

Land and Post-Conflict Peacebuilding



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Land access, use, and ownership are central concerns for post-conflict peacebuilding. Land and its governance are often root causes of conflict; land issues played a major role in all but three of the more than thirty intrastate conflicts that occurred between 1990 and 2009. Violent conflict can severely impact land, complicating post-conflict peacebuilding efforts: environmental degradation can result from conflict; the widespread use of landmines can make land unusable; significant changes in land use can be brought on by population displacements. In many post-conflict countries, ownership rights and equitable access to land are important prerequisites to peacebuilding and recovery, especially in areas where livelihoods are primarily based upon agriculture and livestock production, and where identity-based attachments to land can run very deep. Moreover, since property ownership can be used as collateral for loans and financing, land ownership takes on greater significance, making competition and confrontation for land in post-conflict scenarios highly likely.

Reforming land tenure policies and practices, rebuilding land administration systems, and resettling refugees, internally displaced people and excombatants are typically among the main land-related priorities immediately following conflict. In the long run, land will be central to the primary peacebuilding tasks of assuring livelihoods, spurring economic development, and attracting investment. A comprehensive and systematic approach to land grievances and conflicts can contribute to the broader peacebuilding objectives of economic growth, poverty reduction, rule of law, and good governance.

Land raises complex issues, even when societies are at peace. Following conflict, its administration is often even more fragmented and chaotic. The fragility of post-conflict peace and the politically contentious nature of land could discourage policymakers from addressing much-needed land reforms, but delays in action often result in tensions, land grabbing, and a black market for land. Competition between land institutions and legal systems, poor coordination among development partners, and a lack of accurate and timely land-related information can all contribute to a confusing and fluid institutional environment. Efforts to kick-start economic growth through the granting of agricultural, forestry, and mining concessions to the private sector often spark conflict with smallholder land users. Tensions can also emerge among and within communities over perceived unfairness in the restitution or redistribution of land, undermining the peacebuilding process. Finally, domestic and international capacities, financial resources, and expertise to address land challenges may be limited.

To respond to these and other challenges, eight important aspects of land management must be addressed in the post-conflict context: legal ambiguity; legal pluralism; land disputes; rights of return, restitution, and compensation; recovery and rehabilitation of productive land; land policy reform; capacity building; and land allocation. This policy brief examines these aspects and the challenges they present, and it provides recommendations on how each of these issues can be addressed and how land management can further peacebuilding objectives.

This is the third in a series of policy briefs on post-conflict peacebuilding and natural resources management; it summarizes findings from Land and Post-Conflict Peacebuilding, edited by Jon Unruh and Rhodri C. Williams (London: Earthscan 2013). Jon Unruh is an associate professor of geography at McGill University. Rhodri C. Williams is a human rights lawyer who specializes in land and forced-migration issues. This policy brief was produced by David Jensen (UNEP); Alec Crawford; Peter Whitten; and Carl Bruch, Adam Harris, and Gwen Brown, of the Environmental Law Institute (ELI).

Key approaches to post-conflict land management

1. Clarifying legal ambiguities
2. Addressing legal pluralism
3. Resolving land disputes
4. Ensuring the right to return, restitution and compensation
5. Supporting recovery and restoration of productive land
6. Reforming land policies
7. Rebuilding the land administration
8. Allocating land to excombatants



Sudan. Photo credit: UNEP.

CLARIFYING LEGAL AMBIGUITIES

Post-conflict societies often suffer from a lack of clarity regarding which laws and institutions govern the access, use, and ownership of land and land-based resources. Such ambiguity either existed prior to the conflict, and likely contributed to it, or emerged during or subsequent to the conflict as institutions laws, rules and their enforcement deteriorated. These ambiguities can create confusion, impede development of secure tenure, inhibit investment in land, and lead to tensions among livelihood groups and other users. Legal ambiguity can take four primary forms. First, conflicting claims to land rights and the application of dated or contested rules can lead to unclear rights of access to and use of land. Second, confusion can emerge regarding which institutions (statutory, customary, religious, tribal) govern land and how overlapping jurisdictions over land and related resources should be resolved. Third, the process of gaining individual control of land is often unclear, lengthy, and open to corruption, and the rules governing inheritance can be discriminatory, particularly for women and minorities. Finally, policies and regulations regarding land and property can be incomplete, poorly enforced, outdated, and contradictory. One specific conflict resulting from legal ambiguity emerges between returning populations and squatters in post-conflict contexts. Squatters have often staked claim to land abandoned by those fleeing

