC. The activity is strengthening the capacity of ASM cooperatives, traders, and exporters to participate in and conduct due diligence that adheres to international and regional standards which increases the availability of traceable, conflict-free ASM gold.

Assist Displaced Populations

Each year, whether from conflict or disaster, millions of people are displaced from their homes and lands. Some are displaced for a short time and then return home; others can be displaced for much longer periods, even decades. In many places, people, especially women, lack up-to-date documentation of the land or housing they occupy, own, or use. As a result, women and men, including youth, may have difficulty returning to land and housing, pursuing claims for restitution when property is lost, or seeking service delivery when they do return. USAID has worked in post-conflict and post-disaster environments to help displaced people identify and document what property they left behind and what

has been lost, to promote effective integration into host communities, to seek restitution for lands, housing, and property, and to support planning to reduce risks of future displacement. The following examples highlight possible approaches to assist displaced populations.

Land for Prosperity (LPA) 2019-2024. The LPA Activity builds on previous work in Colombia to support land restitution, build government capacity to formalize property rights and allocate public lands to displaced persons, and to deliver more effective land services and rural public goods to promote the peace process. The lack of formal land rights fuels illicit economies and activities, contributes to violence and social tension, and sets the stage for land appropriation. Women, ethnic communities, and youth in rural areas are especially vulnerable to these risks. LPA is supporting the Government of Colombia to improve the conditions of rural households to achieve legal and sustainable economic development through the following: by supporting land restitution and land titling; strengthening the capacity of local government to provide land administration services; and supporting local people to pursue legal/licit economic opportunities in targeted areas, including through the creation of 25 public-private partnerships.

Leveraging Land in Haiti 2019-2023. Leveraging Land in Haiti uses technology and data, community mapping, and interactive training to strengthen land rights administration and land tenure security in the country. Many families in Haiti have been displaced by natural disasters and/or do not have formal rights to land and housing. As a result, they are living informally on public lands without access to basic services. At the same time, the lack of accurate land registries and complex legal processes create difficulties managing land at all levels. Municipalities have little incentive to provide services to households that pay no taxes or fees on public lands they use. This activity is conducting participatory mapping of land parcels in three municipalities and is working with households in these municipalities to formalize their land rights, increasing tenure security for 12,000 families.

Tools and Other Resources

The majority of USAID activities and programs, including those designed to mitigate or resolve land-related conflict, must carefully monitor and evaluate project performance and impacts. Effective monitoring and evaluation promote accountability and enable the Agency to learn from and improve its work. A strong monitoring, evaluation, and learning (MEL) plan helps ensure a program or activity is on track, enables staff to adapt activities as needed, and helps develop an evidence base related to program performance and outcomes.

Staff and implementing partners may refer to several important tools to support MEL, including:

- USAID's Evaluation Policy and supporting monitoring, evaluation and collaboration, learning and adapting toolkits discuss different evaluation methods; how to integrate monitoring and evaluation into the USAID program cycle; and approaches to develop indicators and analyze data.

- UN-Habitat, the International Fund for Agricultural Development, and the Global Land Tools Network developed the 2019 Guidelines for Impact Evaluation of Land Tenure and Governance Interventions, which presents approaches to develop a robust theory of change that considers short, medium, and longer-term outcomes, identifies important guiding principles, discusses approaches to evaluation design, and highlights how to locate data sources and collect data.

- The Organization for Economic Cooperation and Development's Development Assistance Committee (OECD-DAC) guidance, Evaluating Peacebuilding Activities in Settings of Conflict and Fragility, presents detailed recommendations on evaluations in these conditions and also discusses program design and management.

- HLP Indicators for IDP Durable Solutions provides three indicators that may be adapted to promote physical, material, and legal safety.

- Monitoring and evaluating conflict sensitivity provides detailed guidance on how to monitor and evaluate projects and activities for conflict sensitivity.

