

Putting a Pro-Poor Land Agenda into Practice in Africa

Report of a Workshop
of 44 members and partners
of the International Land Coalition in Africa

NAIROBI, KENYA

30 OCTOBER - 2 NOVEMBER 2007



INTERNATIONAL
LAND
COALITION

International Land Coalition

Our Vision

Secure and equitable access to and control over land reduces poverty and contributes to identity, dignity and inclusion.

Our Mission

The International Land Coalition is a global alliance of civil society and intergovernmental organizations working together to promote secure and equitable access to and control over land for poor women and men through advocacy, dialogue, and capacity building.

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International Land Coalition (ILC)



Mission

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Vision

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Kenya Land Alliance (KLA)



Mission

The Kenya Land Alliance is a non-profit and non-partisan umbrella network of civil society organizations and individuals advocating for formulation and implementation of land and natural resource policies and institutional reforms in Kenya. Its mission is to facilitate participatory and comprehensive land and natural resource policies and legislative and institutional reforms through networking, information generation and sharing, advocacy and empowerment.

Vision

A society in which all people are assured of sustainable livelihoods through secure and equitable access to and utilization of land and natural resources.



This report was prepared with the assistance of the rapporteur Anthony Otiende

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Foreword

The International Land Coalition (ILC), Africa Regional Workshop report is a testimony to a successful inception of regionalization of ILC in Africa. The 44 members and partners meeting that took place in Nairobi, Kenya from October 30 – November 2, 2007, co-hosted by the Kenya Land Alliance, KLA with support of IFAD, the EC and Belgium Government marked a milestone to the growth of ILC collective action and working together in Africa.

This report appreciates that ILC has become an important eye-witness and participant in the African Land Reform Agenda, but takes steps further to affirm the pivotal role the decentralized Africa needs to undertake to actualize the putting of a pro-poor land agenda into practice in Africa. It is with this understanding that KLA, as an inaugural decentralized Africa region hub shall be at the forefront in coordinating the interim operations in close cooperation with a number of sub-regional focal points. Definitely, this will not work without challenges, but with guidance of the Interim Steering Committee Group lessons shall be learned as we endeavour to fulfill the expectations of the ILC members and partners.

This report provides a useful backdrop on land issues we are committed to working on as priority areas for collaborative action on the African continent. Clearly the Africa Regional Workshop in Nairobi as evidenced by this report served as a pro-active moment in taking decisions for Africa to move into its future. To the readers of this report let it serve as a reminder that the Nairobi decisions did not bring to finalization all actions needed for transforming ILC into a member-led coalition, but that more work still needs to be undertaken under this foundation and direction.

Odenda Lumumba

Interim Chairperson,

Africa Region Steering Committee Group

2008

List of Acronyms

AADR	Alternative Dispute Resolution
ASBL	Association Sans But Lucratif
CBD	Convention on Biodiversity
CD	Convention on Desertification
CR	Conflict Resolution
CSOs	Civil Society Organizations
FBOs	Faith-Based Organizations
FCCC	Framework Convention on Climate Change
GIS	Global Information System
HIV/AIDS	Human Immunodeficiency Virus / Acquired Immune Deficiency Syndrome
IDPs	Internally Displaced Persons
IGOs	Inter-Governmental Organizations
IT	Information Technology
NGOs	Non-Governmental Organizations
OST	Open Space Technology
PA	Provincial Administration
PIR	Property Inheritance Rights
TKS	(Indigenous) Technical Knowledge

List of Organizational Acronyms

AAP	Aide et Action pour la Paix
ADIAD	Action de Développement Intègre et d'Aide aux D�munis
AfDB	African Development Bank
AFRA	Association for Rural Advancement
AIAS	African Institute for Agrarian Studies
ANGOC	Asian NGO Coalition for Agrarian Reform and Rural Development
AU	African Union
AUC	African Union Commission
CBCS	Cameroon Biodiversity Conservation Society
CEBEDES	Centre B�ninois pour l'Environnement et le D�veloppement Economique et Social
CIDA	Canadian International Development Agency
CIRAD	Centre de Coop�ration Internationale en Recherch� Agronomique pour le D�veloppement
EC	European Commission
ECOWAS	Economic Community of West African States
ELCI	Environmental Liaison Centre International
ERMIS	Environmental Research Mapping and Information Systems
FPK	First People of the Kalahari
GLTN	Global Land Tool Network
GROOTS	Grassroots Organizations Operating Together in Sisterhood
HABITAT	United Nations Human Settlements Programme
HAKIARDHI	Land Rights Research and Resources Institute
HARDI	Harmonisation des Actions pour la R�alisation d'un D�veloppement Int�gre
IDRC	International Development Research Centre
IFAD	International Fund for Agricultural Development
IGAD	Intergovernmental Authority for Development (East Africa)

ILC	International Land Coalition
ILO	International Labour Organization
IPACC	Indigenous Peoples of Africa Coordinating Committee
IUF	International Union of Food
KENFAP	Kenya National Federation of Agricultural Producers
KLA	Kenya Land Alliance
LAMOSA	Land Access Movement for South Africa
LNEA	LandNet East Africa
LNWA	LandNet West Africa
MACOFA	Mau Community Forest Association
MISR	Makerere Institute of Social Research
MIT	Massachusetts Institute of Technology
OCEAN	Organisation Concertée des Ecologistes et Amis de la Nature
PLAAS	Programme for Land and Agrarian Studies
RECONCILE	Resource Conflict Institute
RISD	Rwanda Initiative for Sustainable Development
SADC	Southern African Development Community
SAFIRE	Southern Alliance for Indigenous Resources
SID	Society for International Development
SIDA	Swedish International Development (Cooperation) Agency
SIF	Solidarité des Intervenants sur le Foncier
SINYATI	NGO in Tanzania
TRALSO	Transkei Land Service Organization
UEFA	Union pour l'Emancipation de la Femme Autochtone
ULA	Uganda Land Alliance
UNAC	Unaio Nacional de Camponeses
UNECA	United Nations Economic Commission for Africa
UNEP	United Nations Environment Programme
WB	World Bank
WISP	World Initiative for Sustainable Pastoralism
WLLA	Women Land Link Africa
ZERO	Zero Regional Environment Organization
ZLA	Zambia Land Alliance

Putting a Pro-Poor Land Agenda into Practice in Africa

Resolutions

Background

From 30 October to 2 November 2007, we, the representatives of the International Land Coalition (ILC) members and partners from 17 African countries, regional and international organizations working on land issues in Africa, convened in Nairobi, Kenya.

In presentations and open discussions, we shared our diverse experiences, expertise and perspectives. In order to strengthen our work as a Coalition in Africa, and leverage our collective potential to address land tenure issues on the Africa continent, we sought the following:

1. To share our experiences working to strengthen land rights;
2. To identify priority issues to address collectively over the next four years; and
3. To develop a process to decentralise the work of the ILC in Africa.



Challenges

We recognise that a coordinated and collaborative effort is needed to address the significant challenges of promoting secure access to land for women and men on our continent.

These challenges include:

1. Lack of lobbying platforms for voices of politically, socially and economically marginalised groups, including women, pastoralists, indigenous peoples and common property resource-users;
2. Insufficient capacity of all actors to understand pro-poor policies and processes and adequately challenge dominant frameworks;
3. Inadequate human and financial resources and partnerships;
4. Inappropriate policies and laws that may conflict with community interests;
5. Insufficient mechanisms to appropriately transform, strengthen and secure customary tenure rights;
6. Lack of coordination and harmony among civil society organizations (CSOs); and
7. Lack of a vision of national development which integrates appropriate land and agrarian principles in support of the poor.

Priority Areas for Collaborative Action

In overcoming these challenges, we recognise that there are particular aspects of our work on land issues that we can better achieve through collaborative action than by working as individual organizations. We therefore express our intention to collaborate, according to the different strengths, capacities, experiences and priorities of our respective organizations, on the following activity areas:

1. Open opportunities for CSO engagement with the AUC/UNECA/AfDB-led process of formulating Africa-wide land policy guidelines;
2. Build alliances among rural stakeholders (including waged agricultural workers, pastoralists and small farmers);
3. Improve access to, and control over, land for women and other marginalised land-users;
4. Develop the capacity of organizations and governments to prevent and manage land conflicts;

5. Defend the rights of indigenous peoples through national, regional, and international mechanisms;
6. Build the capacity of civil society to engage in land issues;
7. Expand the use of participatory GIS/community mapping of the land and territorial rights and interests of indigenous peoples and local communities;
8. Improve research to inform policy processes, lobbying and advocacy;
9. Develop tools and strategies to influence land policy;
10. Establish and strengthen global partnership on land issues;
11. Advocate with governments on issues of landless people, the urban poor and urban slums;
12. Promote land and broader reforms; and
13. Develop focused thematic approaches in the broader ILC strategy.

Decentralisation

In seeking to work more effectively together as members and partners of the ILC towards common objectives, we have begun to define new modalities for our Coalition. A stronger regional approach in Africa, within the context of this global Coalition, will require a greater role in the guidance and functions of the ILC to be taken within Africa.

