

BENEFITS OF LAND GOVERNANCE MONITORING TOOLS FOR SUSTAINABLE LAND BASED INVESTMENTS

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About TrustAfrica

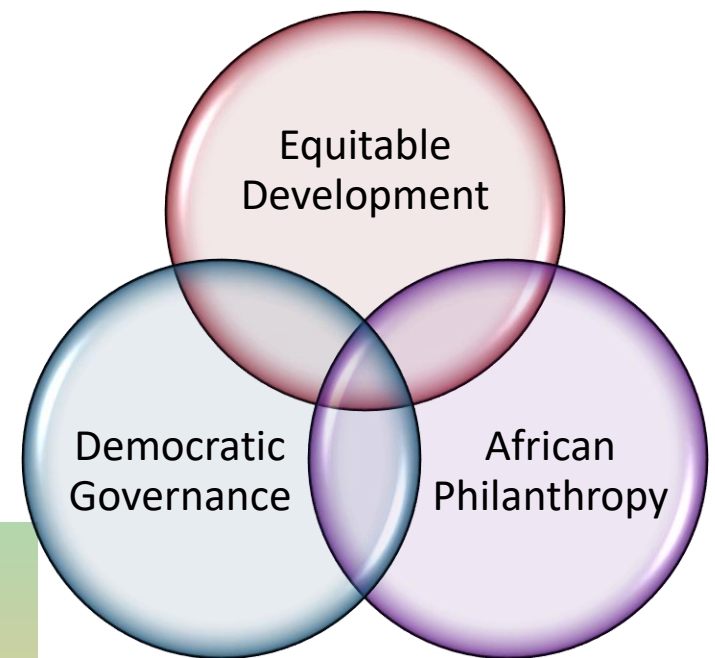
TrustAfrica is an pan-African Fooundation civil society that strives to secure the conditions for **democratic governance** and **equitable development** throughout the continent.

Our mission

To strengthen African **agency**, catalyse **responsible** citizenship and **accountable** leadership and leveraging accessible resources in advancing justice, democracy and equitable development in Africa .

Our societies become more stable, prosperous, equitable and just.

EQUITY DEVELOPMENT Addressing Transparency and good natural resource governance to promote equity and inclusivity in development with a special focus on productive sector in agriculture and extractives
Working with smallholder farmers, supply chain actors and in trade, smallscale producers in extractives as important stakeholders in the development policies that affect them