- The Grounded Accountability Model is a methodological approach and set of tools that enables peacebuilding activities to work with target communities to define indicators of critical concepts, such as justice, stability, or peace that can be integrated into monitoring activities to measure progress.

Monitoring

As [ADS 201](#) makes clear, monitoring plays an essential role throughout the USAID program cycle. At each phase of the cycle, land-related issues may need to be addressed. For example, long-term, strategic documents, such as a Country Development Cooperation Strategy (CDCS) might include Development Objectives, like "Effective Democratic Governance Strengthened" or "Increased Inclusive and Sustainable Growth." To achieve these goals, a CDCS might include Intermediate Results related to improving access and inclusion of marginalized groups and populations in governance processes or improving natural resource management.

Depending on the context, it is possible that these objectives may be tied to land issues. For example, formal land governance systems may not be accessible to all or they may make it difficult or costly for marginalized groups to participate in decision-making processes. This limits opportunities for inclusive and democratic decision-making, contributes to vulnerability, and reduces perceptions of legitimacy. If institutions designed to manage natural resources are highly centralized, fail to recognize the land and resource rights of local people, and are non-inclusive, this can contribute to further marginalization and new grievances.

Failing to address the underlying contributors to land tensions at both the national and sub-national level can exacerbate violent conflict over land resources. To achieve goals of strengthened governance or inclusive and sustainable growth, a Mission or operating unit should consider including an Intermediate Result, such as "Strengthened land governance and land administration services" or "Land/resource-based conflict mitigated." Intermediate Results must be monitored using indicators that may be standard or customized to fit the unique conditions of a location. It may also be useful to draw on work, such as the Grounded Accountability Model and work with communities to co-design conflict-related indicators.

Attention to any land-related Development Objectives and intermediate (or sub-intermediate) results should be reflected not only in a performance management plan, but in a MEL plan, which will include an activity-level theory of change and a logic model that graphically illustrates the theory of change.

PHOTO BY USAID LAND

BOX 2

EXAMPLES OF THEORIES OF CHANGE RELATED TO LAND AND CONFLICT:

- IF the capacity of the government and community leaders to identify and address the protection risks around forcibly abandoned housing and land is enhanced, THEN displaced people will be able to better exercise their housing, land and property rights, particularly the right to restitution, which improves their chances of achieving durable solutions.

- IF early warning mechanisms, visible follow-up to protect community members, and support from USAID staff and implementing partners is effectively deployed, THEN this can help prevent forced evictions and mitigate their impact.

- IF target communities have their homes rehabilitated, their property claims identified and verified, and their land rights protected, THEN their voluntary return to their area of origin will be facilitated and will be durable and conflicts over land rights will be prevented and the risk of future displacement reduced.

- IF internally displaced persons receive shelter and land documents through agreement with local authorities and the host community, THEN they will be protected from eviction and they will be better able to prevent and resolve disputes.

- IF women have shelter and land documents in their names, THEN they will be able to access dispute-resolution authorities to uphold their rights and they will also be able to transfer their property to promote self-determined decision making.

Taken and adapted from UNHabitat (2018). Land and Conflict.

Examples of indicators that could be used to track land-related activities:

BOX 3

SELECTED STANDARD INDICATORS:

DR 3.1-2: Number of groups trained in conflict mediation/resolution skills or consensus-building techniques with USG assistance

DG 3.1-3: Number of consensus building forums (multi- party, civil/security sector, and/or civil/political) held with USG Assistance

DR 6.1-2: Number of human rights defenders trained and supported AND DR 6.1.2b Number of women human rights defenders trained and support

PS 6.2-3: Number of USG supported events, trainings, or activities designed to build support for peace or reconciliation among key actors to the conflict

EG 10.4-1: Number of specific pieces of land tenure and property rights (LTPR) legislation or implementing regulations proposed, adopted, and/or implemented positively affecting property rights of the urban and/ or rural poor as a result of United States government (USG) assistance

EG 10.4-3: Number of disputed land and property rights cases resolved by local authorities, contractors, mediators, or courts as a result of USG assistance

