



# **Land Policies for improved land governance, food security and poverty reduction**

Lessons from the AU-ECA-AfDB Land Policy Initiative

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**Workshop on**

**Land Governance and Emerging Development Agendas: Legal Empowerment, Climate Change and Food Security**

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# IMPORTANCE OF LAND

## AFRICA'S DEVELOPMENT

Equity

Peace and Stability

Sustainable Natural Resource  
Management

Poverty Reduction

Economic  
Development

Food Security

LAND POLICIES

## EFFECTIVE LAND GOVERNANCE/MANAGEMENT

LAND ADMINISTRATION

GOVERNANCE

PARTNER SUPPORT

# Context/issues in policy development<sub>/1</sub>

- Geographical and ecological
  - Fragile; degraded; soil exhaustion;droughts; flooding; the poor on marginal lands
  - Forests, pasture, wildlife-best managed under community property regimes for equity and sustainability
  - Management of common/pool resources is challenging without supportive policies, laws and community institutions
  - Challenge: Individualize/partition resources / strengthen mechanisms for community management

# Context/Issues in policy development<sub>/2</sub>

- Political

- Colonial--European laws/  
administrative/management systems grafted  
with indigenous practices—dualism/pluralism)
- post-colonial-nationalisation, land  
expropriation/distribution; grabbing/invasions;  
corruption; but liberal  
reforms/democratisation—role of govt, CSO
- Land related disputes—activity, actor-related
- Land policy/admin reforms as a tools for peace  
and stability—legislation, administration,  
restore law and order

# Context/issues in policy development<sub>/3</sub>

- **Economic**

- Land and agriculture

- Land is a main input into agriculture and ensuring food security—60% livelihoods; agric GDP >25% in many; smallholder agric; livestock production/pastoralism;
    - Low productivity; poor investments; micro and macro policy environment not pro-poor;
    - Poor Land use/management can pose a threat to food security
      - Competing land use—high-value crops/biofuels

- Land and other sectors

- Tourism, manufacturing, mining/oil, forests and woodlands
    - Urban development and sustainable cities

- Opportunity for land policy/admin reforms to address poor land use regulation; unequal land distribution; insecure land tenure, especially for women, pastoralists, fisherfolk, indigenous groups

# Context/issues in policy development<sub>/3</sub>

- **Social and cultural**
  - Land and spirituality
  - Land and gender relations
    - **Women-large proportion of farmers, rural and urban poor**
    - **Women are the *'keepers of the environment'***
    - **Most women do not control and own land and natural resources under most tenure systems**
    - **Culture/Customary law; statutory law; institutions**
    - **Reconstruct current customary/statutory laws –to redress imbalances, strengthen women's access/control over land**
  - Other forms of marginalisation
    - **Indigenous peoples—San (Botswana); Herero (Namibia); Bakola, Bagyeli, Batwa (C. Africa); Ogiek (kenya)**

# Context/issues in policy development<sub>/4</sub>

- Demographic Context
  - Population growth and migration
    - High densities—e.g. highlights, coastal areas
  - Urbanization
    - By 2030 >50% Africans in urban areas
    - Demand for housing development
    - Slums/informal settlements (women/housing)
  - HIV/Aid
    - Some effects---Abandoning, renting, selling, forcible removal from land
  - Land policies must respond to these challenges

# Context/issues in policy development<sub>/4</sub>

- Emerging issues
  - Global ecosystem—demand for energy; increased FDI
  - Climate change
    - Water scarcity, flooding, salination, high temps, biodiversity, desertification
    - Decreased yields? Increased poverty?
    - Land policy must respond. Reforms must guide mitigation and adaptation measures.
- Regional co-operation and integration
- Food supply, prices, changing land uses
  - Food production/dependence on imports
    - Land being diverted to bio-fuels
    - Reponse to global trade environment
- New scramble for Africa's resources
  - African still remains important for her NRs
  - New players

# The land reform Debate: Reforming land rights

## Exploring the alternatives:

- Customary land rights
- Registered customary land rights
- Redistributive land rights
- Land titling
- Redistributive land rights
- Market based land policies
- Subsidized market based reforms

**Supporting Land Policy and  
implementation in Africa: The  
AU-ECA-AfDB Land Policy  
Initiative**

Low political will/commitment by African govts

Inadequate Policy formulation/implementation

Cross-boarder aspects of land related disputes/issues

Lack of sustainable donor support

**AU-ECA-AfDB Land Policy Initiative**

Incoherent involvement of actors/partners

Build partnerships/synergies/coherence in support of land Reforms (policy/administration)

Framework/guidelines on land reforms

Regional/continental multi-stakeholder assessments dialogue, consultation and consensus on land reform