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Outline of presentation

Background

Land and Land Based Investments

Importance of Civil Society Land Governance Monitoring

Introducing the CS Land Governance Monitoring Tool

Benefits to Sustainable and Inclusive Land Based Investments

Putting the Tools to Use and Lessons learnt

Conclusions



Land has a well-established role in



national prosperity



socio-economic empowerment and livelihoods



Political stability



conflict management

Significance of Land



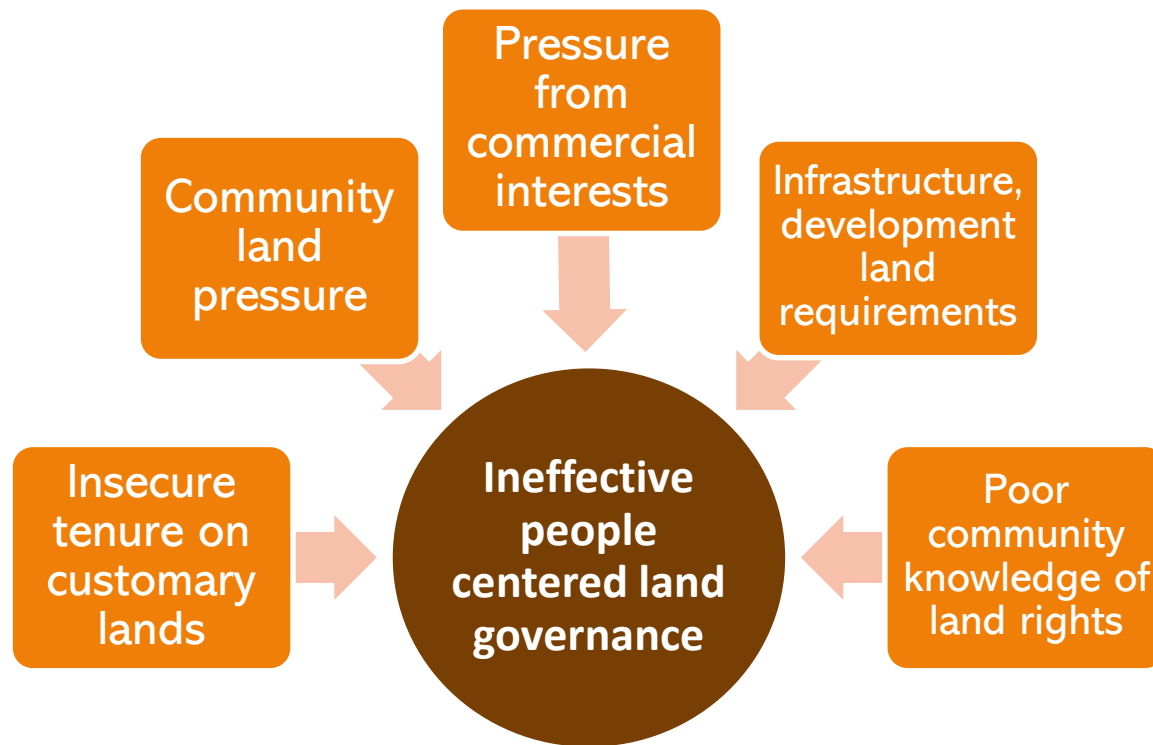
The importance of land is reflected in the progressive investments and commitments made by regional organisations and national governments towards the development of land policies and programmes.

BUT - Progress can be slow

- resource constraints
- technology gaps
- Limited political commitment
- Limited capacity for accountability to stakeholders
- Limited technical and other resources for progress

❖ Requires concerted efforts by land rights holders, citizens and CSOs to highlight implementation and accountability gaps and push for people centered land governance

Mitigating Factors in Implementation



- ❖ Smallholder farmers and communities fail to derive full benefit from land
- ❖ Biggest investors in land are smallscale farmers (60% plus of rural economies, they bear greatest risks in insecure and undocumented land
- ❖ Other investors – public infrastructural goods; LSLBI, rural and urban communities stand to lose if Land tenure security is unclear

Significance of Good Policies Sustainable Land Based Investments

Land based investments occur to increase,



Livelihoods and income



Agricultural productivity



Underpins social reproduction in rural communities



Women's access and ownership

At least 60% of land investors are
smallholder producers and risk bearers





- Highlight policy, implementation & accountability gaps
- Contrast citizen expectations and commitments made
- Empower communities to respond to gaps
- Facilitate community action to influence policy

❖ **This accountability discussion requires strong credible evidence**

Aim of the Land Monitoring Governance Tool

The CSO Tool for land governance monitoring is to assess land governance at the micro level through civil society field work and research to envisage these outcomes

Evidence

- Help CSOs in credibly monitoring land governance at the local level and advocacy

Empower

- Empower communities to ensure land is governed in their interests

Promote

- Specifically promote groups such as women to participate and mechanisms for accountability

Buttress

- Buttress government efforts towards people centred land governance

Key Trends in Monitoring Land and the role of all actors

The focus on monitoring has increased demand for data which is:

- timely and of high quality
- spanning micro to macro levels
- comparable across locations, regions and globally

❖ This has increased the opportunity for civil society evidence previously excluded from national databases

Introducing the LGMT Thematic Pillars

The CS Land Governance Template is framed around 6 strategic areas which are central to land governance in Africa:



Access to
land and
security of
tenure



Effectiveness of
land
administration
systems



Legal and
institutional
frameworks
governing land



Extractives and
LSLBI



Land and
conflicts



Implementation
of regional
instruments and
institutional
arrangements



Access to land and security of tenure

- A1 Legal recognition of the range of rights in the country
- A2. Use of customary land rights as collateral
- A3 Women's equal land rights under the law