EG 10.4-5: Number of parcels with relevant parcel information corrected or incorporated into an official land administration system as a result of USG assistance

EG 10.4-7: Number of adults provided with legally recognized and documented tenure rights to land or marine areas, as a result of USG assistance

EG 10.4-8: Number and proportion of adults who perceive their tenure rights to land or marine areas as secure with USG assistance

GNDR 1: Number of legal instruments drafted, proposed or adopted with U.S. Government assistance designed to promote gender equality or non-discrimination against women or girls at the national or sub-national level

GNDR 4: Percentage of participants reporting increased agreement with the concept that males and females should have equal access to social, economic, and political resources and opportunities

GNDR 8: Number of persons trained with USG assistance to advance outcomes consistent with gender equality or female empowerment through their roles in public or private sector institutions or organizations

WPS 1.1-1 Number of programs that are designed to support women and girls with the knowledge and/ or skills to prevent, manage, or resolve conflict, and/or counter terrorism, and are reporting using the WPS key issue

WPS 2.1-3 Number of activities or trainings on preventing and/or strengthening accountability for SEA and/or GBV perpetrated by partner nation security sectors

WPS 4.3-1 Number of high level commitments (i.e. MOUs, partnerships, etc.) that reflect WPS objectives that are introduced or co-sponsored by the United States with significant support or engagement from USAID

SELECTED CUSTOM INDICATORS:

Number of institutions or organizations strengthened and participating in land use or resource management planning using equitable approaches

Number of procedures or regulation sin place to manage land and natural resources-related conflicts

Number of hectares of community land holdings delimited or subject to participatory land use planning that improves sustainable natural resource management

Number of land and nature-resources-related conflicts mediated by local authorities

Number of people trained on best practice approaches to land-based investment and other project objectives

In other contexts, projects may wish to track the number of marginalized group members whose land-related grievances are successfully addressed, the number of land-related cases mediated between communities, the number of customary authorities who are trained on formal sector land laws, changes in perceptions of tenure security among women and men, the number of people whose awareness of legal rights to land is increased, the percent of illegal activities versus alternative livelihoods successfully launched and sustained, or the percent of violent incidents related to land (disaggregated by gender, ethnicity).

Evaluation

USAID's Land and Resource Division has conducted ten rigorous impact evaluations that address issues, including land or resource dispute/conflict and resolution processes. For example, survey instruments used in the impact evaluation of the Feed the Future Tanzania Land Tenure Assistance Activity included a module on land disputes. The module asked respondents a series of 17 questions related to the existence, severity, duration, and settlement of land disputes. These modules may be adapted for use in other programmatic contexts.

It is important to note, however, that in conflict-affected locations, security concerns linked to a project, communities, or to evaluators must be carefully considered and, as necessary, addressed. Security constraints may have significant impacts on logistics, budgets, and ultimately, the feasibility of evaluation efforts. For example, in 2014 during an Ebola outbreak, evaluation trainers and data collectors could not travel in Guinea based on safety concerns for many stakeholders. The project instead adopted a virtual/remote training methodology and a paper-based data collection approach that was sensitive to the needs of different actors (ERC, 2017). OTI's Lessons Learned report also points to the use of local NGOs, local community members, and Foreign Service Nationals in some non-permissive contexts to support remote monitoring and evaluation.

The following table presents practitioners with practical considerations for each phase of the USAID Program Cycle when undertaking conflict-sensitive land and resource governance programming. While the program cycle components are listed separately below, they are interdependent.

