

 African Union

 African Development Bank

 Economic Commission for Africa

LAND POLICY INITIATIVE (LPI)

**Addressing key land policy challenges in
Africa**

Surveyors as change agents

FIG Working Week
6- 9 may 2013



Importance of land policy

- **Lessons learnt: policy, a missing link of successful land reforms in Africa**
 - Initiatives with limited success
 - Complexity of land issues in the African context
 - Land addressed in the context of sectoral laws/ institutions
 - Weak M&E...
- **Need for comprehensive/ intersectoral land policy**
 - Development/ implementation/ monitoring
 - Rural/ urban
 - Other land uses
- **Participation/ inclusiveness critical to success**
 - Government (overall responsibility);
 - Other stakeholders: CSOs; traditional leaders; private sector; land professionals; development partners
- **Land policy responding to specific national challenges**

Key land issues identified/ discussed

- **Complexity of land issues in Africa**
 - **Diversity (Ecological, historical, economic, political; legal pluralism...**
 - **Rapid change (Population growth; urban development; climate change...)**
 - **Political implications**
- **State sovereignty over land**
- **Customary based land rights/ systems**
- **Gender and access/ ownership of land**
- **Land for agricultural development/ other economic uses**
- **Land taxation**
- **Land use planning**
- **Challenge of innovative/effective land administration systems**
- **Emerging land issues: LSLBI...**

Engaging surveyors in land policy development

- **Tendency not to involve surveyors in teams leading land policy development**
 - **Usually lawyers, economists, sociologists...**
 - **Perception of role of surveyors**
- **Role of Surveyors as knowledge providers**
 - **Need for evidenced based policy processes**
 - **Mapping land uses and rights**
 - **Desegregation of data by stakeholder category (gender...)**
- **Contributing to policy/ technology options**
 - **Securing all bundles of rights (ownership rights; use rights...)?**
 - **Decentralisation of land rights delivery systems through technology?**

Challenge of customary land rights

- **Majority of African lands owned/ claimed under customary regimes**
- **Legitimacy vs. legality**
- **New trend of land policies: acknowledging legitimacy of land rights (governance)**
- **How to document/ secure customary based land rights?**
- **While making land available for investments?**

Challenge of improving land administration systems

- **Key impediments to land policy implementation identified**
 - **Defects in policy development**
 - **Lack of implementation strategies**
 - **weak capacity to manage change**
 - **Inadequate baseline data**
 - **Inadequate implementation infrastructure**
 - **Weak M&E systems/ mechanisms of land policy...**
- **Better understanding the new land reforms (advocacy)**
- **Enhancing the capacity of those in charge of implementation of the policy: Change agents**
- **Contributing to M&E of land policy (data)**

Issues related to LSLBI

- **Lack of knowledge of existing land resources**
 - What amount of lands suitable for agriculture?
 - Where are lands available for allocations?
 - Claimed rights of communities (ownership rights; use rights...)?
 - Availability of lands in a long term perspective
- **No consideration of land based resources in land allocations**
 - Access to water resources
 - Pastoral land use
 - Forest use rights (hunting; gathering; access to medicinal plants...)
 - New ecosystem services
- **Value of the land allocated to investors**
 - Africa targeted partly because land extremely cheap (in fact no cost)
 - What value for rural lands (usually underestimated...)
- **Compensation**
 - How to compensate: customary land rights not recognised by laws
 - Who to compensate: Customary land rights are collective (women...)

Challenge related to land taxation

- **Land policy processes are expensive**
 - African governments relying heavily on donors
- **Land is a basis for generating resources and attracting investments**
 - Clear property rights have potential of increasing revenues
 - No taxation for rural lands
 - No efficient systems in urban areas
- **How to establish effective and socially equitable land taxation systems both in urban and rural areas?**

Potential areas of collaboration/partnership

- **Obj. 2: Mainstreaming land in the agenda for africa's development**
 - 2.3: review plans and strategies of selected countries and advocate for inclusion of land
- **Obj. 3: Enhance synergies/ coordination & mobilise resources**
 - 3.1: Enhance synergies/ cooperation among partners in support of AU Declaration (concept notes; MoUs...)
- **Obj. 4: Improve communication, advocacy in support of the implementation of AU Declaration awareness raising**
 - 4.2: Develop/ disseminate advocacy materials in support of land policy development/ implementation

Potential areas of collaboration/partnership-2

- **Obj. 5: Enhance knowledge generation and build evidence in support of land policy formulation/ implementation**
 - 5.2: Women's land rights
 - 5.3: Customary land rights
 - 5.4: Land administration
 - 5.6/7: LSLBI: assessment/ principles
- **Obj. 6: Enhance capacity & skills in support of land policy formulation/ implementation**
 - 6.1: Capacity development framework
 - 6.2: Improvement of curriculum on land policy in institutions of higher learning
 - 6.3: Action research to fill knowledge gaps
 - 6.4: Technical assistance to member states (on request)
- **Objective 7: Knowledge management**
 - Bi-annual conference on land
- **Obj. 8: M&E**
 - 8.1: Develop M&E framework for land policy with indicators
 - 8.2: Pilots for M&E

Way forward

- **Exchange of information on scheduled activities**
- **Concept note to explore/ discuss future collaboration**
- **MoU/ LoA on agreed priority areas**
- **Joint initiatives/ programming**
- **Progress tracking/ Lesson learning**

LPI Secretariat

landpolicy@uneca.org