Effectiveness of
land
administration
systems

Implementation of regional instruments

- B1 Implementation of national land policy (AU F&G)
- B2. Budgetary allocations to land (Maputo)
- B3. Mutual accountability for results (Malabo)



Effectiveness of land administration systems

- C1. Accessibility of land administration information to citizens
- C2 Transparency of land administration transactions and services
- C3. Efficiency and cost effectiveness of the land administration system



Legal and institutional frameworks governing land

Legal and institutional frameworks on land

- D1 State of development of national land laws and institutions
- D2. Recognition of customary tenure
- D3. Coordination between institutions

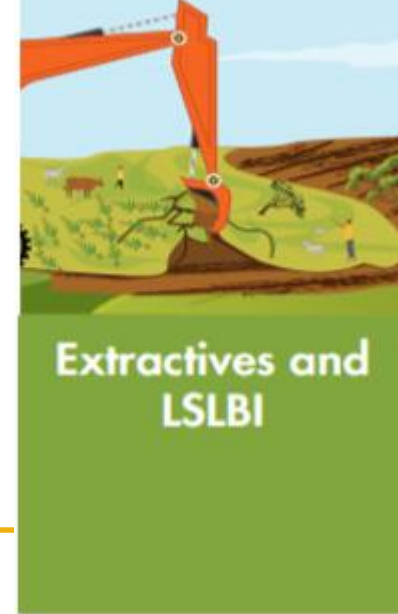


Land and
conflicts

Land and conflicts

E1. Ability of citizens to access land conflict mechanisms

E.2 Effectiveness of the conflict management system



Large scale land-based investments

- F1. Governance of LSLBI
- F2. LSLBI respect for the rights of communities
- F3. LSLBI benefit to communities



Implementation
of regional
instruments and
institutional
arrangements

Implementation fo regional instruments

- G1. The extent to which these regional instruments and guidelines are factored into national policy and implemented for people centred land governance

Benefits of the Land Governance Monitoring Tools



Building capacities of communities, smallholder farmers, women and other land rights holders to understand their land sector architecture and implementation gaps and to participate in discourse on land issues

Solidarity
building across communities



Generating attention to smallholder issues and voices in societal and political dialogue and in sectoral policies

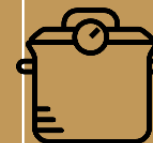
Comparability and reliability of results within and across countries



Channeling information about government decisions to smallholders and about smallholder realities to decision makers



Empowering Smallholder farmers, citizens, journalists and legislators to hold the executive to account for policy implementation and budget commitments



Catalyzing domestic bottom-up pressure for smallholder land-based investment friendly policy implementation for sustainable and accountable agriculture development

Benefits of the Land Gov Monitoring tool

Provides information and a strong case to

1. Help **simplify awareness creation and collecting information** from communities to inform policy implementation and technical processes (voices of smallholder producers)
2. Advocate for the general implementation of regional and national commitments (Land Act 1036) to improve land governance; inclusivity and transparency
3. Evidence specifically for gender equitable governance of land due to the multiplier effect of doing so and;
4. Undertake actions to maintain awareness on and to create policy commitment to incorporating the voices of smallholder farmers and communities in land governance practices.

❖ *CSOs should then complement these generic actions with actions which are specific to the situation on the ground*

Benefits of the Land Governance Monitoring Tool

Governments can also Benefit

Advocacy activities and evidence generated associated with this tool can drive several outcomes in land governance such as

- ❖ Evidence to promote greater compliance to land laws
- ❖ Unlocking momentum in the implementation of laws and policies
- ❖ Land related investments comply and are transparent and do not undermine community land rights
- ❖ Promote women's rights