USAID PROGRAM CYCLE	CONSIDERATIONS AND RESOURCES
1. Country and Regional Strategic Planning	• Identify evidence-based approaches to improve land tenure and resource governance that help achieve development objectives (e.g., sustainable natural resource management, improved peace and security, enhanced resilience, economic growth, etc.). • Understand lessons learned from any appropriate, previous land tenure and resource governance interventions. • Review formal and customary land and resource governance frameworks and capacity and work with leaders/officials to encourage local ownership and buy-in. • Map and coordinate with other stakeholders who support land and resource governance interventions across development sectors.
2. Project/Activity Design	• Conduct a land assessment using the Rapid Appraisal Guide (either as a complement or follow on to a conflict assessment) or as a stand-alone effort. • Review evidence base to identify potential interventions. • Develop a theory of change and approach that is appropriate given local context and existing conflict dynamics (for examples, see Box 2 above). • Design interventions based on assessment findings and evidence base. • Work closely with local partners in civil society, academia, the government, and customary governance structures to identify local priorities, preferences, and input to solve land-related problems and disputes in a conflict-sensitive manner. • Consider if the activity will benefit from a rigorous impact evaluation and plan to support independent evaluators at baseline, midline, and endline to design the appropriate method for evaluation. • Design for adaptive learning.
3. Project/Activity Implementation	• Ensure the AOR or COR has support and information needed to oversee any technical land or resource governance interventions, including as they relate to conflict dynamics and conflict sensitivity. • Ensure ongoing data collection for indicators that have been selected, disaggregate data to reflect priorities (men, women, Indigenous Peoples, youth, etc.). • Include pause and reflect or other learning opportunities to enable course corrections, and facilitate collaboration between implementing partners and evaluators. • Align timing and sequencing to meet needs in the local context (i.e., rainy season, elections, gathering of traditional leaders, etc.).

Diagnostic Tools and Other Resources

There are many tools that can help reduce the potential for land-related conflict. Diagnostic tools, such as a land tenure assessment (e.g. the 2019 Indonesia Land Tenure and Property Rights Assessment), a housing and shelter assessment, political economy assessment (PEAs), and conflict assessments and guidelines provide critical information about local conditions and suggestions on how to reduce the potential for conflict in those environments. These should be used to supplement the rapid appraisal approach this toolkit outlines.

Using this knowledge and understanding, USAID staff can adapt approaches that work to lessen land-related tensions or address grievances that contribute to violent conflict. Other tools can help address these challenges. For example, USAID has developed an innovative, participatory approach called Mobile Applications to Secure Tenure (MAST) that uses mobile devices and strong community engagement to map and record land and resource rights. MAST approaches can also be used for land use planning and resource management.

Participatory approaches for recognizing and documenting land rights at the local level, such as with MAST, can help prevent and mitigate land-related conflicts, and potentially decrease the long-term potential for conflict. In Zambia, MAST methodologies were used, prior to mapping, to engage citizens in participatory activities that identified resources, their uses, and to assist in mitigating future conflict. In Burkina Faso, MAST improved the ease with which individuals and communities could trace land rights information, thus increasing clarity around land rights and reducing the potential for conflict. In Tanzania, the MAST process led to the exposure of latent disputes, primarily within families, many of which were then resolved by local authorities.

Other useful approaches to reduce land-related conflict have been developed and tested through programming. Activities that promote tenure security, address conflict over natural resources, and assist displaced populations may be especially useful. The following USAID activities provide examples of multidisciplinary and innovative strategies to address land and conflict issues both directly and indirectly.

Other useful resources include the following:

- Guidelines on Compulsory Displacement and Resettlement in USAID Programming provides good practices regarding compulsory displacement and resettlement (CDR). This tool is intended for use by USAID Missions, Operating Units, and their partners at all stages of the program cycle, whether for activity implementation or as a good practice guide for project design.
- Operational Guidelines for Responsible Land-Based Investment provides recommendations to private sector firms on best practices related to the due diligence and structuring of land-based investments, with the goal of reducing the risk of conflict between investors and communities and facilitating responsible projects that benefit both the private sector and impacted community members.
- Policy for Promoting the Rights of Indigenous Peoples (PRO-IP) provides detailed guidance on how to identify, consult, and partner with Indigenous Peoples to support their self-determined development.
- PRO-IP Conflict Sensitivity Guidance provides a series of guiding questions and case studies that demonstrate how to integrate a conflict-sensitive approach with engagement with Indigenous Peoples.
- Housing, Land and Property Essential Guidance on Conflict and Resettlement provides numerous guidance documents on topics related to conflict-related displacement, gender, restitution, natural resource conflicts, and dispute resolution. The site also has several useful assessment tools.