Benchmarks/indicators on land policy /land administration

**Declaration on land reform/monitoring adopted by AU Summit of Heads of States and Government**

Increased political/other commitment of African governments

Increased monitoring of reforms/processes

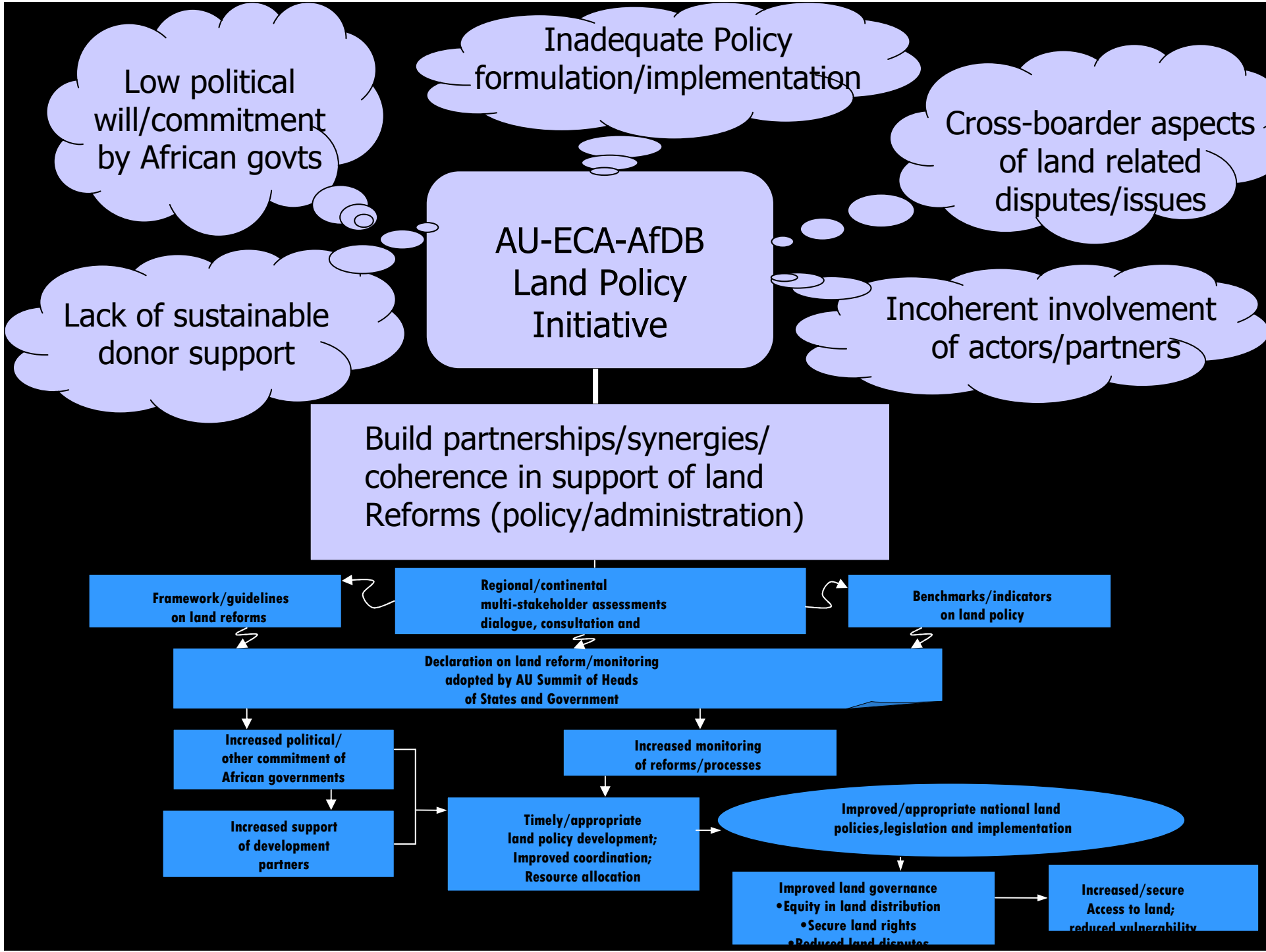
Increased support of development partners