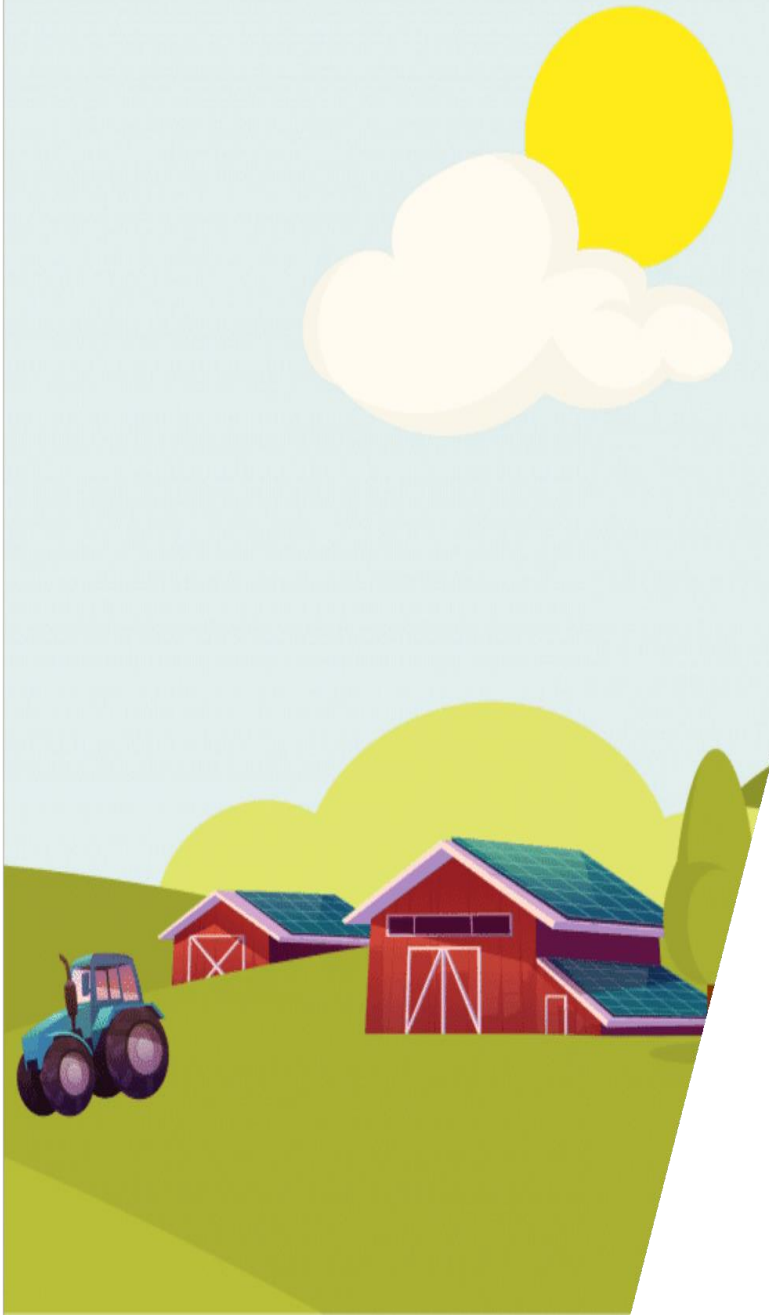


Building capacity on Civil Society Land Monitoring

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Building capacity on the Land Act and Land Monitoring



**Participants at the National Level
MultiStakeholder Dialogue on Land Tenure
Hosted in collaboration with Colandef and
Solidaridad in 2022**



**Women and Youth Groups at the advocacy
capacity building workshop in the Gold value
chain, where issues of land rights have come up**

Building capacity on Civil Society Land Monitoring



Capacity building on the Land Governance Monitoring Tool with Cocoa and Palm Oil Small scale Farmers and Civil Society held in in November 2021 in collaboration with Colandef and Solidaridad Ghana

Training on the use of the Land Gov Monitoring Tool



Training Oil Palm and Cocoa Cooperative Leaders and CSOs on the New Land Act in Ghana with Colandef and Solidaridad Ghana