- [Land and Conflict: Lessons from the field on conflict sensitive land governance and peacebuilding](#) provides nine case studies of countries in different stages of a conflict cycle that explore how UN agencies are working to prevent conflict, build peace, and stabilize situations by deploying practical solutions and fit-for-purpose land tools. Cases come from Honduras, the DRC, Iraq, Somalia, Sudan, South Sudan, Peru, Brazil, and Colombia.

- [OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas](#) provides detailed information to help companies respect human rights and avoid conflict through mineral sourcing practices. The guidance also helps companies create more transparent and accountable supply chains that reduce the potential for harm to multiple stakeholders: governments, communities, civil society, and other private sector actors.

- [The Handbook on Human Rights Impact Assessment](#) may be a useful reference for interventions or activities that involve private sector actors, government, and civil society organizations. Human rights impact assessments have become a more common tool to assess and mitigate risks companies and other important stakeholders face. This handbook documents the variety of theoretical and practical approaches and tools that exist, identifies existing gaps, and discusses how human rights impact assessments fit (or do not) in many legal and regulatory environments.

- [ClimateLinks](#) is a landing page for USAID climate change resources. This site contains resources designed to support the identification of risks by country and sector and other categories.

Rapid Appraisal Guide

The Rapid Appraisal Guide has been designed to help staff understand, in a particular context, which land issues are relevant to violent conflict and, in turn, which programmatic interventions may be useful to secure tenure, improve land and resource governance, build trust, and promote peacebuilding. This Guide can be used to support Strategic Planning processes as well as project and activity design and implementation. Questions can also be adapted for use in monitoring and evaluation activities.

This Guide provides direction under two broad headings: "Basic Questions," which focus on overarching institutional, economic, and social issues and are intended to help the user "see the forest through the trees." These "Big Picture" questions may be particularly useful to develop an understanding of the political economy of the land sector. These questions can be directed towards stakeholders in government, civil society, the private sector, and among community members. Results from interviews will complement findings from literature reviews, other assessments, and discussions with country staff. The second set of questions are "Detailed Questions," which are designed to help identify critical details related to the conditions or barriers different groups face when accessing, using, or transferring land. These questions should help identify particular power dynamics in a specific context and the constraints to access, use, or transfer land that different people in that context may face. These questions can also help identify the potential interventions or programs that might be needed address weaknesses in the land sector and land administration services, discriminatory social norms, and dispute resolutions or negotiations processes, among others.

These questions are intended to provide general guidance and should be used as a starting point when preparing to collect information or when interpreting information. Not all questions contained in this guide will be relevant to every situation, and, very importantly, it is almost certainly the case that additional context-specific questions will need to be developed in order to properly understand the dynamics in a given country. In other words, the answers to the Basic Questions" will inform the more granular "Detailed Questions." The answers to the more granular questions can be used to inform program design.

Basic Questions:
The Big Picture

These questions are designed to help the user focus on the "big picture" of land. These questions can help guide the design of a statement of work for a full assessment or for an activity or intervention, where applicable.

POLITICAL CONSIDERATIONS

- Does the government have sufficient political will to address land and property issues that contribute to conflict?

    o Who in government would be considered a key champion for addressing land issues? What are their interests?

    o Who in government would be considered a primary opponent of needed change? What are their interests?

- In addition to government officials, who are the key stakeholders associated with land and property issues (e.g., lawyers, surveyors, land-based investors, tax authorities, customary authorities, Indigenous Peoples, women organizations, local women and men, etc.) and what power do they hold?

    o Which stakeholders would be considered champions for needed changes in the land sector?

    o Which stakeholders would likely be opponents for needed changes in the land sector?