violence or that has no clear, designated owner (also known as secondary occupation). Squatters will try to substantiate their claims: by planting trees or clearing vegetation for cultivation, investing in property improvements, or simply taking adverse possession of a property. These ambiguous tenure claims can promote unsustainable resource exploitation and land management practices, and can lead to conflict between groups with competing claims. Eliminating ambiguity can help facilitate growth and land tenure security by providing local communities, external investors, and donors with clarity on the procedures and policies applicable to land tenure. To effectively address legal ambiguities in land rights:

- ❑ Engage in broad stakeholder discussions to identify common legal problems and goals, assess the degree of ambiguity in statutory and customary law, and prioritize addressing those ambiguities that have the most potential to lead to violence or undermine rural livelihoods and food security.
- ❑ Avoid the compulsion to solve all ambiguities at once; some can provide flexibility and adaptability in a volatile post-conflict political landscape.
- ❑ Focus on developing workable short-term solutions for prioritized ambiguities that will not restrict more comprehensive reforms in the longer term.

- ❑ Provide opportunities for squatters to gain title to land through work on community reconstruction projects and the establishment of temporary forms of and rights to secondary occupation, such as leasing and sharecropping, that can lead to permanent arrangements.
- ❑ Strengthen land rights for those living in informal settlements by passing anti-eviction declarations and laws, providing short-term lease rights that do not compromise the government's long-term development agenda, granting group tenure arrangements to mitigate the risk of gentrification, and establishing land sharing and readjustment programs.

ADDRESSING LEGAL PLURALISM

Customary, statutory, religious, and other legal regimes often function in parallel in the post-conflict context. This “legal pluralism” offers a number of benefits, especially in a post-conflict situation: local enforcement structures that have more local legitimacy; an adaptable system better suited to changing post-conflict circumstances; and, possibly, tenure security where the state has been unable to provide it. In Timor-Leste, a significant commitment to customary legal institutions allowed for the flexible management of natural resources grounded in local conditions. Despite these benefits, legal pluralism can create problems around land in the post-conflict context, particularly as the recovery progresses. The presence of multiple, parallel legal systems can be a barrier to investment, effective rule of law, gender equity, and the reintegration of excombatants and resettlement of displaced populations. In land disputes, individuals or groups can take advantage of the presence of multiple legal systems governing land by using whichever system best supports their claims—a practice known as forum shopping. This can create room for negotiation and choice, making people less likely to engage in violence, particularly right at the end of a war. But it can also lead to conflicting legal decisions and could be exploited to legitimize land grabbing. Post-conflict settings are inherently messy, and accepting legal pluralism in the short term can contribute to stability. The development of a long-term approach to integrating customary, religious, and statutory systems is crucial at the outset of peacebuilding efforts, and should:

- ❑ Avoid the temptation to impose quick, sweeping statutory reforms. Peace accords often include broad normative rules that need to be streamlined and implemented through legislation, but the rapid imposition of statutory laws will likely neglect to fully incorporate the important customary or religious systems that characterize different communities, thereby sparking conflict.

- ❑ Incorporate all stakeholders into the development of a long-term solution to securing post-conflict land tenure rights. This will include identifying where customary, statutory, and other norms intersect, noting their commonalities and contradictions to help establish a balanced system and raise awareness of ongoing reforms.
- ❑ Empower legitimate customary or religious institutions to compensate for gaps in the capacity of statutory institutions. The national government can strengthen its legitimacy by affirming its support for customary and traditional structures.
- ❑ Encourage a legal structure where the statutory system recognizes and strengthens customary land laws and rights, and provides a clear and accessible appeal process for disputes not resolved through customary means. Customary rules and institutions can act as the initial means for resolving local land-related conflicts. If an individual is unsatisfied with a land-related ruling under customary law, that person can appeal to a second forum (usually statutory) for a second ruling.



