



***FOR IMMEDIATE RELEASE***

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**CTPD CALLS FOR GOVERNMENT ACTION IN STRENGTHENING THE LEGAL FRAMEWORK FOR PROTECTING LOCAL COMMUNITIES RIGHTS TO LAND**

With the increasingly adverse impacts of climate change disproportionately affecting vulnerable and marginalized communities, the Centre for Trade Policy and Development (CTPD) is deeply concerned about the ongoing environmental violations and the abuse of human rights stemming from irresponsible Large-Scale Land Based Investments (LSLBIs). In light of these pressing issues, CTPD strongly urges the government to take immediate action in bolstering the existing legal framework to safeguard local communities and protect their customary rights from the adverse effects of LSLBIs.

The drive to accelerate economic growth and enhance the livelihoods of the Zambian people by the government is paramount. However, this pursuit should not come at the cost of environmental degradation and the abuse of human rights. In recent times, it has been observed that vast tracts of land and forested areas have been cleared to make way for investments in agriculture, mining, construction, and manufacturing sectors. Unfortunately, these activities have led to environmental degradation, land grabbing, displacement, and the loss of access to natural resources.

A compelling example is the recent fact-finding mission conducted by the Minister of Green Economy and Environment (MGEE), Collins Nzovu, who discovered that local pastoral communities in Mumbwa district have been restricted from accessing communal grazing areas for their livestock. These findings not only highlight the abuse of customary rights but also underscore the degradation of the environment due to the clearing of large tracts of land, which serves as a precursor to global warming and climate change.

Moreover, these findings shed light on the existing gap in coordination and synergies between the government and traditional leadership regarding the implementation of policies and legislation. This case exposes one of numerous instances of human rights abuse and environmental degradation occurring in the country as a result of Large-Scale Land-Based Investments (LSLBIs), rendering the poor even more vulnerable.

It is worth noting that the government's enthusiasm and energy to review and develop new policies and legal frameworks is a commendable step. This presents an opportunity to address the inadequacies in existing legislation and better protect the environment and communities. As a pro-poor development based Civil Society Organization (CSO), CTPD highly supports development through investments. However, this should be anchored on international and national agreed principles such as Free, Prior and Informed Consent (FPIC). This entails that responsible investment should recognize and respect all legitimate land tenure right holders and their rights by taking reasonable measures to identify, record and respect legitimate land tenure right holders and their rights, whether formally recorded or not.

As such, it is imperative that investments adequately adhere to the FPIC principles such as participation in decision making, transparency, accountability, equal sharing of benefit and risks. Serra Leone, as an example, enacted the Customary Land Rights Act in 2022 to help protect customary land rights, and the management and administration of land subject to customary law and other related provisions by applying FPIC principles.

CTPD is thus, urging the government to enhance and develop the legal framework that adequately addresses customary land tenure rights to insulate local communities and the environment from investment abuse. Government should further integrate customary land tenure rights into the investment assessment or approval process. Further, government should promote Inclusive Business Models (IBM) in LSBIs that enhance equitable sharing of benefit and risks between investors and local communities with regards business and human rights.

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#### Editor's Note

The Centre for Trade Policy and Development (CTPD) is a not-for-profit, membership based trade policy and development think tank. The organization was established in 1999 and existed as the civil society trade network (CSTNZ), until 2009 when it was rebranded as the Centre for Trade Policy and Development (CTPD).

The mandate of CTPD is to influence pro-poor trade and investment reforms at national, regional and multilateral levels as well as facilitate the participation of various stakeholders including member organizations in ensuring that trade is used as a tool for poverty eradication.

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