This will involve devolving some governance functions and decentralising some support functions of the Secretariat, as well as promoting a stronger involvement by members in the functioning of the ILC in the region. While many aspects of this process will be progressively defined by members and partners, we resolve that:

1. A Steering Group will be set up representing ILC members and partners in guiding and overseeing the regionalisation process of the ILC in Africa. The Steering Group will consist of:
 - a) UEFA (representing Central Africa)
 - b) KLA (representing East Africa)
 - c) ZERO (representing Southern Africa)
 - d) LandNet West Africa (representing West Africa)
 - e) AfDB/AUC/UNECA (representing Inter- Governmental Organizations)

2. A node for coordinating ILC functions in the region will be set up, hosted by the Kenya Land Alliance.
3. The Steering Group will fulfil the following functions on behalf of ILC members and partners in Africa, leading to the 2009 Global Assembly of Members:
 - a) Build membership throughout Africa;
 - b) Oversee the devolution of the ILC, including decentralised Secretariat support;
 - c) Develop a plan, including objectives, a timeline, and roles and responsibilities, for developing the ILC node and its Secretariat functions;
 - d) Develop networks in the various regions in Africa that share and exchange information and expertise in order to strengthen their work on land issues;
 - e) Ensure accreditation and linkage to relevant bodies and agencies, in particular, the African Union (AU) and Regional Economic Commissions;
 - f) Strengthen collaboration with farmers' organizations, indigenous peoples' and pastoralists' movements, and other social movements in the region;
 - g) Mobilise needed resources;
 - h) Identify and work with focal organizations for each thematic work area in the region;
 - i) Oversee strategic development and work planning for the African region; and
 - j) Prepare for Africa regional input into the 2009 Assembly of Members.

Introduction

THE ILC AFRICA REGIONAL WORKSHOP

In response to the decision taken by the Global Assembly of Members to put regionalisation at the center of the International Land Coalition's (ILC) Strategic Framework for 2007-11, 44 members and partners met in Nairobi, Kenya from 30 October to 2 November 2007 to identify priorities, actions and ways of working together to implement the vision and mission of the ILC in Africa.

The Kenya Land Alliance (KLA) coordinated and hosted the Africa Regional Workshop with support from a working group of members and partners in Africa.

Background and Objectives of the Workshop

The Strategic Framework for ILC 2007-2011 sets out a new way of working for the Coalition. In proposing the 'regionalisation' of the ILC, it makes clear the need for members and partners at the regional level to lead the decision-making processes, to define and achieve objectives specific to the regions. The basis for this shift is that

the membership, rather than the Secretariat, should become fully central to decision-making and prioritising within the Coalition.

This is a fundamental shift in the operations of the ILC, whereby the role of the Secretariat will be transformed from one of centralised coordination to decentralised facilitation. Under the new modus operandi, certain functions within the ILC Secretariat will shift to the three main regions of operation (Africa, Asia and Latin America).

By early 2008, it is anticipated that each region will have defined regional strategies, intended to allow each region to determine priorities and modalities for regional operation as a Coalition.

The goal of the Africa Regional Workshop was to develop strategies and modalities for working together in Africa, as an alliance of ILC members and partners, to support pro-poor land tenure reform. The experiences from across the globe and in Africa set the contextual background for establishing a pro-poor land agenda.

In convening this Workshop, the ILC hoped to achieve the following specific objectives:

- Definition of ILC activities and analysis according to specific land contexts of the region;
- Closer and more regular follow-up to national/regional processes and contact with decision-making institutions at national/regional levels;
- A more appropriate face to the ILC as an institution with regional relevance, rather than representation primarily by a 'remote' Secretariat;
- Improved ability to respond quickly to requests and opportunities in the region;
- Stronger links to inter-governmental institutions at the country/regional levels; and
- Better information and improved information flow, at the ILC's different operational levels.

Day One

STATUS OF THE PRO-POOR LAND AGENDA IN AFRICA

Chairpersons:

Adolphine Muley
and **Odenda Lumumba**

INAUGURATION

Welcoming Remarks by the Kenya Land Alliance, Hosting Institution



On behalf of the KLA, Odenda Lumumba opened the workshop, explaining the challenge of bringing to

reality the many well-intended land reforms in Africa to truly impact on people living in poverty.

“The workshop is expected to strengthen solidarity and cohesion among the members of the ILC to ensure that proposals for reforms, policies and pro-poor laws are put into action.”

Welcoming Remarks by the ILC Co-Chairs, IFAD and LandNet/West Africa

As a part of his opening remarks, Harold Liversage from IFAD suggested a number of fundamental questions on which to reflect in considering the nature and character of the ILC in Africa:

- What types of organizations does the ILC represent?
- Who is not involved but should be?
- What is the identity of the ILC? Is it a forum, a network or an organization? What are the different implications for governance?
- How can we expand and diversify the ILC’s membership?
- How would members respect regional diversity and accommodate this diversity in a joint plan of action, with accountability to each other and to different organizational mandates and structures?
- How can the ILC maintain a national or local level focus while building a regional network?
- How will members contribute more actively to the operations of the Coalition?
- What roles should be decentralised? Who would be responsible for what?

Welcoming Remarks by the ILC Co-Chairs

Harold Liversage
IFAD



The process towards here

“This workshop is partly a result of the independent external evaluation of the ILC March-August 2006. It found that, while many members and partners felt that the Coalition had a relevant ‘mandate’ and role, there was a need to strengthen the involvement and ownership of the members and partners in the Coalition. There was a concern that the Coalition was too Secretariat-driven and too dependent on IFAD. As a result, the Secretariat, in consultation with members and partners, developed a plan of action and strategic framework for strengthening the Coalition presented at the bi-annual Assembly of Members in April 2007.”

Didi Odigie
LNWA



The process forward

“The Assembly of Members in Uganda focussed on regionalising the functions of the ILC. This Regional Workshop looks forward to building a member-led Coalition and granting opportunities to shape the Coalition’s future by developing a concrete action plan for collaboration for the next four years.

There will be a Council meeting in mid-November which will, inter alia, discuss the outcomes of this workshop.”

Overview of Workshop

Michael Taylor – ILC Secretariat

Roch Mongbo, CEBEDES, Chair,
Workshop Organizing Committee

In their overview of the workshop, **Michael Taylor** and **Roch Mongbo** emphasized that the purpose of the workshop was to develop ways of working together to support pro-poor land reform in Africa. This task should not be underestimated, they noted, recalling the reminder in Ben Cousins' keynote address to the Assembly of Members:

“The economic bases of ‘pro-poor land reform’ need reformulating in the rapidly changing conditions of the contemporary world.... There are many important lessons from past formulations and experiences, but, in many ways, this is uncharted territory.”

They also reminded workshop participants of the key outcomes of the 2007 Global Assembly:

- Adoption of a Strategic Framework for 2007-11;
- Decision to increase the number and diversity of members;

- Endorsement of a two-year Action Plan for institutional strengthening and becoming more member-driven;
- Promotion of ‘regionalisation’ of the ILC as a key element to becoming more member-driven; and
- Retention of a global-regional-national balance in the Coalition.

KEYNOTE ADDRESSES

‘Civil Society and Land (Tenure) Reforms in Africa’

Sam Moyo, AIAS

In setting the stage for the workshop discussions, Sam Moyo outlined some critical aspects of the role of civil society in encouraging land reform. Historically, governments generally have not implemented land reform proactively, only resorting to it as a last strategy to avoid political crisis. Hence, the pace of implementation as a way to reduce poverty will largely depend on the level of social pressure, despite an increasing interest in redistributive land reform. One way to sustain this kind of pressure is to mobilise regional and international organizations to coalesce around the issue of land redistribution, achievable only if there is a broad consensus on how to implement land reform.

Further analysis is needed into whether the strategies of emerging African social movements have the potential to substantially influence redistributive land reform:

“A more structural, political-economic framework of analysis, rather than an eclectic analysis, of the evolution of social movements around the land question...is required to inform policy how to manage state society interactions on land reform. A clear understanding of the social and class origins, strategies and impacts of scattered rural movements in Africa is essential to the shaping of policy and its implementation in a participatory way.”

“The pressure from social movements for land redistribution can, under some conditions, influence land reform. The pattern of success is mixed as governments tend to co-opt the direction of the reforms, since some of the movements can dissipate after initial or partial reforms, as the new governments themselves

become relatively co-opted. Nonetheless, the role of movements is decisive in catalysing critical aspects of land and agrarian reforms, even when these are not radically redistributive.”

‘Policy Choices in Land Reform: Experience of South Africa’

**Ward Anseeuw,
CIRAD/University of Pretoria**

In his keynote address, Ward Anseeuw analysed the politics of land tenure reform in South Africa, and used this case study to inform a wider discussion on new contexts and new questions on land tenure in Africa.

Land reform in South Africa has been based on three different programmes:

- a) Restitution to assist in the reclamation by the dispossessed;
- b) Reform of the land tenure system; and
- c) Redistribution of land to the majority population through subsidies for purchase.

The reform process has been lacklustre by any standards - in 14 years, only four percent of land has been redistributed - leading to the following questions:

- a) Why is the pace of reform so slow?
- b) Why move to a clearly deleterious large-scale system of ownership based on the system of free markets?

The difficulties of land and agrarian reform in South Africa emphasise the wider challenges of promoting pro-poor reform in the land sector in Africa:

- a) General lack of political will for pro-poor reform;
- b) Stronger voice of urban electorate over rural;
- c) Strong influence of elite and Western-based neo-liberalism in determining land policy;
- d) Policies biased towards consumers rather than producers;
- e) Land policies developed by ministries of finance, rather than ministries of land or agriculture; and
- f) Shortage of land – in South Africa, as elsewhere in Africa, average land holdings for most people are growing smaller.

STATUS, CHALLENGES AND TRENDS IN PRO-POOR LAND TENURE IN THE SUB-REGIONS OF WEST AFRICA, EAST AFRICA, SOUTHERN AFRICA AND CENTRAL AFRICA

A number of common threads linked the various presentations made by nine members and partners of the ILC, representing the main regions of Africa and thematic areas prioritised by the ILC.

Unequal land relations can be traced to narrow economic agendas in the colonial and post-colonial eras, alienating Africans from a crucial factor of production and creation of markets in land, leading to landlessness and unequal gender relations in land ownership.