- How can land issues be best framed to avoid unproductive intra-institutional 'politics' that might stall or block efforts (i.e., are there ways to avoid arguments about whether land issues are in the domain of economic growth or food security or democracy and governance or trade, etc.)?

- Are there strategic ways to address certain dimensions of land and property issues that would be more politically acceptable than others (e.g., securing land rights may provide needed tax revenues)?

LEGAL AND INSTITUTIONAL ISSUES

- Does the legal and policy framework related to land and property matters provide for equitable access, use, ownership, and ability to benefit for women and men? Do these frameworks contain any discriminatory provisions and if yes, for which group/s?

- Do the government institutions relevant to land and real property function effectively for all stakeholders?

- Does the government have adequate institutional capacity to manage or resolve land disputes?

- Is the land sector considered corrupt? What is the extent of the problem/which actors are implicated? Who is most impacted by any existing corruption?

- Are the human capacities required to manage land and property issues adequate to deliver needed services or do these capacities need to be strengthened? In what areas do capacities need to be strengthened (e.g., surveying work, property valuation, data entry and management, dispute resolution, etc.)?

KNOWLEDGE OF LAND LAWS AND LAND RIGHTS

- Do land holders, women and men, understand the bundle of rights the formal/statutory law provides them to land and resources on land?

- If appropriate, is there a clear understanding of rights they hold under customary governance or religious systems?

- Do rights' holders have any documents to support their claims? What kind of documents do they have? Are documents up-to-date and valid? Do documents include the names of

women and men in a household? What types of evidence do people use to prove land claims or what kinds of evidence are considered acceptable to prove land claims?

- Are people able to negotiate and enforce informal access or use rights to land and natural resources based on customary or existing social norms and practices that exist outside statutory processes?

OTHER CONSIDERATIONS

- Are the main land issues rural, peri-urban, urban or a combination of these? Urban land is often governed by different rules and structures than rural land; how does location affect any proposed intervention?

- Is land a contested resource because of access to surface or subsurface water sources, differences in soil fertility, or proximity to transportation, roads and markets?

- How much time is needed to design, implement and monitor a proposed approach? Can the issues be strategically targeted and addressed in a phased manner over time?

- What flash points or trigger events could most easily or most likely bring about violent conflict?

- What are USAID's comparative or strategic advantages and limitations in the local context (e.g., convening power, perceived legitimacy, technical assistance and expertise, ability to engage private sector partners)?

- Are there private sector actors that might be willing and able to support efforts by the Agency to address land issues (e.g., commodity supply chain operators, asset managers, certification organizations, etc.)?

- What level of intervention is required? Are interventions needed at the national level (with Ministers/national agencies, national law/policy, or national projects), at the regional level (regional offices, regional/state-level laws/regulations and regional/state projects), or at the local level (addressing local hotspots, community-based/customary conflict management mechanisms), or does the program or intervention need to work at multiple levels?

PHOTO BY USAID LAND

Detailed Questions

These questions are designed to help strengthen understanding of the role that certain stakeholders play in the land sector as well as the unique concerns stakeholders may have with regard to land and property matters. Gathering information from different groups is important to develop a robust understanding of the power dynamics that often drive land-related conflict, however, this work needs to be done carefully to avoid inadvertently doing harm.

It is very important to adapt these questions and use context-appropriate language for each of the groups being interviewed, as some language may be unfamiliar to some groups or certain words may need to be defined for the sake of clarity. It is important to speak with women and men in each category, if possible, but in culturally appropriate ways. For example, in some cases, it may be necessary to hold separate focus group discussions with men only and women only. Having a strong understanding of what is acceptable in each context is essential.

