Good Governance and Regulatory Frameworks
Lessons from the AU Agenda on Land

Joan Kagwanja
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Content

• Background and Challenges
• Opportunities
• Interventions needed, at what cost
• Concluding remarks
I. Background and challenges
Unequal access to land

Insecure land/natural Resource rights and tenure

Land disputes

Low/poor land investments

Natural resource Degradation/climate change

Low agriculture productivity

Poor/low urban development

Increased food insecurity; low economic development, increased poverty, environmental degradation
Land governance challenges

- Inadequate **security of the tenure** of land -- smallholder farmers, pastoralists, women, slum dwellers
- Insufficient and **unequal access to land** by women, smallholder producers;
- **Poor governance and management** of land, land based agricultural investments, wildlife/tourism, forests,
- Land based disputes and conflicts;
- Land, environment, and natural resource **degradation**;
- Unregulated haphazard peri-urban development
Challenges--weak policy and institutions

Inappropriate governance system -- unresponsive policies, instruments, institutions

• Lack of comprehensive land policies that address challenges and realities of the land question and Africa’s agenda for socio-economic development and regional integration.

• Weak legal provisions and fiscal instruments governing land

• Ineffective institutions and systems for land administration including outdated land information systems, inaccessible dispute resolution mechanisms and dismal land use maps and plans
III. Opportunities
A continental response to Africa’s land challenges?

AU-ECA-AfDB Land Policy Initiative

- Inadequate lessons learning in policy formulation/implementation
- Cross-boarder aspects of land related disputes/issues
- Incoherent involvement of actors/partners
- Lack of sustainable donor support
- Low political will/commitment by African govts

Build evidence, partnerships/Synergies/coherence/commitment in support of land Reforms

Continental Platform for dialogue, consultation and consensus on African Agenda on Land

Monitoring & Evaluation Framework

Executive Committee
Joint Secretariat of the AUC, UNECA, AfDB

EXECUTIVES (Joint Secretariat)

Chairperson
African Union Commission (AUC)

Executive Secretary
Economic Commission for Africa (ECA)

President
African Development Bank (AfDB)

DEPUTY EXECUTIVES (JS Steering Committee)
Deputy Chairperson, AUC
Deputy Executive Secretary, ECA
Vice President, AfDB

DIRECTORS (JS WORKING GROUP ON LAND - JWGL)
DREA, AUC
RITD, ECA
ANRC, AfDB

Steering Committee

JS-WGL
• DREA, AUC
• RITD, ECA
• ANRC, AfDB

Regional (RECs)
CENSAD
COMESA, EAC
ECCAS, ECOWA
IGAD, SADC, UMA

Continental
• PAP
• PAFO
• NPCA

Observers
• EU
• FAO
• IFAD
• UN-HABITAT

LPI Secretariat

Director, RITD/ ECA

Coordinator/Chief LPI

Program Assistant Research Assistant Information Assistant

AU, ECA, AfDB Focal Persons

Joint Trust Fund

Director, SPOQD

Chiefs Partnerships, Program Management, Evaluation

Program Management Officers

Technical Advisory Group
Prominent Land Policy Experts
- Thematic & Regional
- Other Representation

Land Experts
Communication Officer
M&E Officer
Program management/ National Officers
Africa commitments, instruments on Land Governance...

April 2009

July 2009

October 2011

May 2014

October 2015

30% documented land allocation to Women
AU Declaration on Land Issues and Challenges: Key Commitments
Heads of States Committed to:
- Prioritise/ lead land policy development & implementation
- Develop appropriate institutional framework
- Allocate adequate budgetary resources
- Ensure laws provide for equitable access to land
- Strengthen women’s land rights

Member States Called to:
- Review land sector/develop comprehensive land policy
- Build adequate capacity (human, institutional, financial)
- Make use of the F&G to guide national land policy process
A call to AUC with ECA, AfDB, RECs to

- Establish institutional framework to implement Declaration
- Establish fund to support the implementation of Declaration
- Report back periodically on progress made