Constance Mogale - LAMOSA South Africa

Despite the attention given to land issues, prominent in pro-poor land agendas in national policies and new legislation, implementation of reforms has been highly problematic. Impacts on the poor and their livelihoods have been muted and mixed and, to date, remain a challenge, owing in part to insufficient political will.

Advocating for policies which favour the vulnerable sections of society, such as women, pastoralists, internally displaced persons (IDPs), and persons affected by HIV/AIDs, must be at the centre of the agitation for responsive policies as well as legislative and institutional changes.

Among the populations either affected by or recovering from conflicts, the land issue has often been presented as the cause of conflict. However, post-conflict assessments have often pointed to a lack of access to power as the underlying factor. The duality of ownership and use in the land regimes is also to blame, with written law for urban areas and foreign-owned leased land, and 'customary law' for rural land.



Sub-Region	Main Challenges
<p>West Africa LandNet West Africa (LNWA) <i>Ibrahime Diakité</i></p> 	<ul style="list-style-type: none"> • Multiple sources of rights • Commoditisation of land due to high demand and competitiveness • Increasing involvement of new emerging actors • Overlapping of land rights and conflicting land claims • Increasing urbanisation • States' bad administration of trans-border areas • Return of refugees • Weak revenues and productivity capacities <p>Some systems are still not affected by individualisation in land acquisition, e.g. mobile agricultural land parcels in the lineage tenure systems, and pastureland.</p> <p>An institutional framework is under development and not yet suitable.</p>
<p>East Africa LandNet East Africa (LNEA) <i>Michael Mpalanyi</i></p>	<ul style="list-style-type: none"> • Poor people usually operate outside formal legal systems despite efforts to make them accessible. • Land markets are understood and operated by a small elite, often leaving the poor disadvantaged. • Many residents still suffer from evictions and lack of access to land and natural resources. • Current land reforms have failed to balance interests with security of tenure for small landholders and users. • Land administration institutions at local levels are weak. • Land dispute management systems are non-existent or dysfunctional. • There is a lack of public awareness of land tenure systems meaning that most poor people do not know or understand the implications of land policy and laws.

Sub-Region	Main Challenges
<p>Central Africa Union pour l'Emancipation de la Femme Autochtone (UEFA) <i>Adolphine Muley</i></p>	<ul style="list-style-type: none"> • Redefinition and sanctioning of the roles of traditional chiefs by the law in order to find a balance with the State in land distribution and management. • Establishment of national participative land-use regulation (zoning). • Creation of a juridical framework for dispute resolution structures with a specific status for easy conflict resolution at the decentralised administrative level. • Need for land literacy for peasants. • Need for vulgarisation of land laws and laws that promote women's rights. • Fighting corruption and impunity at local and national levels. • Identification of suitable areas for relocation of specific urban centres. • Assignment of land to the landless.
<p>Southern Africa Land Access Movement South Africa (LAMOSA) <i>Constance Mogale</i></p> 	<ul style="list-style-type: none"> • Land reform is a function of government, and national governments are characterised by a lack of capacity and resources, often accompanied by a lack of transparency and consultation in their decision-making processes, and corruption. • Social movements of the rural poor are not strong enough to be a major mobilising force in the region. • NGOs influence land reform processes in multiple ways but struggle with effective advocacy. • NGOs work as service providers, innovators, monitors, and lobbyists, giving them different points of engagement with policy, but limiting the resources they can devote to advocacy alone, relegating land reform to a secondary focus. • There is no functioning regional network of civil society organizations involved in land issues; in some countries, there is no functioning national network.

A REVIEW OF SPECIFIC THEMATIC ISSUES IN ACCESS TO LAND

'Indigenous Peoples' and Pastoralists' Land Rights'

Mary Simat, IPACC

Pastoralists and hunter gatherer groups have used and stewarded major land areas in Africa, but they do not own their land due to:

- Lack of adequate land policies;
- Pro-agriculture land policies and agriculture-oriented capitalist economies;
- Non-inclusion of traditional land management practices;
- Exclusionist conservation policies; and
- Uncontrolled population expansion.

They have lost land because of:

- Migration to new areas as agricultural communities expand;
- New protected areas and game parks;
- Increase in land grabbing and selling of land with the commoditisation of land; and
- Potential private sector investment in land for climate change mitigation measures, such as forest plantations for carbon credits.

Expected challenges in the future include coping with conflicting interests, e.g. between government plans and community needs, investment and traditional land practices, and modern versus traditional practices, as well as between farmers and pastoralists. There may also be a shortage of resources and insufficient political will to make needed changes.



**'Women's Land Rights:
A Case Study'**
Everlyne Nairesiae,
GROOTS / KENYA

GROOTS Kenya is a movement of grassroots women-led organizations whose mission is to facilitate women and their communities to effectively participate in development.



GROOTS/Kenya's Women and Property Programme addresses the challenges of access to immovable assets, mainly land and housing, for women and children. The key objectives of the programme are:

- To reduce poverty among women and children through access to and control of property (inherited);
- To reduce women's and children's vulnerability to HIV/AIDS by ensuring their property inheritance rights (PIRs) are safeguarded;
- To increase awareness on the linkages between HIV/AIDS, gender and poverty among grassroots communities in Kenya;
- To facilitate the formation of community-led mechanisms (e.g. watchdog groups) to address PIR issues for women and children; and
- To enhance and strengthen community working relations with Provincial Administrations (PAs) and other relevant institutions around PIR issues.

Strategies for addressing Property Inheritance Rights (PIR) issues include:

- Formation of 'watchdog' groups and ombuds committees to guard against property grabbing for women and children and monitor performance of PAs. [Watchdog groups include PAs, trained paralegals, orphan representatives, faith-based organizations (FBOs), land tribunals, traditional leaders and grassroots women leaders];
- Training of women leaders and PAs as paralegals to provide legal education to community members;
- Raising awareness on PIR issues through radio listening groups, public forums/ chief barazaas, funerals and church congregations; and
- Support of test cases, addressed by watchdog groups.

Recommendations:

- Replicate, institutionalise and strengthen the role of the 'watchdog' group in the protection of PIR for women and children. [The pilot watchdog groups do not only mobilise and organize community processes; they also become effective dispute resolution mechanisms and refer complicated cases to higher authorities like courts of law.];
- Encourage a bottom-up approach to addressing women's property rights to facilitate transparency, accountability and sustainability; and
- Provide support to grassroots organizations that work directly with women to ensure that resources reach the target groups.

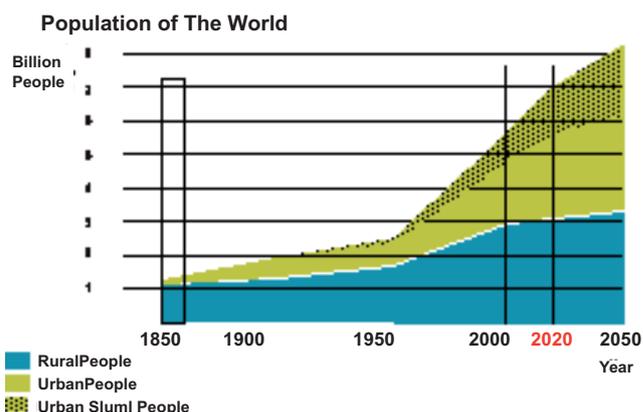
'Promoting Pro- Poor Urban and Peri-Urban Land Tenure'

Erika Lind, GLTN

Two or three billion more people will become urban dwellers over the coming 20 years, with the slum dwellers amongst them increasing to over one billion.

The world's governments have committed themselves to reducing this rate of increase by bringing another 800 million into the formal sector in future cities. If they are successful in reducing the growth of slums, there will be an unprecedented need for urban planning to deal with a construction boom.

Without an adequate land administration system giving information, e.g. about state land, private land, and existing slums, it will be difficult, if not impossible, to create a physical plan for upgrading, including the resettlement of people occupying roads, railways or



hazardous areas. Equally, without such information, it will be difficult to service an area sustainably, for infrastructure maintenance and cost recovery purposes. As the poor generally live in high densities on a small proportion of the total land of the city, the issue of land re-distribution is often a key element of city-wide planning and upgrading, and of creating cities where all are treated as citizens.

Land policy, land tenure, land administration, land management, land tax and land re-distribution/reform are inter-linked when applied to urban planning and slums. Preventing slum development, as well as upgrading existing slums, requires a systematic approach with innovative, affordable and gendered tools, which the Global Land Tool Network (GLTN) is attempting to develop.

'Land Policy, Administration and Reform in Sub-Saharan Africa: Support by the World Bank'

Andrew Karanja,

Kenya Country Office, World Bank



The World Bank recognises the role of secure access to land for conflict prevention, economic growth, poverty reduction, and protection of the environment.

Its broad approaches are based on strengthening tenure security, land titling and land redistribution. In Africa, the Bank has made a modest investment in the land sector, with few large operations. It has embarked on mainly analytical work and consensus-building activities, but also pilot projects. In the future, the Bank plans to scale up engagement and do more in post-conflict activities in partnership with others.

Lending schemes of the World Bank in Africa have focused on the following tenure-related issues: *addressage*; lending schemes for urban development projects; land tenure regularization and resettlement; sustainable land management; development and implementation of land policy; post-conflict recovery and land institutions; and modernisation of land administrations.





RESULTS OF DISCUSSIONS

POINTS RAISED DURING THE DISCUSSIONS & ISSUES EMERGING FROM THE PRESENTATIONS AND THE DISCUSSIONS

On the Keynote Addresses:

- Tenure reform is not adequate to address the needs of marginalised members of society, in many circumstances agrarian reform will be necessary.
- Social movements and other allies provide an important base for action in motivating change by governments.
- Urban elites play a role in the elaboration of land reform. It is thus worth considering the relations between urban and rural populations to understand land policy reform processes.
- Economic imperatives alone cannot drive land reform, governments should also have explicit social imperatives.

