

HUMAN
RIGHTS
WATCH

Forced to Leave Problems for people in Zambia when company farms take over land



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Who we are

We are called Human Rights Watch.

We work to make sure everyone in the world is treated fairly and gets their rights.

Rights are things that everyone should have. For example, a place to live, clean water, food and a good education.

The logo consists of a solid blue square. Inside the square, the words "HUMAN RIGHTS WATCH" are written in white, uppercase, sans-serif font. The text is arranged in three horizontal lines: "HUMAN" on the top line, "RIGHTS" on the middle line, and "WATCH" on the bottom line. Each letter is widely spaced.

H U M A N
R I G H T S
W A T C H

About this report

This report is about what is happening to many people in Zambia when big company farms take over land.

The government in Zambia wants larger farms that make money by selling things they grow.

The government thinks this will help Zambia be less poor.

But this farming is making life much worse for local people and communities.



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In 2016 and 2017 we went to Zambia to find out what is happening.

We spoke to more than 130 people who live in a part of Zambia called Serenje.

We also spoke to:

- people who work for the government
- people who own farming companies
- lawyers and other experts

This report is about what we found out and what we think should happen next.



What is happening in Zambia?

The government has taken over land that local people live on and grow food on. This used to be customary land.

The government is letting farming companies use this land.

Farming companies can be big enterprises or families that run farms as a business.

The farming companies have to pay the government to use the land to make big farms.

But the government and many of these farms are not looking after the rights of people already on the land.



What problems is this farming causing?

This kind of farming is causing big problems for local people and communities.

For example:

- Many people do not have a say about what happens to the land they live on.

Women often have even less say.

- Many people do not know the land has been taken over. They find out too late.



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There are other problems:

- Some people are forced to leave land they have lived on all their lives. They have no choice.

For example, some big farms have told people that they will destroy their homes and crops if they do not leave.

- Many families do not get money or help to find a new home. Some families are left without a home because of this.
- Some families have to move to land that is bad for growing food. These families do not have enough to eat.

There is also no clean water or schools nearby.

All of this is worse for women. For example, because they often get food and water for the family.

And it means many children cannot go to school.



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- Some big farms are not following the government's rules and laws. They are not telling people or the government about problems due to their farms.

The company farms think that people living on the land have no right to be there.



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What rights do local people have?

The law says that people in Zambia have the following rights if the government wants to take over their land:

1. Local people should have a say about what happens to the land.

- Farming companies should make sure this happens.
- Chiefs should talk to local people.
- Chiefs should ask people if it is OK for the government to own the land.
- People should say yes first before anything happens.
- People should also have a say about new farm projects after they start.

2. People should not be forced to leave the land.

The government should stop this from happening unless the farming companies follow rules that protect people.

3. If people leave the land, farming companies should help them find a good place to live.

4. Farming companies should give people money and other help because they have lost land.

- 5. People have the right to complain and get problems sorted out if they do not get their rights.**

- 6. People should have the basic things they need. For example, a place to live, safe water and food, schools and healthcare.**

These things should also happen:

- 1. Farming companies and the government should check first to see how farms will affect local people and the area.**

- 2. The government should only say yes to farming companies if they have done the right checks and made sure people get their rights.**

- 3. Farming companies should get the right papers from the government before they start work.**

The government should make sure these things happen.

But they are often not happening. And the Government is not making sure that laws and rules are followed.

What should happen next

We want the government of Zambia and farming companies to work straight away to make sure people get their rights.

We want the government of Zambia to do the following things:

- Sort out problems that big company farming has caused people in Serenje who have been forced to leave their homes without any help or enough money.
- Make sure that people who may have to leave the land can get advice and help from the government.

This should be free or low cost.

- Make sure people can have a real say about farms taking over the land they live on and the help they will get.

Farming companies should make sure all women and men can have a say.

- Make sure people get help if they have to leave their land.

There are rules about this. For example, some rules are in a document called the National Resettlement Policy.

This says that farming companies must help people find a new home and give them enough money and help if they have to leave.

Government people should know the laws and rules and how to make them happen.

- Make sure farming companies follow the laws and rules so that local people get their rights.
- Keep checking the farming companies to make sure they are doing the right things.

The government should set up offices in all provinces and get more staff to do these checks.

- Make sure farming companies do checks to see how their farms will affect the local area.
- Make sure all local people can get clear information about the checks and what they found out.
- Make sure local people can complain to the farming company if they are not getting their rights.

Their complaints should be dealt with fairly.



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