



CRAAD-OI
Centre de Recherches et d'Appui pour les
Alternatives de Développement - Océan Indien

RSCDA-OI
Research and Support Center for
Development Alternatives - Indian Ocean



**OPEN LETTER TO THE PRESIDENT OF THE REPUBLIC OF MADAGASCAR
CONCERNING THE ILLEGAL EMPHYTEOTIC LEASE AGREEMENT ON SAKATIA ISLAND**

Mr. President of the Republic,

Is the "Presidential Project" in the tourism sector which provides for a 99-year emphyteutic lease on Sakatia Island above the Laws?

This is the direct and legitimate question posed to you by the signatories of this Open Letter, who are both defenders of rights and partners of the affected communities, in the face of the various events relating to the illegal 99-year emphyteutic lease concluded between the large reputable investors within the company GREEN MADA LAND and the Malagasy authorities with regard to Sakatia Island, located in the DIANA Region in the north-west of Madagascar.

Indeed, the local officials of the ministries in charge of land and the environment know full well that the community of Sakatia is already a beneficiary of the transfer of local management of the bio-cultural heritage, and that as a result, Sakatia Island cannot be rented or sold.

This 99-year emphyteutic lease is all the more illegal and arouses suspicion, given that the competent local authorities are well aware that there is Order No. 27 227/2019-MAHTP of November 29, 2019 which completely canceled this emphyteutic lease contract with the company GREEN MADA LAND.

Mr. President of the Republic,

A emphyteutic lease contract is similar to a sale in terms of its impact on the local population, because the one who currently lives on the land covered by the lease can no longer live or work there; she will no longer be able to bury her dead there, and her descendants will no longer be able to inherit these lands. A 99-year emphyteutic lease is the worst case scenario.

However, on May 24, 2023, the competent state authorities in the district of Nosy Be summoned the affected communities who have come together in the Anjava Sakatia association, and told them that they will be moved because the company GREEN MADA LAND has already paid the lease for 99 years to the Malagasy State, and that the emphyteutic lease has been registered at the Tax Center of Nosy Be.

Affected communities have held public meetings and media appearances to express their opposition to eviction from their lands and their concern about their displacement. When he heard the echo of these demonstrations of protest from the affected communities, a local state official challenged them again, telling them not to oppose the emphyteutic lease by making so much noise, but to accept an amicable arrangement with the company GREEN MADA LAND because it is a "presidential project" that it must carry out.

Mr. President of the Republic,

We are convinced that for all these reasons, you clearly see that the rights of the affected communities are violated in several ways: • from the beginning, they have not been given the right to know everything about this emphyteutic lease and to decide on it, whereas it is clearly specified in the land legislation in force that an island cannot be leased;

- the right to refuse the grabbing by others of the lands that they have undertaken to maintain and develop as beneficiaries of the transfer of local management of the bio-cultural heritage;**
- and above all, the right to protect their ancestral lands and livelihoods.**

These human rights violations are due to the non-respect of the laws and the thickness of the opacity which currently reigns in the field of land investments, including this “presidential project” in Sakatia. We call on you not to allow this project to cause suffering to the affected communities and destroy their living conditions, in accordance with your oath that “I will use the power granted to me and devote all my strength to defend and strengthen national unity and human rights. I swear to respect and preserve as the pupil of my eyes the Constitution and the laws of the State, as well as the well-being of the Malagasy people without distinction.

The signatory organizations of this open letter •

constantly recall that the Constitution in force clearly recognizes that Madagascar must respect international treaties on economic, social and cultural rights, and stipulates that transparency is required for the proper management of national affairs;

- express their full and constant solidarity with the compatriots living in Sakatia in the face of this project which bothers them and threatens their economic, social and cultural rights.**

In the hope of a clear and satisfactory answer from you to our question, please accept, Mr. President of the Republic, our most respectful greetings.

Antananarivo, July 12, 2023

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