From Presentations on the Status, Trends and Challenges of Pro-Poor Land Reform in Africa:

- What place do traditional land tenure systems have in pro-poor reform?
- How can existing land tenure systems provide greater benefit to vulnerable sections of the population?
- How can legal frameworks and support systems be developed for communal areas?
- How can the capacities of the governments to implement pro-poor land reform be assessed and strengthened?
- How can access to justice be given a more central role in promoting pro-poor land reform?

Putting a Pro-Poor Land Agenda into Practice in Africa



RECOMENDATIONS

RECOMMENDATIONS

- There is a need to **innovate ways** of **building the capacity of CSOs** in Africa to advocate and lobby for pro-poor land policies and legislation.
- To sustain social pressure, there is need for **further analysis** to properly inform policy makers how to manage state and society interactions in land reform.
- There is a need to **renew the tools and strategies** that have been used to influence land policies.
- Considering the strong linkage between HIV/AIDS, gender and the poverty levels of women and children, **gender mainstreaming** remains a key issue to be addressed in any pro-poor land reform agenda. **Inclusive and concrete policies** should be formulated to address land issues.
- The current move towards decentralised governance in many countries can provide a measure of **self determination for local communities** in their own territories. This is not an easy task, as a number of challenges lie in the way, such as: **conflicting interests** (between government plans and community needs; commercial and traditional land practices; modernity versus traditional practices; farmers and pastoralists); **availability of resources**; and **considerable political will** to steer the process.
- There was a consensus on the **need for finding cross-cutting solutions to the disparate needs** of different communities within the region.

*Putting a Pro-Poor Land Agenda
into Practice in Africa*

Day Two

DEFINING PRIORITIES FOR WORKING TOGETHER

Chairpersons:

Didi Odigie

and **Haja Andrianaivalona**

ILC STRATEGIC FRAMEWORK 2007-2011

Barbara Codispoti, ILC Secretariat

ILC's programme of work is focused on implementing the Strategic Framework 2007-2011: Putting a Pro-Poor Land Agenda into Practice, approved at the biennial Global Assembly of Members in Uganda in April 2007.

The Strategic Framework seeks to transform the ILC into a member-led Coalition, operating through a regionalised structure, with the aim of improving ILC's relevance and effectiveness at the country level.

The ILC Strategic Objectives are:

1. To provide coherent and coordinated support to global, regional and national commitments and actions to improve the access of poor men and

women to natural resources, especially land;

2. To encourage civil society to participate more actively in, and exercise greater influence over, the policy- and decision-making processes that affect the access of poor men and women to natural resources, especially land;
3. To assist civil society, intergovernmental organizations and governments to identify, share and adopt lessons and good practices that improve the access of poor men and women to natural resources, especially land;
4. To increase the capacity of ILC members for networking, knowledge sharing, dialogue and joint action; and
5. To become a member-led and financially sustainable Coalition.



RESULTS OF DISCUSSIONS

Main Issues of Discussion

Some participants had had no previous contact with the ILC and were not familiar with the structure of the Coalition. Furthermore, there were participants who had no in-depth information on the ILC Agenda for Institutional Change,¹ the progress made so far (in particular, after the Global Assembly in April 2007) and future planned actions. Many of the questions raised touched upon the issues currently being addressed by the governing body of the ILC, including:

1. Who/What is the ILC?

The African Development Bank raised the need to have a clear distinction of the type of organization with which they enter into partnership, as they have different relations with governments, CSOs and Intergovernmental Organizations (IGOs).

The following extracts on the ILC's legal status and membership, from the report of the Assembly of Members in Entebbe in April 2007, help clarify the ILC's identity:

"Regarding the legal status of the ILC, the Assembly concluded that: (a) the value added of the ILC is its relationship with the United Nations system, which contributes to its strength, leverage and credibility; (b) the need for a clear legal status applies principally to the ILC Secretariat, rather than to the ILC as an alliance of organizations, as the latter derives its legitimacy and basis for decision-making from its membership; (c) an independent legal expert will be commissioned to prepare a report and recommendations to the Council on establishing a clear legal status for ILC; and (d) the Council will decide on this matter at its November 2007 session and will authorise the appropriate actions to be taken."

¹ In 2006, the ILC Council approved a Plan of Action, subsequently ratified by the Assembly of Members in 2007. The Plan has two main thrusts: (a) a set of commitments to structural changes in the institution, including clarification of its legal identity, strengthening the role of members, and expanding the membership base; and (b) developing its operational activities into more strategically focused, integrated programmes at country, regional and global levels. To download a copy of the ILC action plan, visit the ILC website at: <http://www.landcoalition.org>

The Assembly agreed upon the need to expand ILC's membership and to strengthen the role of its members in governance and operations. The Council was mandated to develop a membership strategy and to recommend the appointment of new members during 2007. This work is being led by a membership committee comprised of three civil society and two intergovernmental members.

2. What is the difference between members and partners?

In governance² terms, the main difference between members and partners is that only members have voting rights and are allowed to sit on the Coalition Council. According to the membership strategy, which is being finalised, and also according to the resource mobilization strategy approved at the Assembly in Uganda, in the future the Coalition will give higher priority to the activities of members over partners.

3. 'The ILC is a Complex Melange': ILC Global Organigram

Following the Assembly's approval of the Strategic Framework, the Coalition Council started to oversee the drafting of a new business and operating model, informed by the results of the regional workshops and the general directions of the Executive Council. This model, once completed, will provide the architecture of the institution, including the definition of the Secretariat, as well as members' roles and responsibilities.

*Putting a Pro-Poor Land Agenda
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² The existing draft Constitution and Governance Framework, presented and discussed at the last Assembly in Uganda, will be revised in 2008 to incorporate, inter alia, the changes to reflect the legal identity of the ILC and the legal status of the Secretariat (to be decided at the Executive Council meeting November 2007) and such other clauses as required to incorporate membership and regionalisation issues of a constitutional nature. To download a copy of the draft Constitution and Governance Framework, visit the ILC website at: <http://www.landcoalition.org>

INSIGHTS ON REGIONAL NETWORKING: Some Experiences from Asian NGOs

Don Marquez

Executive Director, ANGOC

Don Marquez drew on his experiences as the coordinator of a large Asian NGO network, the Asian NGO Coalition for Agrarian Reform and Rural Development (ANGOC), and the hub for the ILC in Asia, to comment on the important role of networking in making an impact on land-related issues. The limited financial resources of most NGOs make them unlikely challengers of economic and political systems sustained by interests of governments and big businesses. If NGOs are to make an impact in the communities where they work, they need to find other ways of scaling up or mainstreaming their initiatives, e.g. through strategic networking.

There are many reasons for networking, including the following:

1. Creates greater impact
2. Provides better access to resources
3. Enhances administrative efficiency

With regard to the ILC, where the two sets of members are CSOs and IGOs, building such partnerships and networks, at any level, can be a formidable task. It is full of risks, with the need to ensure participation of all stakeholders and hear all their voices

properly. Networking in the ILC is difficult as access to land is a highly political topic. It is therefore essential to be guided by certain principles for effective multi-stakeholder dialogues. Among these principles are:

- Representation: Who decides which stakeholders should be represented in the dialogue? The choices are often arbitrarily made to include the usual participants. Other potential stakeholders may be excluded because they are nontraditional partners or they represent a conflicting interest. If the dialogue is to be truly inclusive, a way must be found to include them.
- Recognition of Differences: Stakeholders have their respective interests, constituents, perspectives, commitments and levels of understanding. These differences have led to incompatibility and wariness of one another. Yet, these differences make stakeholders aware of varied perspectives, hone their negotiating skills, and promote consensus-building.
- Equity of Stakes: The dialogue process must work towards formulating a common plan of action, rather than legitimising a predetermined agenda, with token consultations.

- Openness to other Options: One-time dialogue should be considered a mere part of the strategy to bring multiple stakeholders together, not the only venue for dialogue. Cycles of dialogue may be more effective in reinforcing stakeholder commitment.

RESULT OF DISCUSSIONS

Main Issues of Discussion

- Challenge of working with partners arises in some countries because of the risk of raising negative/reactionary responses from the government.
- Challenge in decentralising governance of the Secretariat is to keep members actively and continually involved, getting people on board and defining the agenda for the CSOs.

Africa Regional Workshop Report

In the process of regionalising the functions of the ILC Secretariat and encouraging more participation and shared responsibilities among members, it is important to consider what value and benefit members and partners

believe they derive from joining or working with the Coalition.

As the ILC restructures some of its functions, it is important to ask at various steps whether an action or decision will support or undermine the continued value that organizations seek by working within or with the ILC.

A majority of respondents indicated that the greatest benefits of collaboration with the ILC come from the improved exchange of information (16 of 20 respondents). A large number also indicated that membership in or collaboration with the Coalition also raises their visibility with governments (12 of 20). Both of these benefits, i.e. the exchange of and access to information, and the visibility of an organization to the Government it seeks to influence, are important factors in successful advocacy.

THE VALUE OF BEING PART OF A COALITION IN AFRICA

Facilitator:

Peter Giampaoli, ILC Secretariat

PROCESS

In preparation for the Africa Regional Workshop, invited representatives were asked to complete a survey providing information on their organizations, their expertise, focus, and views regarding ILC decentralisation in Africa.

A Summary of ILC Member and Partner Survey Responses is available on the CD containing all workshop documents and this report.