Key Stakeholder Groups may include:

- Landless persons or "squatters" (i.e., illegal or informal occupants of land or property)
- Tenants/sharecroppers
- Settled farmers and other settled community members
- Migrants
- Pastoralists/Indigenous Peoples
- Artisanal miners
- Traditional, customary, or religious leaders
- National political or economic elites
- Local government officials
- Civil society representatives
- Private sector representatives

SAMPLE QUESTIONS: HUMAN MOBILITY

- How long have you been here? From where did you (or your ancestors) come? Were you invited by any local officials/traditional leaders?
- Do you own land, rent land or have access to (i.e., borrow) land and resources here? Is your agreement about land written down or is it an oral agreement?
- Are there any restrictions placed on how you can use land (e.g., are you allowed to plant trees or perennial crops on your land)? If you are not free to use land as you see fit, why is this? Does this lead to conflict?
- If someone from your group has a problem related to land or property issues how do you resolve the issue? Does this system work well for you? If not, why not?
- Is there now, or has there been, fighting or violence in this area between your group and settled people over access to and use of resources? What resources are involved? Has this fighting led to injuries or death?
- Is your group free to use its common resources? Do you feel that you have sufficient access to land and other resources (e.g., water, pastures, forests) or, do you feel that your access to these resources is too limited? What is your response to this situation?
- Do you have access to the kinds of services and infrastructure that you need in order to live a healthy and productive life? Do you have adequate access to clean water, sanitation, roads, markets, medical clinics and schools? If not, why don't you have adequate access to these services?

SAMPLE QUESTIONS: URBANIZATION

- How long have you lived in this place? Where did you come from?
- What concerns do you have about living here?
- Do you own the land/housing you are using? Do you lease land only, lease land and housing, lease housing only?

- What evidence do you have of your ownership or your lease (i.e., a title, a certificate of use rights, an affidavit? Customary agreement? A signed letter? etc.)? With regard to documents, are women's names commonly found on these documents?

- If you have a problem related to land or property issues how do you resolve the issue? Does this system work well for you? If not, why not?

- Do you believe that your interest in land or housing is enforceable against others including the government? If yes, why? If no, why not? Who might violate your rights?

- Do you have access to the kinds of services and infrastructure that you need in order to live a healthy and productive life? Do you have adequate access to clean water, sanitation, roads, markets, medical clinics and schools? If not, why don't you have adequate access to these services?

- Do you know of any institutions or organizations that work to protect your interests? What are the names of these institutions and organizations? Are you able to work with them or access their services (physical, financial, class status, legal, other access)?

- Do you believe that these institutions or organizations function in a fair and effective manner?

SAMPLE QUESTIONS: LAND GRABBING

- Are there investors in this area? Can you tell us who they are? Are investors from this area, from somewhere else in the country, or are they from a different country?

- If investors are in the area, do they come with government officials or do they come alone? If they come with government officials do the officials manage meetings or discussions with local leaders? Do you know which ministry these officials represent?

- Did investors come to discuss their project with you? Can you tell us what these discussions were like (i.e., how many local people were involved? How long did the discussions last? Was there more than one meeting? Were local leaders involved in these discussions? Were women involved in these discussions? Other marginalized groups, etc.)?

- Did the government come to discuss investment projects with you? Can you tell us what these discussions were like?

- Did you provide consent or agreement for the project? If so, did you sign a written agreement?

- If there were discussions, did you feel that the investors/government officials took your views and opinions into consideration?

- Did the investor or the government agree to provide the community with any benefits? What are these benefits? Did the investor or the government provide the community with any written documentation about these benefits?

- What happens if there is a dispute with the investor about this project? Is there a dispute resolution process that you can use? If so, is this process fair and effective? If not, what are the problems with this process?

SAMPLE QUESTIONS: HIGH VALUE NATURAL RESOURCES

- What important resources are found here and nearby? Who has access to these resources?

- Are there investors in this area? Can you tell us who they are? Are investors from this area, from somewhere else in the country or are they from a different country?

- Did investors come to discuss their project with you? Can you tell us what these discussions were like (i.e., how many local people were involved? How long did the discussions last? Was there more than one meeting? Were women involved in these discussions? Other vulnerable groups, etc.)?

- Did the government come to discuss

investment projects with you? Can you tell us what these discussions were like?