Democratic Republic of the Congo. Photo credit: UNEP.

RESOLVING LAND DISPUTES

Disputes regarding access to, use of, and ownership of land are common in post-conflict situations. Displaced persons can return home to find their lands occupied by squatters; pastoralist herders and farmers can clash over where and when to grow crops and graze livestock; tensions can arise between small land users and large concession holders; and the destruction or loss of land titles and documentation during conflict can lead to conflicting claims. Land disputes can arise within the statutory legal system (for example, regarding destroyed, fraudulent or contradictory land titles), within the customary system (between displaced populations and host communities, for example), or across the

systems (such as customary rights holders disputing the legality, legitimacy and transparency of commercial land concessions granted by the government). These disputes are particularly common in the post-conflict context due to weakened governance capacities to manage and resolve tensions, low levels of tenure security, legal ambiguities and pluralism, and the need to resettle sizeable populations of displaced persons and excombatants. The timely and equitable resolution of these post-conflict land disputes is crucial to reconciliation and peacebuilding, and can be done in a number of ways:

- ❑ Issue broad, binding legal interpretations, executive instructions, and decrees addressing the most common types of land disputes to allow specific problems to be resolved rapidly within the existing legal framework. Where post-conflict capacities are low, this can reduce the burden and costs of resolving land disputes on a case-by-case basis. Legal interpretations and results should be broadly disseminated to maximize their preventive effect on latent conflicts. Governments should transition away from this approach as capacity builds, and consider creating a termination date for such rules to prevent their abuse later in the peacebuilding process.
- ❑ Establish temporary tribunals to focus exclusively on land and property disputes, while being careful not to override customary systems. These tribunals can be outside of the normal (and likely overburdened) judicial system, or can be ad hoc tribunals within the judicial system but dedicated to resolving land issues.
- ❑ Review, renegotiate, or cancel those large-scale land titles and concessions that do not comply with existing laws, were not adopted pursuant to legal requirements, or lack legitimacy. Avoid granting new large-scale land concessions and titles until there is sufficient capacity to negotiate them and manage the conflicts they could generate. Involve local stakeholders in negotiations related to concessions to ensure that local access to land is not sacrificed.
- ❑ Explore customary and innovative solutions to common disputes (for example, granting pastoralists access and passage rights for land and water without also granting ownership; or supporting customary dispute resolution mechanisms at the local level).
- ❑ Build public confidence in the adjudication and demarcation of land through increased community participation, transparency, accountability, and monitoring.
- ❑ Establish agreement on both the process

for registering a land claim and what constitutes valid evidence for the claim.

- ❑ Consider establishing a date after which land disputes related to the conflict will no longer be heard.
- ❑ Train and support teams of local mediators to help address common land disputes.



Tree nursery, Bamiyan, Afghanistan. Photo credit: UNEP.

ENSURING THE RIGHTS TO RETURN, RESTITUTION, AND COMPENSATION

Where land grievances fueled conflict or arose from fighting or subsequent population displacements, aggrieved individuals and groups are likely to demand their land back or adequate compensation for it. The restitution of rights to housing, land, and property is now a common component of peace agreements. But restoring an individual's or group's land rights must be done with great care and may require compromise, so as not to legitimize past injustices or create new ones. In Rwanda, the government's failure to articulate clear land policies or consult with stakeholders during the mass repatriation that occurred between 1994 and 1997 encouraged conflict-affected parties to take things into their own hands, in some cases through violent takeovers of property. Restitution programs should not return to a pre-conflict land system that was unjust, inequitable, politically destabilizing, or economically unsustainable. Nor should the victors in a conflict feel that property seized in fighting is a rightful appropriation or reward, to be parceled out to supporters and patronage networks to secure their continued loyalty. These dynamics can undermine the relationship between excombatants and communities, particularly if the former occupants of the land were displaced. Effective action on return, restitution, and compensation should:

- ❑ Involve the affected populations in the design of restitution programs to improve understanding of the problems; ensure public commitment

to and agreement on the approach; raise awareness of statutory rules and procedures; promote dialogue that contributes to the peaceful resolution of restitution disputes; and manage public expectations.