KEY CHALLENGES TO ADDRESS AS A COALITION IN AFRICA

Facilitator:

Sabine Pallas, ILC Secretariat



PROCESS

Participants were divided into groups and invited to define key challenges to putting in place a pro-poor land agenda in Africa. Once these were collated from each group, participants voted on the issues in order of priority. The following challenges were identified as priority areas requiring immediate response:

PRIORITY ACTIVITIES FOR COLLABORATION 2008-11

Facilitator:

Barbara Codispoti, ILC Secretariat

OPEN SPACE

What is an Open Space Technology (OST) Meeting?³

“The open space was an innovative approach which generated ideas fast with fun”
(Participant’s evaluation sheet)

³ Open Space Technology (OST) is a meeting methodology, first attributed to Harrison Owen in 1986. For more information on OST, visit the website <http://www.openspaceworld.org/> or consult Harrison Owen’s book, *Open Space Technology: A User’s Guide*, second edition, c.1997, 173 pages, published by Berrett-Koehler Publishers Inc., San Francisco CA.



KEY CHALLENGES

PRIORITY CHALLENGES

1. Lack of a lobbying platforms for voices of politically, socially and marginalised groups, including women, pastoralists, indigenous peoples and users of common property resources.
2. Insufficient capacity of all actors to understand pro-poor policies and processes adequately.
3. Challenge to dominant frameworks.
4. Inadequate human and financial resources and partnerships.
5. Inappropriate policies and laws in conflict with community interests.
6. Insufficient mechanisms to appropriately transform, strengthen and secure customary tenure rights.
7. Lack of coordination and harmony among CSOs.
8. Lack of a vision of national development which integrates appropriate land and agrarian principles in support of the poor.



PROCESS - Africa Regional Workshop Report

The goal of an Open Space Technology (OST) meeting is to create time and space for people to engage deeply and creatively around issues of concern. The agenda is set by people with the power and desire to implement it.

The participants at the Africa Regional Workshop particularly appreciated the OST methodology used to discuss the working priorities of the ILC in Africa.

Open Space Technology operates according to four principles and one law. The four Principles are:

1. Whoever comes are the right people!
2. Whatever happens is the only thing that could have happened!
3. Whenever it starts is the right time!
4. When it's over, it's over!

The Law is known as the 'Law of Two Feet': *"If you find yourself in a situation where you are not contributing or learning, move somewhere where you can."*

Once the open space session starts, participants with concerns or ideas are invited to come into the center of the circle, grab a piece of paper and marker, write down a short title, and sign their name. They then stand in front of the group and announce their thematic interest. Those people are the 'conveners'. The participants are then shown the section on the wall where they can affix their issues with all the possible discussion group topics. At this point the market place is open.

In Nairobi, after the possible topics were pinned on the wall, people needed to develop an agenda by determining when and where the session/discussion would be held. People were given time to discuss together, negotiate, combine similar session topics, and move sessions around so that most people could attend the key sessions of their choice. Thirteen working groups were identified by different conveners for a two-afternoon programme.

PROCESS - Africa Regional Workshop Report

Building the Agenda on the Wall

Open Space Working Groups

At the beginning of the Open Space session, the wall was empty and the agenda was not established. By the end of the second afternoon, each self-managed group had affixed the results of their discussion on the wall.

At the end of the Open Space session, the participants had the opportunity to look at the results of all working groups and give a vote from 5 to 1 according to their preference (see the proceedings of the 13 working groups in Annex 4).

The areas prioritised for collaboration by the workshop participants can be grouped according to four main strategic thrusts:





RECOMENDATIONS

PRIORITY AREAS FOR COLLABORATIVE ACTION

A. Influence governments and other policymakers to build pro-poor land reform

- Develop opportunities for CSO engagement with the AUC/UNECA/AfDB-led process of formulating Africa-wide land policy guidelines.
- Advocate with governments on issues of landless people, the urban poor and urban slums.
- Promote land and broader reforms.

B. Build alliances for successful advocacy

- Build alliances among rural stakeholders (including waged agricultural workers, pastoralists and small farmers).
- Establish and strengthen global partnership on land issues.

C. Focus on thematic areas of particular interest to ILC members and partners

- Improve access to, and control over, land for women and other marginalised land-users.
- Defend the rights of indigenous people through national, regional, and international mechanisms.
- Develop focused thematic approaches in the broader ILC strategy.

D. Develop the skills and expertise of people and organizations for effective action

- Develop the capacity of organizations and governments to prevent and manage land conflicts.
- Build the capacity of civil society to engage in land issues.
- Expand the use of participatory GIS/community mapping of land and territorial rights and interests for indigenous peoples and local communities.

Day Three & Four

DAY THREE

Participants were able to visit peri-urban locations on morning field visits, led by KLA and RECONCILE and their partners, for part of Day Three, and continue working on the Regional Workplan for the remainder of the day.

the modalities of regionalising the ILC, there is a need to strike a balance between roles that should remain with the Secretariat and those that should devolve to the regions, while remaining within the confines of the Strategic Framework.”

DAY FOUR

MODALITIES AND ROLES FOR WORKING TOGETHER AS AN ALLIANCE IN AFRICA

Chairpersons:

Catherine Kilelu and Roch Mongbo

Facilitator:

Michael Taylor

REGIONALISATION OF THE ILC IN AFRICA

Didi Odigie, LNWA

Didi Odigie outlined some factors to consider in the regionalisation process of the ILC, and suggested some questions for consideration by the working groups.

Definition of Regionalisation = Developing a stronger regional focus, whereby regions within the global Coalition work closer together.

Definition of Decentralisation = Delegation of decision-making and service-provision functions closer to the point of action.

Michael Taylor, ILC Secretariat

"The Assembly of Members in April 2007 mandated the ILC to develop new ways for the functioning of the Coalition at the regional level. In working out

Motivations for Regionalisation:

- Better information and improved communication
- Improved interaction with national and regional processes and institutions
- Clearer identification of the ILC with national and regional organizations
- Stronger involvement by country and regional offices of IGO members
- Improved ability to respond quickly and effectively to requests and opportunities (e.g., participation in events)
- Improved efficiency, impact and cost-effectiveness

Risks of Regionalisation:

- Growing distance or isolation of members between different regions
- Increased strain on budget or resources spread too thinly
- Greater challenge to establish impartiality in national policy processes
- Difficulty for the Secretariat to support adequately decentralised processes
- Undertaking short-term initiatives without longer-term institutional views

Questions on Devolution of Governance Functions:

- *What structure could be put into place to encourage regional-level governance?*
- *What would be the mandate of this structure, and how would it operate?*

Questions on Decentralising the Secretariat:

- *What support functions currently provided by the Secretariat should remain in Rome, and what should be decentralised to the regional level?*
- *What should be the individual/institutional arrangements be for Regional Secretariat functions?*

Questions on Strengthening Member Involvement:

- *How do we encourage/facilitate member-member communication (including e-based)?*
- *How do we work together on fundraising?*
- *How do we prepare annual work plans and budgets?*
- *How do we ensure strong thematic links within the region and beyond?*
- *How do we promote IGO involvement at the regional level?*

Didi Odigie emphasised that other questions could also be asked, and that not all questions could be answered immediately. She also emphasised, in her capacity representing the Co-Chair of the ILC Council, that all decisions made by the workshop on issues relating to the governance of the ILC should align with its governance framework and would be subject to approval by its governing body, the ILC Council.

1. Outcomes of Group Discussions on Governance

1) Build membership for the region

At the moment, there are only four ILC members in Africa. The major focus should be to build different geographically representative regions (namely, East Africa, West Africa, Southern Africa and Central Africa).

2) Set up management of a devolved, decentralised region

There is need for the establishment of a lean but highly effective Secretariat:

- To ensure accreditation and linkages with relevant bodies, and agencies, especially the AU, SADC, ECOWAS, and IGAD;
- To convene and facilitate a General Assembly for the members of the Africa Region;

- To prepare strategic plans or frameworks for the Africa Region prioritizing action points; and
- To mobilise resources in partnership with the ILC or other members or partners.

Key Issues:

- Who constitutes the members? Should the ILC be an alliance of CSOs and IGOs, or CSOs only?
- What powers (or functions) should be devolved from the ILC Secretariat in Rome?
- What are the knowledge gaps?
- What activities should be undertaken at the regional and sub-regional levels?
- How should a resource capacity evaluation be conducted?
- How do the time plans be sequenced, following the principles of subsidiary relations and/or complementarity?



RESULTS OF DISCUSSIONS

Timeline:

A timeline is needed to operationalise the regional governance structure.

Interim Steering Group:

An Interim Steering Group is urgently needed to direct the decentralisation process, emphasising two principles, inclusivity and accountability.

The Interim Steering Group will facilitate transition. A number of regional governance decisions will evolve over time, subject to the approval of the ILC Council.

Functions of the Regional Assembly:

The Regional Assembly should do the following:

- 1) Establish an Interim Steering Group
- 2) Recruit membership for regional committees
- 3) Establish a Regional Secretariat
- 4) Establish sub-regional structures on the basis of the existing framework

2. Outcomes of Group Discussions on the Secretariat

A clear delineation of the roles of the Regional Secretariat is needed, with shared roles clarified and other linkages defined. The Terms of Reference within the Regional Secretariat offices should also be outlined.