A call to the RECs to

- Convene periodic platforms for exchange of experiences, lesson learning and dissemination of best practices
- Capture/ address issues of land within common agricultural, other frameworks
72. We hereby adopt Agenda 2063, as a collective vision and roadmap for the next fifty years and therefore commit to speed-up actions to

b. Provide opportunities for all Africans to have decent and affordable housing in clean, secure and well planned environments by:

- Ensuring effective and territorial planning and land tenure, use and management systems;
e. Consolidate the modernisation of African agriculture and agro-businesses, through scaled up value addition and productivity, and by 2063:

- Develop and implement affirmative policies and advocacy to ensure women’s increased access to land and inputs, and ensure that at least 30% of agricultural financing are accessed by women;
Agenda 2063 calls for gender equality

OUR ASPIRATIONS FOR THE AFRICA WE WANT

1. A prosperous Africa based on inclusive growth and sustainable development

3. An Africa of good governance, democracy, respect for human rights, justice and the rule of law

5. An Africa with a strong cultural identity, common heritage, values and ethics

6. An Africa, whose development is people-driven, relying on the potential of African people, especially its women and youth, and caring for children
Global instruments/initiatives

• CFS-VGGT: FAO and LPI have an MOU to support integrated implementation of the VGGT and F&G

• Donor support and coordination
  – Global donor working group on land
  – World Bank financial, technical support and LGAF
  – Bilateral donors

• Training, research by think tanks
  – Research and evidence
  – Network of excellence on land governance (Germany support) to promote curricula development and training; as well as research, data collection and management
III. Interventions: What, At what cost…
National Level

What:
• Develop on Land policies and reform institutions
• Improve tenure security - communal & individual lands
• Increase access to land & tenure security for the poor & vulnerable
• Increase efficiency & transparency in land administration
• Resolving land disputes & managing expropriations
• Increase scope & effectiveness of land use planning
• Improving public land management
• Develop post-conflict land administration
• Strengthen land valuation functions & develop taxation frameworks

Cost: 4.5 Billion over 10 years
Regional: Regional Economic Communities (RECs)

What
• Develop REC capacities – coordination/technical assistance
• Develop/implement program on land tenure and governance --regional agricultural frameworks and related protocols for cooperation
• Develop regional platform for dialogue, exchange and learning among states
• Coordinate implementation of a monitoring and evaluation framework

Where and Cost
• All eight (8) recognized RECs by the AU in partnership with supportive regional bodies including regional legislative assemblies, regional farmers and civil society organization platforms
• 8 RECs @ 1-2 million for 10 years
Continental Level...
African Land Policy Centre (ALPC)

AU Summit and STC Decision; Establish appropriate Institutional Framework;

Leadership on the land sector including: setting the agenda on land issues, acting as a repository of knowledge and representing Africa on global platforms.

Driver of land continental policy and advocacy to ensure that land remains a priority in the policy agenda.

Creating continental and regional land platforms that enhances coordination in the land sector.

Create linkages/partnerships to bridge gap in technical assistance and funding.
Convene Continental Stakeholder Platforms:
Working Groups on land governance convened periodically to report on progress, discuss new initiatives and share knowledge and best practices.

Support Regional Stakeholder Platforms:
Meetings of member states and other actors facilitated by RECs and IE to coordinate land initiatives at a regional/country level, report on progress and share information.
Funding Mechanism

*AU Summit /STC Decision*

Donor → African Fund for Land Policy → African Land Policy Center (ALPC) → Donor

- Donor
- Donor
- Donor
- Donor

- REC
- Member States
- Univ/Think Tanks
- CSO Platform
Concluding remarks

What has worked
• A recognition by African leadership of the importance of land
• A unified approach to addressing land governance issues
• Instruments and tools at regional and global levels
• Support of partners

What is needed
• Commitment of resources from government
• Support of partners to address land governance challenges
Thank You

Email: landpolicy@uneca.org
Website: www.uneca.org/lpi