- ❑ Ensure that restitution programs are based on a thorough understanding of the operational context (including who has rights to the land and how it is used by different groups), and an assessment of the positive and negative impacts of restitution.
- ❑ Clarify the right of displaced and dispossessed persons to return voluntarily and be protected from forced resettlement, as well as their rights to repossess, receive compensation for, or otherwise dispose of land assets they lost legal rights or physical access to in the course of the conflict. Such an analysis should take into account international and regional human rights norms as well as national norms and relevant practice.

SUPPORTING THE RECOVERY AND RESTORATION OF PRODUCTIVE LAND

In many post-conflict countries, lands have been degraded by war. In Afghanistan, warfare, civil disorder, institutional disintegration, the collapse of traditional community-based management systems and drought led to widespread deforestation and the degradation of agricultural lands. In Serbia, attacks on the industrial complex at Pancevo released 80,000 tons of burning oil into the atmosphere, which fell as black rain onto neighboring lands and villages. In addition to environmental degradation, the widespread presence of landmines, cluster munitions, and unexploded ordnances can pose a grave threat to human health and security and deprive communities of access to key natural resources like land, water, and firewood. Once land is made unusable, populations often relocate in search of arable land that is unaffected by landmines, often moving into more marginal and fragile areas. Returning degraded and mined lands to their productive potential can be a crucial part of peace and security operations; the extension of state authority and community land use in the wake of conflict often depends on it. But land restoration and the clearance of landmines will change land values and could impact land rights and land use: it can reignite or create conflicts over usable land, contribute to land grabbing by elites, maintain or exacerbate gender inequalities in access to land, or contribute to the use of land for drug cultivation and other illicit purposes. Restoration itself can also be inhibited by tenure insecurity; tenants and land users are often wary of making long-term investments in restoration and sustainable management in the face of possible dispossession. Effective action on the recovery and restoration of productive land should:

- ❑ Involve affected communities in the design and implementation of mine clearance.

Communities will have a unique knowledge of the local land context, any risks that cleared lands could pose to renewed tensions or land grabs, and past and future land use. Community input will help to prioritize lands for clearance in a fair and equitable way.

- ❑ Ensure that there is an effective legal framework in place to protect rights to land that has been demined or restored, as it is often subject to land grabbing.
- ❑ Empower women and other vulnerable groups to obtain property rights to the land they have helped rehabilitate.
- ❑ Use land rehabilitation (not necessarily demining, due to its inherent dangers) as an opportunity for short-term cash or food-for-work programs for excombatants and returning populations.



Democratic Republic of the Congo. Photo credit: UNEP.

REFORMING LAND POLICIES, WITH ATTENTION TO THE LAND RIGHTS OF WOMEN

In the immediate aftermath of conflict, there often is a window in which decision makers can address land policies and tenure systems that contributed to the violence. In particular, policy reform can help women acquire access to substantive land rights. Due to wartime casualties, post-conflict societies

typically have a higher proportion of female-headed households. Under these circumstances, many women have often assumed primary responsibility for land management, including farming, food provision, and water management. Despite assuming these roles, women often face discrimination under both statutory and customary policies and laws, with restrictions on inheriting and asserting title over lands in the case of a husband's death. Women can have limited access to loans and agricultural inputs, or the ability or means to contest attempts to seize their land. Exclusion from post-conflict stakeholder discussions and decision-making is common, and representatives like elders, chiefs, lineage heads, and parliamentarians rarely speak for women or understand their problems or challenges. Where land rights do exist, women typically have less knowledge of these rights than do men. Land policy reform should therefore:

- ❑ Implement policy, legal, and institutional reforms in an incremental, conflict-sensitive and coordinated way, including the passing of ad hoc policies and decrees that address specific challenges.
- ❑ Base reforms on inclusive participatory processes, balancing the diverse land needs of the state, communities, and the private sector. Broad consensus and input will help to build long-term legitimacy and a lasting sense of fairness.
- ❑ Draw legitimacy from land administration institutions and processes that are developing on the ground, rather than imposing external solutions.
- ❑ Design and deploy targeted awareness-raising campaigns to increase the public's knowledge and understanding of the land reform process, of the potentially changing nature of customary and statutory land rights, and of the rightful legal responses to discrimination in either of these systems.
- ❑ Expand tenure security to include alternate arrangements in addition to ownership: rent, leasehold, freehold, conditional freehold, and transient rights, as well as through an array of collective and communal arrangements.
- ❑ Eliminate discriminatory national land laws and ensure that new laws are upheld, with priority given to granting women full and equal rights to land ownership, access, and use under the country's statutory laws. Improve legal protections for women, including better representation for women in land disputes through the provision of legal aid and advice; improved inheritance rights and laws to ensure that women retain land assets in the event of a spouse's death; and promotion of joint land registrations for spouses.



Tree nursery near Tiwai, Sierra Leone. Photo credit: UNEP.

REBUILDING THE CAPACITIES AND RESOURCES FOR LAND ADMINISTRATION

State land management institutions are often severely weakened by a conflict. Capacities often have been reduced as experienced staff have fled or perished in the conflict. Training has been interrupted, creating a gap in knowledge about land management systems. Facilities, land records, and titles may also have been destroyed or falsified. The public may not trust a land management institution if its policies and practices contributed to the outbreak of the conflict. In Afghanistan, mistrust of the central government's motivations have run so high that communities engaged in efforts to register their land were uncertain which would entail greater risk: seeking state recognition or avoiding it. Lingering mistrust and perceptions of weak capacities could prevent people from registering land or having confidence in other formal land tenure arrangements, particularly those who were in opposition to the government during the conflict. It is important to create a balanced approach to capacity building that focuses on quick solutions to the most pressing capacity shortfalls, while planning for the long-term growth of the appropriate land management institutions. To strengthen post-conflict land management and administration:

- ❑ Invest in the rebuilding of cadastres and land documentation systems. Cadastres should include not just private and public lands but also details on resource concessions, conservation areas, ecologically sensitive sites, and other rights and restrictions related to land. They should be open to the public. Documentation systems should be rebuilt with community involvement and consensus, and should be backed up electronically where possible.
- ❑ Coordinate investments in land administration infrastructure (such as national and local land administration offices, or national