The following division of roles between the Rome-based Secretariat and the Regional Secretariat was proposed:

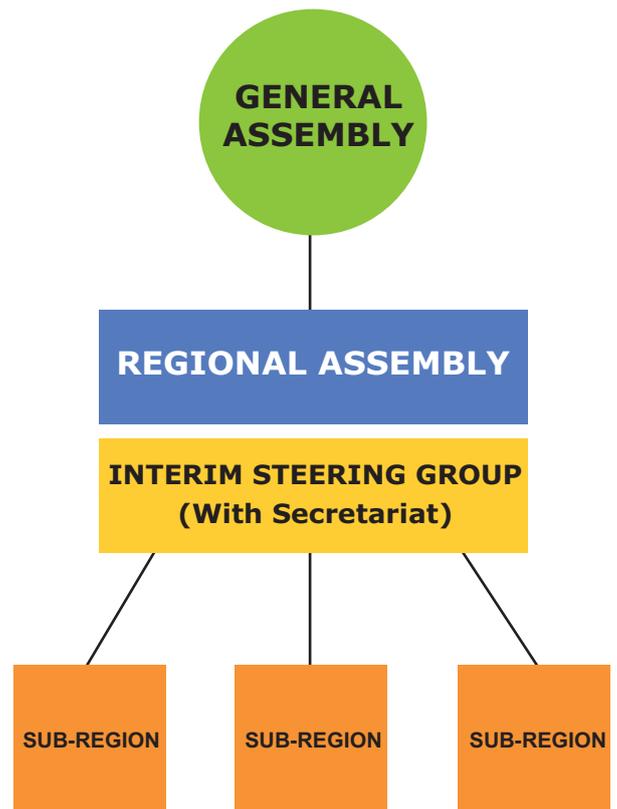
- ILC Rome and ILC Africa should share facilitation of communication between members to maintain multiplicity.
- ILC Africa could identify potential resource donors but engage ILC Rome to assist in fundraising because of its connections and strategic position.
- ILC Rome and ILC Africa should share facilitation of dialogue in collaboration with other governments.
- ILC Rome and ILC Africa should also share facilitation of dialogue with IGOs.
- ILC Africa should probably be tasked with provision of information, but the final decision was left to the discretion of the Secretariat in Rome.
- No clear consensus emerged on oversight, but it was proposed that experience from other regions, if viable, could be adopted.

- On development of annual work plans, there were two proposals, either of which could be adopted depending on the time and convenience:
 - a) Africa would generate its own plans and have them incorporated into those drawn up by the ILC; and
 - b) The plans and budgets could be developed collaboratively in a consultative manner.
- Proposals for funding could be developed in a shared manner but submitted to ILC Rome for advice.
- d) Establishment of a Regional Assembly, to refine and implement the devolved functions and prepare for the 2009 General Assembly.

3. Outcomes of Group Discussions on Decentralisation

The following proposals were made as the Terms of Reference for the Interim Steering Group to assist with ILC's full-scale reconfiguration:

- a) Preparation of work plans, proposals and other relevant documentation;
- b) Establishment of a Regional Secretariat hosted by one organization with representation in the Regional Workshop, subject to the oversight group;
- c) Recruitment of members in accordance with the resolutions of the workshop, and in congruity with the currently existing structures, implemented by mid- 2008; and



Interim Steering Group (ISG)

The following organizations were nominated to the Interim Steering Group to steer the process of regionalisation, reflecting representation from the sub-regions at the Workshop:

- East Africa *KLA*
- Southern Africa *ZERO*
- Central Africa *UEFA*
- West Africa *LANDNET WA*
- IGOs *AUC/ADB/UNECA*

(Note: There was no nomination from North Africa, as no organization attended from the sub-region.)

It was also agreed that a representative of IGOs be included in the ISG, owing to their critical role in linking the Coalition with governments. The proposal that issue-based organizations be co-opted into the ISG was not accepted, but it was left open that they could play crucial advisory roles for the ISG when needed. IPACC and GROOTS were proposed in this group. The ISG was also mandated to outsource any expertise it may require in discharging its mandate. KLA was nominated as the regional hub for Africa and, in this capacity, they volunteered to host the Steering Group.

While the ISG's Terms of Reference will be refined, there were expectations that it would generate information and steer the discourse on land issues, structural decentralisation, policy dialogue, and

strengthening awareness on land and land-related issues.

With issues and a priority-based Action Plan, the expected outcomes would be:

- Constructive and sustained engagement with IGOs on land reform in Africa;
- Structured and constructive networks and alliances;
- Improved control over land for women and other marginalised peoples;
- Increased awareness on the right to defend access to land; and
- Enhanced tools and strategies for advocacy on land issues and governance.





RESULTS OF DISCUSSIONS

Issues for Discussion

- **The role of IGO members and partners in the proposed structure.**
Harold Liversage emphasised that a clear consensus is needed on the role of members and partners. He also relayed IFAD's commitment to support the Coalition, and that strength and legitimacy of the organizations in Africa would form a good base for continued interactions between CSOs and IGOs. He argued that such interaction might even be improved if the ILC became a Coalition of CSOs, suggesting that membership by IGOs could undermine the independence of CSOs, thus diluting the pro-poor agenda. He attributed the reluctance of some CSOS to join the Coalition to this risk.
- **Logistical and financial resource preparations to aid in the regionalisation process.** The Regional Assembly gave the ILC authority to operate at the regional level in May 2007. The Regional Secretariat was given the mandate by the Council. Efforts to fundraise are still ongoing. Definition of the 'next steps' is needed with clear timelines. One of the objectives of the Workshop was to establish a group to steer this process.
- It was suggested that the Governance Committee be involved in the process as the decentralisation process entailed not only exploring new ideas, but also making decisions for Africa.

NEXT STEPS

Due to limited information on the functions and the structure of the ILC among some of the participants, the ILC Constitution and other literature will be disseminated to the members and partners.

In the future, consultations to plan and develop the programme of activities and the subjects of discussion will be held before convening workshops, via phone and e-mail.



CLOSING CEREMONY

The ILC Co-Chairs (Harold Liversage from IFAD and Didi Odigie from LandNet West Africa), the Regional Coordinator for Africa at the ILC Secretariat (Michael Taylor) and the Coordinator of the hosting organization KLA (Odenda Lumumba) expressed their commitment in the closing session of the workshop to work together towards building a strong Coalition in Africa, guided by the directions given in the workshop.

Roch Mongbo, Chair of the Organizing Committee of the workshop, closed the workshop with a speech thanking the ILC Secretariat, the Kenya Land Alliance, RECONCILE, and all those who worked hard to ensure its success. He expressed his satisfaction with the comprehensive set of recommendations and noted the desire of the members and partners to work with the new Steering Group for Africa.



ANNEX 1 - Workshop Agenda

Tuesday, 30 October: *The Status of the Pro-Poor Land Agenda in Africa*

Chairpersons: *Adolphine Muley and Odenda Lumumba*

Time	Activity	Speaker / Facilitator
08h00	<i>Late Registration</i>	Organizing Committee/KLA
09h00	Welcome by Workshop Hosts	Odenda Lumumba, KLA Brezhnev Otieno, RECONCILE
09h10	Welcoming Statement and Opening by Co-Chairs of International Land Coalition Council	Didi Odigie, LNWA Harold Liversage, IFAD
09h30	Introduction of Participants	Chairperson
10h00	Overview and Agreement on Workshop Objectives and Process	Roch Mongbo, CEBEDES Michael Taylor, ILC Secretariat
10h30	<i>Refreshment Break</i>	
11h00	Keynote Address: 'The Current Status of Civil Society Organization on Land Issues in Africa'	Sam Moyo, AIAS
11h20	Keynote Address: 'Policy Choices in Land Reform'	Ward Anseeuw, CIRAD/University of Pretoria
12h00	Discussion on Keynote Addresses	Chairperson
13h00	<i>Lunch</i>	
14h00	'West Africa: Status, Trends and Challenges in Pro-Poor Land Tenure'	Ibrahima Diakite, Ministère du Plan, Guinea/ LandNet West Africa
14h10	'East Africa: : Status, Trends and Challenges in Pro-Poor Land Tenure'	Michael Mpalanyi, ULA

14h20	'Southern Africa: : Status, Trends and Challenges in Pro-Poor Land Tenure'	Constance Mogale, LAMOSA
14h30	'Central Africa: Status, Trends and Challenges in Pro-Poor Land Tenure'	Adolphine Muley, UEFA
14h40	Discussion on Regional Presentations	Chairperson
15h00	'Status, Trends and Challenges in Women's Access to Land'	Everlyne Nairesiae, GROOTS
15h10	'Status, Trends and Challenges in Access to Land for Indigenous Peoples and Pastoralists'	Mary Simat, IPACC
15h20	'Status, Trends and Challenges in Access to Land for Populations Affected by Conflict'	John Muyenzi, RISD/LandNet Rwanda
15h30	<i>Refreshment Break</i>	
16h00	Discussion on Thematic Presentations	Chairperson
16h40	Multilateral Agencies: : Status, Trends and Challenges in Pro-Poor Land Tenure'	Andrew Kagwanja, World Bank
16h50	Status, Trends and Challenges in Promoting Continental Pro-Poor Urban and Peri-Urban Tenure	Erika Lind, UN HABITAT
17h00	Discussion on Multilateral Presentations	Chairperson
17h30	<i>Closing</i>	
20h00	<i>Cocktail</i>	

Wednesday, 31 October: Defining Priorities for Working Together
Chairpersons: Didi Odigie and Haja Andrianavalona

Time	Activity	Speaker / Facilitator
09h00	ILC Strategic Framework 2007-11	Barbara Codispoti, ILC Secretariat
09h20	Experiences of Regional Coalition-Building from Asia, followed by Questions and Discussion	Don Marquez, ANGO
10h00	'Why are we here?' Discussion on the Value of being Part of a Coalition in Africa	Facilitator: Peter Giampaoli, ILC
11h00	Refreshment Break	
11h30	Key Challenges to Pro-Poor Land Tenure in Africa arising from Day One	Roch Mongbo, CEBEDES
11h45	'What are our Challenges?' Discussion and Prioritisation of Key Challenges to Address as a Coalition	Facilitator: Sabine Pallas, ILC
12h45	Presentation of Survey Results of Africa Members/Partners	Peter Giampaoli, ILC
13h00	<i>Lunch</i>	
14h00	Overview of Participatory Methodology for Discussions Group Discussion: Priority Activities for Collaboration 2008-11	Facilitators: Barbara Codispoti and Sabine Pallas, ILC
16h00	<i>Refreshment Break</i>	
16h30	Group Discussion: Priority Activities for Collaboration 2008-11	
17h30	<i>Closing</i>	