Key Lessons from training on the LGMT, dialogue and community sensitization

Knowledge, understanding and awareness on the land sector

Limitations in the institutional set up for customary land governance

The records on customary lands and land rights documentation are limited

Limited capacity for conducting due diligence

Limited knowledge of national policy, legislation, and applicable provisions

Structural difficulties in accessing dispute resolution mechanisms

Gender equality and social inclusion issues remain peripheral

Putting the Land Monitoring Tool to work

- **Greater need for land governance monitoring tools for citizens that can**
 - **Help simplify technical complexities of land laws to support sustainable land investments**
 - **Create awareness of the many challenges in communities that may not be picked up in broader policy development**
 - **Provide a way for policy makers to consult and work with its citizens to include their views in addressing the implementation gaps e.g documentation, land tenure security, rights violations and land conflicts**

Putting the Land Monitoring Tool to work

Build CSOs Capacity to use the Land monitoring tool

Sensitize stakeholders on the tool

Set-up a team to engage stakeholders

Analyze findings

Share monitoring findings

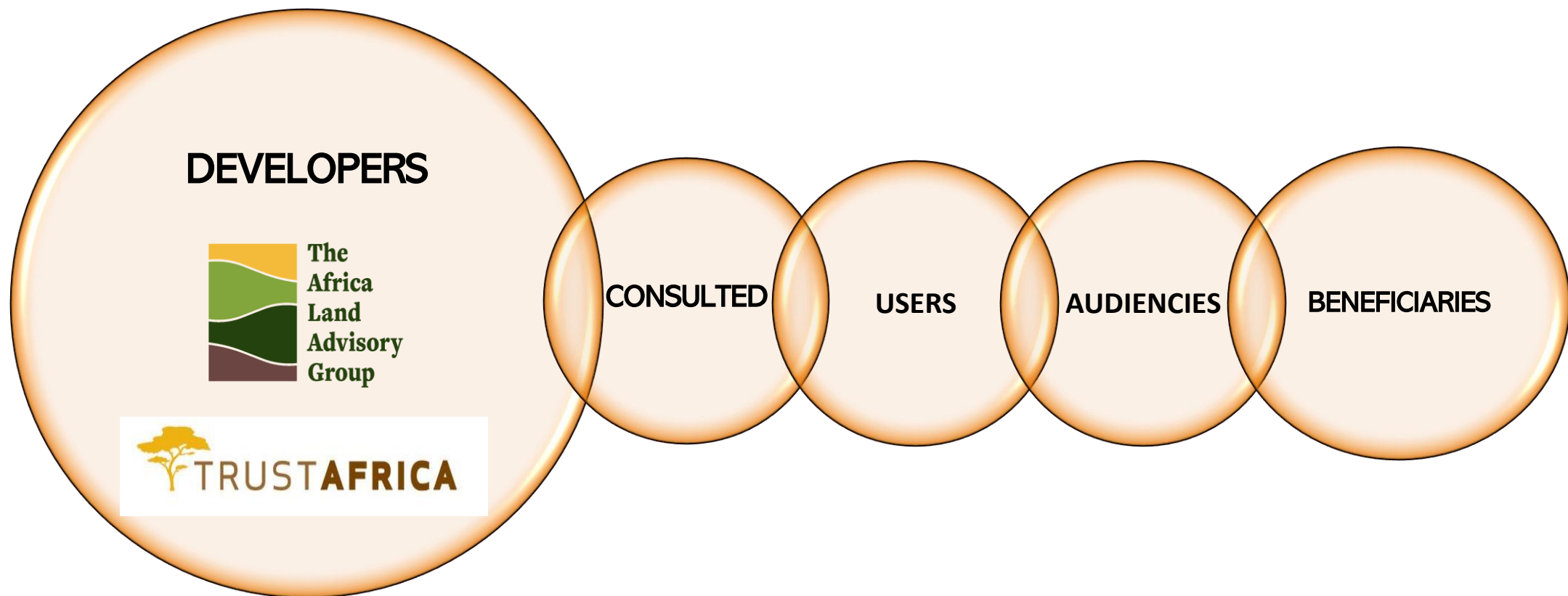
Engage stakeholders to address challenges identified