	Immediate Aftermath	Peace Consolidation
Legal ambiguity	<ul style="list-style-type: none"> <input type="checkbox"/> Assess the degree of ambiguity in statutory and customary law. <input type="checkbox"/> Engage in broad stakeholder discussions that focus on identifying common problems and goals so immediate actions that are taken can prioritize the resolution of ambiguities. <input type="checkbox"/> Focus on developing workable short-term solutions for prioritized ambiguities that will not restrict more comprehensive reforms in the longer-term. 	<ul style="list-style-type: none"> <input type="checkbox"/> Clarify remaining legal ambiguities through the development of laws and regulations. <input type="checkbox"/> Strengthen land rights for squatters through: anti- eviction declarations and laws, short-term lease rights, group tenure arrangements, and land sharing programs. <input type="checkbox"/> Allow squatters to gain land title through work on community reconstruction projects. <input type="checkbox"/> Establish temporary forms of and rights to secondary occupation that give way to permanent arrangements, such as leasing and sharecropping.
Legal pluralism	<ul style="list-style-type: none"> <input type="checkbox"/> Avoid statutory reforms that neglect to fully incorporate the important customary or religious systems that characterize different communities. <input type="checkbox"/> Identify overlaps and contradictions in customary and statutory norms. <input type="checkbox"/> Empower legitimate customary or religious institutions to compensate for gaps in the capacity of statutory institutions. 	<ul style="list-style-type: none"> <input type="checkbox"/> Incorporate all stakeholders into the development of a long-term solution to securing post-conflict land tenure rights. <input type="checkbox"/> Encourage a legal structure where the statutory system recognizes and strengthens customary land laws and rights, and provides a clear and accessible appeal process for disputes not resolved through customary means.
Land disputes	<ul style="list-style-type: none"> <input type="checkbox"/> Issue binding legal interpretations, executive instructions, and decrees to rapidly address the most common types of land disputes. <input type="checkbox"/> Broadly disseminate legal interpretations to maximize their preventive effect on latent conflicts. <input type="checkbox"/> Establish temporary tribunals that focus on land and property disputes. <input type="checkbox"/> Review, renegotiate or cancel large land contracts that do not comply with existing laws or were not adopted pursuant to legal requirements. <input type="checkbox"/> Build public confidence in the adjudication and demarcation of land. <input type="checkbox"/> Establish agreement on the process for registering a land claim and what constitutes valid evidence for the claim. 	<ul style="list-style-type: none"> <input type="checkbox"/> As capacity builds, transition away from the issuance of decrees, executive instructions and binding legal interpretations, and set a termination date for such rules. <input type="checkbox"/> Avoid granting new large-scale land concessions and titles until sufficient capacities are in place to negotiate them and manage potential conflicts they could generate. <input type="checkbox"/> Involve local stakeholders in contract negotiations to ensure continued local land access. <input type="checkbox"/> Establish a date after which land disputes related to the conflict will no longer be heard. <input type="checkbox"/> Train and support local mediators to help address common sources of land disputes. <input type="checkbox"/> Explore customary and innovative solutions to common disputes. For example, supporting customary dispute resolution mechanisms at the local level, or granting pastoralists access and passage rights to land and water without also granting ownership.
Right of return, restitution and compensation	<ul style="list-style-type: none"> <input type="checkbox"/> Clarify the right of displaced and dispossessed persons to voluntarily return and to be protected from forced resettlement. <input type="checkbox"/> Clarify rights to repossess, receive compensation for or dispose of land assets that IDPs lost legal rights or physical access to during the conflict. 	<ul style="list-style-type: none"> <input type="checkbox"/> Ensure that restitution programs are designed based on a thorough understanding of the operational context and of the positive and negative impacts of restitution. <input type="checkbox"/> Involve the affected populations in the design of restitution programs to gain public commitment to the approach, raise awareness of statutory laws and promote dialogue.
Land recovery and restoration	<ul style="list-style-type: none"> <input type="checkbox"/> Involve communities in demining program design and implementation. <input type="checkbox"/> Use land rehabilitation (tree planting, erosion control) to restore the productive capacity of land and for short-term cash- or food-for-work programs for excombatants and returning displaced populations. 	<ul style="list-style-type: none"> <input type="checkbox"/> Ensure that there is an effective legal framework in place to protect rights to land that has been demined or restored. <input type="checkbox"/> Empower women and other vulnerable groups to obtain rights to the land they have helped rehabilitate.
Land policy reform	<ul style="list-style-type: none"> <input type="checkbox"/> Pass ad hoc policies and decrees which address prioritized challenges. <input type="checkbox"/> Base reforms on inclusive participatory processes, balancing the diverse land needs of the state, communities and the private sector. <input type="checkbox"/> Draw legitimacy from existing local land administration institutions and processes, rather than imposing external solutions. <input type="checkbox"/> Design and start to deploy awareness-raising campaigns to increase the public's knowledge and understanding of the land reform process. 	<ul style="list-style-type: none"> <input type="checkbox"/> Implement policy reforms in an incremental, conflict-sensitive and coordinated way. <input type="checkbox"/> Eliminate discriminatory national land laws. <input type="checkbox"/> Grant women full and equal rights to land ownership, access, and use under the country's statutory laws. Strengthen inheritance rights and laws to ensure that women retain land assets if they are widowed, and promote joint land registrations for spouses. <input type="checkbox"/> Expand tenure security to include: rental, leasehold, freehold, conditional freehold, and transient rights, as well as through an array of collective and communal arrangements.
Land administration	<ul style="list-style-type: none"> <input type="checkbox"/> Start rebuilding cadastres and land documentation systems. <input type="checkbox"/> Support functioning local land management institutions and customary processes while the capacity of state institutions is built. 	<ul style="list-style-type: none"> <input type="checkbox"/> Coordinate investments in land administration infrastructure (such as land administration offices) with the provision of necessary training and equipment. <input type="checkbox"/> Establish sustainable funding mechanisms for supporting land administration systems.
Land allocation	<ul style="list-style-type: none"> <input type="checkbox"/> Balance the allocation of land to excombatants with the needs of vulnerable groups and the host community. <input type="checkbox"/> Provide financing to compensate for lands allocated to excombatants. 	<ul style="list-style-type: none"> <input type="checkbox"/> Ensure that land provision is complemented with land use training and skills development and the provision of necessary assistance, including agricultural inputs (seeds, equipment) and agricultural extension services.