Thursday, 1 November: Field Trip and Draft Regional Workplan 2008-11**Chairperson:** Navy Simukonda

Time	Activity	Speaker / Facilitator
08h30	Fieldtrips to Peri-Urban Locations	KLA/RECONCILE and partners
13h00	<i>Lunch</i>	
14h00	Group Discussion: Priority Activities for Collaboration 2008-11	
15h30	<i>Refreshment Break</i>	
16h00	Group Discussion: Priority Activities for Collaboration 2008-11	
17h30	Prioritisation of Activities by Participants	Facilitators: Barbara Codispoti and Sabine Pallas, ILC

Friday, 2 November: Modalities and Roles for Working Together as an Alliance in Africa

Chairpersons: Catherine Kilelu and Roch Mongbo

Time	Activity	Speaker / Facilitator
09h00	'Decentralisation' of ILC Secretariat and Becoming more Member-led	Didi Odigie, LandNet West Africa Michael Taylor, ILC Secretariat
09h30	Presentation of Survey Findings and Discussion of the Challenges and Benefits of Decentralisation identified by Participants	Presentation of Survey Results: Peter Giampaoli, ILC
10h30	Refreshment Break	
11h00	Group Discussion: Roles and Responsibilities of Members and Partners for Working as a Coalition in Africa	
12h45	<i>Lunch</i>	
14h00	Discussion: Roles and Responsibilities of Members and Partners for Working as a Coalition in Africa	Chairperson
16h30	Presentation of Draft Resolutions	Ward Anseeuw, CIRAD/University of Pretoria
16h45	Next Steps	Chairperson
17h00	Closing Statements	ILC Co-Chairs (IFAD, LNWA) Michael Taylor, ILC Secretariat Odenda Lumumba, KLA Roch Mongbo, CEBEDES
19h00	<i>Closing Cocktail and Dinner</i>	

ANNEX 2: Participants

ILC Africa Regional Workshop – Nairobi, Kenya

No	Name	Organization	Country	Contact
EAST AFRICA				
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ANNEX 3 – Workshop Evaluation

The participants at the workshop were asked to complete an evaluation questionnaire. It asked them to give their views about the usefulness of the workshop and whether it met their expectations, to note the three most positive aspects and the three least useful, to suggest areas for improvement, and to make recommendations for the future. The final question asked how the workshop had improved their understanding of the ILC and the process of decentralisation and regionalisation. Results were aggregated and analysed. The following summary represents the replies of the 32 who responded.

Expectations

Seventy-five percent of the participants said their expectations were met whereas six percent felt the workshop did not meet their expectations and 19 percent found room for improvement as it only partially met their expectations. Most of the respondents in the latter category felt that more time could have been allocated to discussing the core issue of decentralisation of the Secretariat of the ILC.

Useful Aspects

The following is a summary of the varied responses regarding positive aspects of the workshop:

- Collegiality of the participants;
- Availability of relevant literature;
- Thorough deliberative process on issues of discussion through the open space methodology and other group discussions with elucidation of issues before discussion;
- The decentralisation/regionalisation idea and the synergized effort behind it;
- Diversity of origins reflecting regional representation;
- An impeccable field visit, filling the gap between theory and reality;
- Proper logistical preparation and back office support;
- Mutual exchange of ideas and experiences on land-related issues from across the globe;
- General explanations on the functions of the ILC;
- Strengthening of linkages/ relationships between ILC members in Africa;
- Attendance by critical actors on land matters;
- Detailed presentations on thematic issues;
- Establishment of an Interim Committee to steer the decentralisation process; and
- Proper translation from English to French and vice versa.

Aspects Participants Did Not Find Useful

- Little knowledge by some participants on the ILC and its functions;
- Little prior literature on decentralisation to adequately inform debate;
- Staggered time-controls by the session chairs;
- Accommodation in different hotels hampering integration and bonding among the participants;
- A packed/crammed programme of activities;
- Underestimation of time allocation, limiting discussions on certain core issues;
- Too many presentations in limited time;
- Programme too full on the first day, with crucial issues for discussions slated for too late on the agenda, hampering the level of debate;
- Discussions too heavy on process with little attention to projects and/or programme-related areas;
- Little focus on social movements, principally peasant and pastoral movements, that are often the victims of land-based conflicts;
- Linkage between the field trips and proceedings of the workshop not properly explained;
- Plenary sessions at times wandered into the unnecessary; and
- The gender dimensions of the issues were not recognised.

Improved Understanding of the ILC and Decentralisation/ Regionalisation

Some participants felt that the workshop was rich in information, giving them a clear understanding in broad terms of the functions of the ILC and, by extension, how they would orientate their activities to link with the ILC. To others, the workshop provided them with an opportunity to reflect about decentralisation, as distinct from regionalisation. Others saw it as having opened a dialogue on the decentralisation options available for the ILC. There was unanimous agreement that strengthening the capacity of African organizations gave them a greater voice in the ILC.

ANNEX 4: Proceedings of Open Space Sessions on Priority Work Areas for the ILC in Africa (in order of priority given by participants)

I. CSOs Engagement with the AUC/UNECA/AFDB-led process of Formulating Africa-wide Land Policy Guidelines (77 votes)

- Seek update on the process and circulation of initial document (policy)
- Seek the calendar/roadmap
- Hold national, sub-regional consultative forums
- Set up IT platform/discussion forum (e-group discourse on AU policy guidelines discussion)
- Prepare and disseminate African CSOs position paper on AU Land Policy Guidelines at
 - Ministerial level
 - Heads of State assembly

II. Building CSOs Alliance between Rural Groups (Waged Agricultural Workers, Pastoralists and Small Farmers) (68 votes)

Commonalities

- Poverty
- Inadequate income, insecure irregular income
- Ignorance of their rights
- Lack of organized structures to enable them to participate in policy dialogue

Why we need Alliance

- To resolve any potential conflicts among the groups
- To identify and recognise the needs of the groups
- To build capacities of stakeholders (groups) to participate in policy dialogue processes, (e.g. price market)
- To access information, platform for lobbying, advocacy and sharing of experiences
- To tackle multinational agro-business influence on agriculture policy

How to do it

- Identify stakeholders
- Sensitise the stakeholders
- Design appropriate interventions
- Identify and plan activities which need implementation
- Formulate action plan for implementation

III. Gender and Marginalised People: Access and Control over Land (67 votes)

Food for Thought

"We have been doing gender mainstreaming for a few decades, but there are very few results and changes in power relations. Has gender mainstreaming worked? Is a radical shift needed in terms of how gender is conceptualised, institutionalised and mobilised?"

"Is there need for sustained dialogue in terms of discussions, exchange of information and experiences on issues of gender and women's access to and control over land?"

Objectives

- To transform power relations influenced by social stereotypes between men and women of different classes, races and ages, with respect to ownership of land, through advocacy for change in policy
- To lobby for equitable access and control, inclusion and participation of women in the ILC

Concept

- Concrete understanding of 'marginalised' with emphasis on women

Strategies

- Exchange visits
- Capacity-building
- Networking
- Resource mobilisation (human and capital)
- Mobilising and organizing the poor, especially women (methodologies for gender sensitivity)
- Research for advocacy and policy development

IV. Land Conflict: Prevention and Management (65 votes)

Needs

- *Understanding land*
 - Understanding land conflicts (e.g. causes, origins, reasons, parties involved, stakeholder analysis)
 - Understanding land situations (e.g. use, law, tenure, history, situation)

- *Mechanisms for conflict resolution between individuals, within communities, and between communities*
 - Legal and paralegal systems
 - Policy and institutional framework
 - Negotiation platform

- *Skills/training*
 - Negotiation
 - Facilitation
 - Conflict resolution

Solution and Implementation

- *To manage land conflicts, the following sequence should be followed:*
 1. Monitoring
 2. Prevention
 3. Mitigation
 4. Resolution

- *In order to do so, the following are needed:*
 1. Mechanisms for monitoring, early warnings, and follow-up
 2. Sharing of experiences in land management and land conflict resolution (e.g. document situations, workshops, manuals, case studies)
 3. Training on conflict management and resolution
 - People and communities themselves
 - CR and ADR specialists
 - Extension, development and land use agents
 4. Institutions for conflict management and resolution
 - Establishment of platform for informal negotiations and discussions
 - Development or institutionalisation of conflict management and resolution mechanisms (informal or formal) (at local, regional and national level, including interaction among the levels)

Actions

- *Document land situations, conflicts and particularly land conflict management and resolution systems*
 - Documentation (e.g. papers, policy documents, videos, websites)
 - Pamphlets for awareness creation
 - Manuals with guidelines (with practical orientation)
 - Case studies

- Create inventory of conflict resolution systems (informal) at local, regional, national
 - To better understand
 - To be formalised
 - To be put into interaction to form a coherent legal system
- Establish a 'watchdog' desk
 - Regroup several institutions (CSOs, NGOs, Government)
- Develop partnerships between communities/public/private
 - Establish a negotiation platform

V. How to Defend the Land Access Rights of Indigenous Peoples Using National, Regional and Global Mechanisms (64 votes)

National Level

- Build capacities of indigenous peoples' organizations and CSOs working on land tenure (in resource mobilisation, training, documentation, research, institutional support)
- Support lobbying and advocacy activities of indigenous peoples
- Support the extension/dissemination of texts and laws on tenure
- Support the identification of indigenous peoples