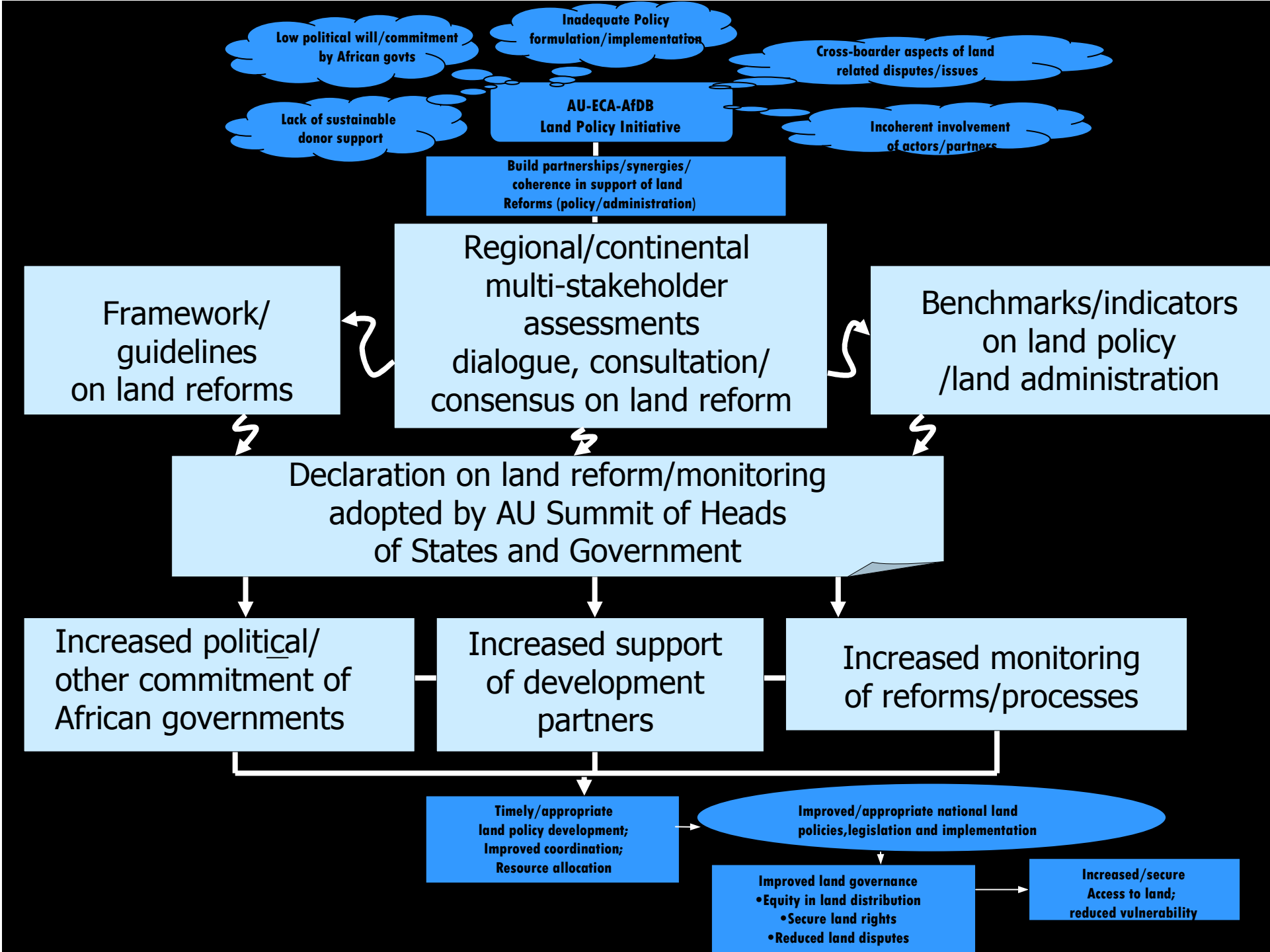
Timely/appropriate land policy development; Improved coordination; Resource allocation