Follow-up on commitments

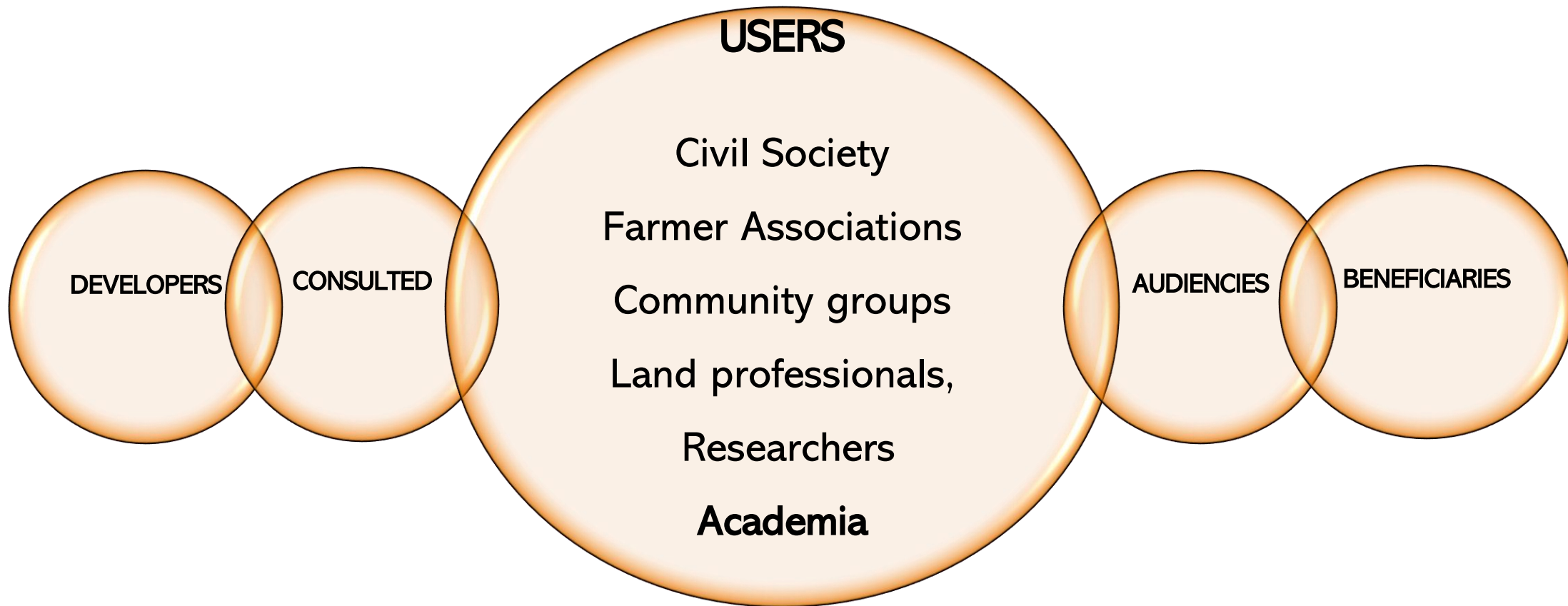
Putting the Land Monitoring Tool to work

- The Land Governance Monitoring Tool is being disseminated and used to discuss community land questions, smallholder needs for tenure security, and developing policy recommendations through
 - **Capacity Building** civil society actors and other stakeholders in the use of the Tool
 - **Sensitizing communities** and smallholder farmer groups in the new Land Act and its provisions for sustainable land based investments
 - Convening dialogue amongst multiple stakeholders on the Land Act 2022
 - **Launching a podcast series TrustAfrica** which is a discussion platform on land governance (first series will be available on TrustAfrica website)
 - **Researching** and supporting together with partners interventions to address policy implementation and practices, based evidence generated by the use of the tools

Development of the tool



Users of the Land Monitoring Tool



Thank you

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