Regional Level

- Foster the creation of an intergovernmental network on indigenous peoples
- Support exchanges of experiences between indigenous peoples and other parts of the population
- Promote better practices in advocacy, especially strategic action advocacy
- Create a framework for discussion between indigenous peoples and governments
- Sustain existing African networks
- Foster the creation of a civil society network of organizations engaged in the defence of indigenous people's rights
- Support participation in regional workshops with an implication on tenure issues

Global Level

- Encourage governments to sign and ratify the Conventions that relate to indigenous peoples' rights:
 - a) Convention 169 of the ILO (International Labour Organization)
 - b) CBD (Convention on Biodiversity) (if not signed)
 - c) FCCC (Convention on Climate Change)
 - d) CD (Convention on Desertification)
- Support the participation of indigenous peoples in conferences and in tenure issues
- Help to implement the content of UN declarations on the rights of indigenous peoples

VI. Capacity Building of CSOs (53 votes)

General

- Information on CSOs capacity, mandate and their role in society
- Communication needs (e.g. website, e-mail, other infrastructure for effective interventions)
- Training of trainers in various skills
- Stakeholder analysis
- Documentation of processes/interventions

Specific

- Training and analysis of policies, laws and other legislation
- Project planning, budget planning
- Lobbying and advocacy skills
- Effective communication skills
- Design capacity-building interventions

General

- Identify key potential activities to undertake
- Identify resource persons for implementation
- Mobilise resources and prepare budgets
- Develop and implement plan
- Develop or identify tools to be used in the intervention

Specific

- Establish mentor programmes/internship
- Identify study tours/exchange visits

Implementation

- Allocate tasks and schedule implementation
- Document process during intervention for possible replication

Monitoring and Evaluation

- Develop standardized tools for monitoring and evaluation
- Decide who will undertake monitoring and evaluation

Follow-up

- Feedback
- Dissemination
- Measuring impact of the intervention

VII. Participatory GIS/Community Mapping of Indigenous Peoples' and Local Communities' Land and Territorial rRights and Interests (52 votes)

Factors for Mapping

- Community cohesion and advocacy
- Land rights identification, adjudication and registration
- Land use planning, natural resource management
- Land disputes or conflict resolution
- Territorial planning and spatial integration
- Vehicle to bring traditional knowledge systems to the attention of technical people, government and donors

Examples of Regional Mapping Needs

- *Rwanda*: Donor-funded land rights titling proceeds -- need for community involvement in the mapping process, lowering the mapping cost by using local community personnel, creating technology trickle-down from experts to community members.
- *Malawi*: Donor-funded land rights titling process --community needs to be involved, lowering of costs.
- *Zimbabwe*: Community land use and management organized (customary) - no documentation done yet.

- *Kenya*: Need for territorial mapping for rural communities to document land rights, culturally significant sites, and resources, as well as for ecological management/ governance.
- *Uganda*: Batwa-need for territorial mapping of dispossessed land, to capture indigenous technical knowledge (TKS) and negotiate for access to resources and sacred sites.
- *Burundi/Rwanda*: Mapping of historical evidence to enable negotiation for land rights and interests.
- *Donor(AfDB)*: Mapping of project areas to determine viability of development projects and to Integrate community rights in development projects.

Statements to ILC Supporting Community Mapping in Africa

- Awareness and creation at grassroots, national and international levels needed to mainstream community mapping in land-related issues
- Training/ capacity building on community mapping needed for CSOs
- Funding needed for local mapping initiatives related to land issues
- Support needed for community mapping / knowledge centres

VIII. Need for Research to Inform Policy Processes, Lobbying and Advocacy (50 votes)

Steps to Strengthen CSOs Capacity to Conduct and Apply Research:

Step 1: Research Needs Assessment

- Stakeholder analysis to identify those involved
- Knowledge/ skills (research, analysis, proposal writing)
- Resources (financial, human, material)
- Information dissemination
- Prioritisation of research areas
- Access to research results

Step 2: Implementation/Intervention Strategy

- Research capacity building within CSOs
- Development of linkages between CSOs and research institutions
- Training (on research, resource mobilisation, analysis)
- Dissemination of research findings (libraries, websites, workshops, linkages/ collaboration)
- Networking/coalition-building between CSOs
- Demystification/popularisation of findings
- Actual research

IX. Tools and Strategies to Influence Land Policy (41 votes)

- Sharing of experience within ILC of advocacy, lobbying and campaigning (what works and what does not)
- Information, education and communication materials to use as resources
- Resource/handbook for CSOs for engagement on pro-poor land reform
- Research, documentation and dissemination
- Regional websites for sharing information at regional level
- Producing short films as advocacy tools for policy-makers
- Facilitate exchange of experiences to assist each other, e.g. e-forums for Zambia Land Policy
- Coordination of lobbying for pro-poor aimed at donors
- Training of partners in advocacy and lobbying
- ILC ready to respond at short notice to support members in advocacy, e.g. Zambia

X. Global Partnership on Land Issues (26 votes)**Goals**

- Generation and sharing of global information and experiences
- Tapping into the experience of other networks, including for strategies
- Enhancing coordination around issues of land at global level
- Strengthening lobbying/advocacy capacities
- Fundraising and resource mobilisation
- Research synthesis

Objectives

- Widen the platform for engagement
- Enhance/promote documentation and dissemination of information across the network/continent
- Promote institutional sustainability of CSOs
- Create a global alliance that taps available resources at the global level
- Enhance engagement with sub regional and regional intergovernmental organizations

Opportunities

- Regional and global networks/organizations (e.g. ILC, UN-Habitat, WLLA, Huairou)
- Availability of communication infrastructure
- Similar agendas

Strategies

- Mapping of national, regional and global networks and NGOs
- Developing capacities of CSOs, networks and NGOs to engage effectively on sub-regional processes
- Convening workshops/conferences addressing issues around land (with special attention to regional contexts)
- Monitoring of pro-poor land and related policies (to demonstrate importance for collaborative approaches)
- Linking communication networks, websites for information dissemination

XI. Advocacy with Government on Issues of Land Rights for the Landless and the Urban Poor in Urban Slums (23 votes)

Actions

- Classification of the landless, urban
- Research data collection/updates
- Audit of resettlements
- Outreach and mobilisation strategy/alliance
- Monitoring and follow-up of advocacy/lobbying advocacy

Issues

- Rapid expansion of slums/urban poor
- Rural/urban migration (exodus)
- Inadequate public services (e.g. health, security)
- Unemployment
- Crime (high rate)
- Overcrowding (insufficient housing)
- Low wages
- Encroachment of urban areas into rural areas

Proposed Interventions

- Rural development (e.g. provision of infrastructure, rural industries, rural employment opportunities)
- Legislation to stop multinational enterprises from engaging in extractive industries
- Development of organized slums

XII. Land and Broader Reforms (21 votes)

Issues

- Need for other support services to complement land reform (land alone is insufficient)
- Need for revitalization of agriculture and the rural economy
- Need for rural-oriented policies
- Need for increased diversification processes of rural economy

Measures and Implementation

General

- Skills development, training, capacity building
- Information dissemination
- Market information
- Project management skills

Agriculture

- Improvement of input and input access
- Improvement of market and market access
- Development of processing capabilities
- Adapted extension services
 - Adapted services to restructured activities
 - Training of extension officers to restructured activities
- Adapted credit services

Non-Agriculture

- Infrastructure provision (roads, sanitation, electricity)
- Public services (schools, police, medical)

Linkages

- Development of rural urban-linkages

Precise Actions

- Develop institutions to support rural poor to influence policies, access markets, control prices (e.g. cooperatives, farmers' associations)
- Develop capacity to influence policies (e.g. training, fundraising, exchange of best practices)
- Conduct research and disseminate information (e.g. action research, evidence-based research, case studies, policy briefs)
- Create awareness (e.g. rural campaigns, pamphlets, media, promotion of local production)

XIII. How to Position Thematic Approaches in ILC Strategy (7 votes)

List of Themes to be Addressed by the ILC

- Security/reliability of a land title competing with other systems
- Women's access to land
- Indigenous people and their access and right to land
- Land tenure, land use, and land planning for people in conflict areas (e.g. refugees or IDPs)
- Common property rights (e.g. pastoralists, forests, water)
- Land tenure in the context of agrarian reform and development
- Land ownership, access to and control of land, with minerals and other resources or investment opportunities
- Land use changes in response to climate change (e.g. responding to carbon-sequestration policies as well as changes in climate)
- Landless people and squatting
- Displacement of private property

Summary: Strategy of How to Position These (and other) Themes

The themes should be integrated, that is, linked to each other, not treated in isolation. Thematic working groups should be established on a regional level, before attempting them on a global level. The global level should follow as a second step.

Themes can help to make regional groups work, if national organizations (e.g. civil society, community groups, NGOs and other agencies) volunteer to take the lead to coordinate a thematic issue on a regional level.

In order for a willing organization to succeed in this coordinating role, the following need to be in place:

- Resources

A fund needs to be set up and rules of application for the fund need to be developed (i.e. set up procedures to apply for funds and selection criteria deciding who will receive funds).

- Definition of the role of the leading organizations

The organizations taking the lead for a theme of their choice should have a clear understanding of their role and their contribution. This requires defining general Terms of Reference describing the role and process of the work.

- Agreement to collaborate

The workload of the coordinating organization needs to be clear. The organization can only fulfil its role if it has the support of the other ILC members. Therefore, prior to taking over their role in leading a theme, they should set up a collaboration agreement with the members describing what can be fulfilled by the organization itself and what needs to come from other members/ partners.



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