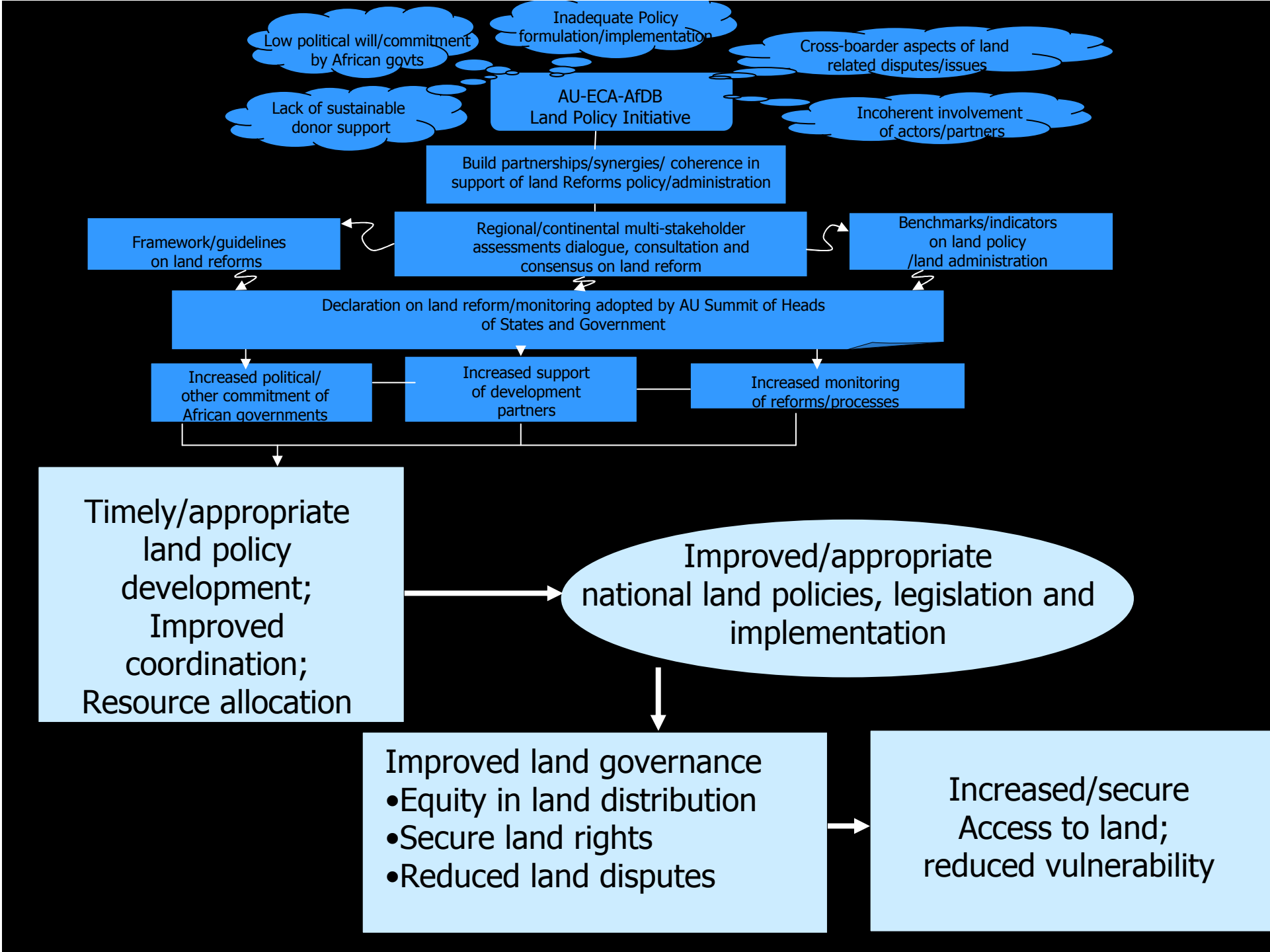
Improved/appropriate national land policies, legislation and implementation

Improved land governance  
•Equity in land distribution  
•Secure land rights  
•Reduced land disputes

Increased/secure Access to land; reduced vulnerability







# Road Map/Critical Steps

## **The activities of the roadmap include:**

- A continental Consultative Workshop
- Regional Assessments and Consultations
- Development of Benchmarks/Indicators
- African Experts/Ministers Meeting
- Summit of African Heads of State and Government

# Priority Land Issues (regional workshops)

	Eastern Africa	Southern Africa	West Africa	Central Africa
State Sovereignty over Land	✓	✓	✓	
Tenure Security	✓	✓	✓	
Dualism in property systems		✓	✓	✓
Sustainable land management	✓	✓		✓
Land administration	✓		✓	✓
Gender Biases		✓		✓
Land distribution		✓		
Protecting commons	✓			

**Conclusions:  
Lessons learned in policy  
formulation and implementation**

# **Lessons in land policy**

## **formulation/implementation**

- So far, overwhelming interest and support to the LPI
- Draw lessons from other parts of the continent/world in but must examine local conditions--innovative and promising experiences exist even in Africa
- Clear vision relating to implementation is critical at the time of policy formulation-- sequencing the various stages of land reforms is key
- Stakeholders/actors need a clear picture regarding the time line to manage expectations
- Land sector reforms must go hand in hand with reforms in other related sectors/be part of national development plans and strategies

# Lessons in land policy formulation/implementation

- Decentralization is key to delivering land rights, but adequate resources/devolution remains a challenge
- Adverse effects of individualized titling programs on marginalized segments of society, including women, children, migrants, IDPs, pastoralists, hunters and gatherers, and communal land users need examination
- Recognition of the customary land rights (individual as well as collective) is important—few lessons exist on HOW
- A sense of ownership of the reforms by relevant stakeholders is crucial to timely implementation of land reforms and the achievement of their intended outcomes---- participation/role of civil society crucial

# **Lessons in land policy formulation/implementation**

- Land policies, land legislation and efficient land administration systems are essential to securing land rights for the poor in urban and peri-urban areas
- The poor and marginalized segments of society continue to suffer the most from inadequate and accessible forms of dispute resolution mechanisms
- Information, monitoring, are critical to implementation of the land policies and legislation—modernizing LIS is critical
- African countries have inadequate internal technical capacities---capacity building for land administration is needed