- Did you provide consent or agreement for the project? If so, did you sign a written agreement?

- If there were discussions, did you feel that the investors/government officials took your views and opinions into consideration?

- Did the investor or the government agree to provide the community with any benefits? What are these benefits? Did the investor or the government provide the community with any written documentation about these benefits?

- What happens if there is a dispute with the investor about this project? Is there a dispute resolution process that you can use? If so, is this process fair and effective? If not, what are the problems with this process?

SAMPLE QUESTIONS: MARGINALIZED GROUPS

- What groups that live in this area are often excluded from decision making (i.e., what socio-economic, ethnic, religious, gender-based groups)?

- Do you know if these households or members of marginalized groups also face barriers to land or property ownership?

- How do women and youth acquire rights to land and resources in this area (i.e., through family members, by inheritance, by purchase, rental, etc.)?

- How do pastoralists acquire rights to land and resources in this area (i.e., through family members, by oral agreement, through land charters or other documents)?

- How do Indigenous People acquire rights to land and resources in this area (i.e., through traditional territorial claims, through a formalization process)?

- Can members of the LGBTQ+ community acquire rights to land and resources in this

area? How do they acquire rights (i.e., through family members, by inheritance, by purchase, rental, etc.)?

- Are there any social rules or principles here that make it difficult for women, youth or other marginalized groups to gain documentation of land rights or to access land?

- Are there any restrictions on the ability of marginalized groups to access and use land and resources? Can you please explain these to us?

- If someone from one of these groups has a problem related to land or property issues how do they resolve the issue? Does this system work well for them? If not, why not?

- Are there any disputes in this area or this community about land? Can you tell us how these disputes are being addressed? Do you think that disputes are generally addressed in a satisfactory manner? Do people trust your leaders/government officials to resolve land disputes effectively and fairly?

SAMPLE QUESTIONS: INCREASING ENVIRONMENTAL DEGRADATION

- Have there been changes in weather patterns in the past few years? If so, how has that affected land and land uses?

- Have there been shifts in your access to water or water-related resources? If so, how has that affected land and land-use?

- Are there any pressures on land in this area? What creates these pressures (i.e., drought, invasive species, deforestation, large-scale investment, etc.)?

- How do you plan to manage your land and resources given these pressures?

- What strategies does your community use to manage these pressures? Do people within your community meet to discuss these strategies and how to implement them?

- Are there any barriers or other problems that make it difficult to implement strategies to manage these pressures (i.e., institutional

barriers, social barriers, economic barriers)?

- Have people been moving into this area? Many? Few? If yes, how is the community addressing these changes? Are these changes contributing to disputes or conflict?

- Have people been moving out of this area? Many? Few? If yes, how is the community addressing these changes? Are these changes contributing to disputes or conflict?

- If there are disputes in this area related to land or resources can you tell us how these disputes are being addressed? Do you think that disputes are generally addressed in a satisfactory manner? Do you trust your leaders/government officials to resolve land disputes in a fair and effective manner? Does the government provide any services to mitigate environmental impacts on land and natural resources?

SAMPLE QUESTIONS: VIOLENT EXTREMISM

- Are there any conflicts in this area or this community about land or resources? Can you explain what these conflicts are about?

- Are these conflicts recent or have they existed for some time?

- Who is involved in these conflicts? Are there particular groups who are involved (i.e., socio-economic, ethnic, religious, national, regional, etc.)?

- Is the government involved in or associated with land conflicts in this area? How is the government involved?

- Do you trust your leaders/government officials to resolve land disputes effectively and fairly?

- Do you feel that the government or your leaders are paying sufficient attention to your needs and concerns? Does the government and your leaders use peaceful methods to address these needs and concerns?

- Have land conflicts in this area involved violence? Is violence related to land widespread or limited?

- Are there any groups who are at risk of atrocities or have had land taken from them based on their identity group? Are there any warning signs of atrocity risk associated with land and property use or ownership?

Acknowledgments

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