park demarcations) with the provision of training and necessary equipment.

- ❑ Establish sustainable long-term funding mechanisms for supporting land administration systems—for example, through registration fees for land titles and records.
- ❑ Support those local land management institutions that are functioning in the post-conflict context while the capacity of state institutions is built.

EQUITABLY BALANCING THE ALLOCATION OF LANDS TO EXCOMBATANTS

Reintegrating excombatants into civilian society—particularly through the provision of nonmilitary occupations and income—is a crucial early step in post-conflict peacebuilding, and often depends on land. Typically 50 percent of former combatants participating in reintegration programs choose agriculture, and the rate can be as high as 80 percent. The allocation of sufficient and appropriate land to excombatants, as well as access to agricultural training, equipment, and support services, will be central to the long-term success of disarmament, demobilization, and reintegration (DDR) programs. In El Salvador, a DDR program which sold lands (purchased by the government) to excombatants from both sides of the conflict was undermined by the government’s lack of technical capacity to deliver titles efficiently, its lack of political will, and a refusal to distribute agricultural production credits and technical assistance until beneficiaries held title. Excombatants were often left with insecure tenure, little incentive to improve the land, and insufficient skills to achieve productive livelihoods in agriculture. Allocations must

be done carefully; appearing to favor excombatants over other groups can lead to new disputes, creating the potential for further violence. This can particularly be the case when those displaced by violence return to find their lands occupied by excombatants or others who have been encouraged to settle. To improve post-conflict policies and interventions focusing on allocating land to excombatants:

- ❑ Balance the allocation of land to excombatants against needs of vulnerable groups, especially women, youth, and displaced persons, as well as those of the host community. No group should be viewed as unfairly benefitting from land allocations.
- ❑ Include excombatants and host communities in the development of adequate land allocation responses, with particular attention to financing plans for excombatants to acquire and work land.
- ❑ Ensure that land provision is complemented with land use training and skills development and the provision of necessary assistance, including agricultural inputs (seeds, equipment) and agricultural extension services.
- ❑ Provide adequate financing to cover fair market compensation for those property owners whose lands are to be allocated to excombatants.

Further Reading

For a list of further reading materials, please visit:

<http://environmentalpeacebuilding.org/publications/policy-briefs/brief-3>

Post-Conflict Peacebuilding and Natural Resource Management

The Environmental Law Institute, the United Nations Environment Programme, the University of Tokyo, and McGill University have coordinated a four-year global research initiative to analyze experiences in post-conflict peacebuilding and natural resource management; identify lessons; and raise awareness of those lessons among practitioners and scholars. This initiative has generated six edited books (published by Earthscan) that include 150 case studies and other analyses from 60 conflict-affected countries and territories, written by 225 scholars, practitioners, and decision makers from around the world. A seventh overarching book (published by Cambridge University Press) synthesizes the findings across resources, peacebuilding activities, and countries. Contact: Carl Bruch, Environmental Law Institute, 202.939.3870, bruch@eli.org

