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# SKILL SHARING WORKSHOP FOR INCLUSIVE LAND GOVERNANCE

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**WORKSHOP REPORT**  
3<sup>rd</sup> to 5<sup>th</sup> of February 2020  
Cresta Golf View Hotel in Lusaka, Zambia.





## SUMMARY

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This is a report on the Skill-Sharing Workshop for Inclusive Land Governance which was held from 3<sup>rd</sup> – 5<sup>th</sup> February 2020 at Cresta Golf View Hotel in Lusaka, Zambia. This chapter provides the purpose of the workshop, its background, the participants, content and approach.

The **overall objective** of the workshop was to provide a space for civil society and community-based organisations active on land justice issues to come together and exchange experiences, skills and knowledge on tackling land governance issues in order to enhance their capacities, network and abilities in the pursuit of inclusive land justice in their local context and in Africa.

The participants came from 8 different countries and 14 different organisations. In attendance during the workshop were a total of 25 participants, of which 13 were female and 12 male. The workshop alternated between presentations, plenary and group work sessions. Emphasis was given on maximizing the sharing of experiences between participants and on practically experimenting a methodology for joint planning. The workshop thus used participatory methodologies and innovative learning techniques.

The workshop comprised of 6 sessions which are presented below:

**SESSION I: Women's Land Rights and Movement Building:** In this session, participants shared and reflected on how women's land rights are crucial for inclusive land governance, the lessons learned from the Women's Land Rights movement building in Africa and the concrete approaches which CSOs use in working with communities on strengthening women's land rights and breaking patriarchal structures.

**SESSION II: Successful Lobby & Advocacy Strategies:** This session focused on the lessons learned from land reform processes and the influence civil society and communities had in this, plus the tools/successful practices used in advocacy for inclusive land governance at national level.

**SESSION III: Sustainable land use/land use planning nexus:** The focus for this session was to highlight examples of what successful community-led sustainable land-use practices can look like and what can be learnt from the work on the intersection of both sustainable land-use and land-use planning. Further, this session presented and discussed the tools/successful practices on land-use mapping, digitalization and planning.

**SESSION IV: Multi-stakeholder engagement & monitoring policy implementation:** In this session the participants discussed the conditions for a multi-stakeholder setting to truly ensure a say of local communities as rights-holders of land and how it can enhance the monitoring of land policy implementation. The participants also discussed tools/successful practices on monitoring land policy implementation at the local level.

**SESSION V: Monitoring of land acquisitions and conflict resolution:** Session 5 addressed the steps and strategies that are used in monitoring land acquisitions, the lessons learned when conflict arises due to land acquisition and the tools/successful practices to monitor land acquisitions.

**SESSION VI: Conclusions, follow-up and evaluation:** The last session was used as a means of reflecting on the workshop, identifying insights which could be drawn from the workshop be used in an envisioned follow-up. Also the question was raised how to ensure that the knowledge shared during the workshop can also be used and shared by other people?

Some of the most important conclusions stemming from the workshop were the need to further **strengthen and mobilise the African women's land rights movement**, the need to tackle gender discrimination to **foster women participation in land administration issues** (both formal and informal), the power of making use of **inclusive multi-actor partnerships (MAPs)**, the importance of lobby and advocacy strategies for inclusive land governance (and against land grabbing) being **evidence-based** and the significance of ensuring that **inclusive land governance goes hand in hand with sustainable use of the land**.



## TABLE OF CONTENTS

SUMMARY .....	2
<b>1. INTRODUCTION .....</b>	<b>4</b>
<b>1.1 Purpose of the workshop .....</b>	<b>4</b>
1.1.1 The overall objective .....	4
1.1.2 Specific objectives .....	4
1.1.3 The envisaged results of the workshop.....	4
<b>1.2 Background to the workshop .....</b>	<b>4</b>
<b>1.3 The workshop participants .....</b>	<b>5</b>
<b>1.4 The workshop sessions and approach .....</b>	<b>6</b>
1.4.1 Preparation for the workshop sessions .....	6
1.4.2 The workshop approach .....	6
<b>1.5 A description of the different land tenure systems.....</b>	<b>7</b>
<b>2. WORKSHOP SESSIONS .....</b>	<b>8</b>
<b>2.1 Introductory Session .....</b>	<b>8</b>
2.1.1 Opening remarks .....	8
2.1.2 Self introductions .....	8
2.1.2 Workshop expectations, objectives and programme .....	8
<b>2.2 Session I: Women’s land rights and movement building .....</b>	<b>9</b>
2.2.1 Session objective(s) .....	9
2.2.2 The facilitation approach.....	9
2.2.3 Key issues shared .....	9
<b>2.3 Session II: Successful lobby and advocacy strategies .....</b>	<b>10</b>
2.3.1 Session objective .....	10
2.3.2 The facilitation approach.....	10
2.3.3 Key issues shared .....	11
<b>2.4 Session III: Sustainable land use/ land use planning nexus .....</b>	<b>12</b>
2.4.1 Session objective .....	12
2.4.2 The facilitation approach.....	12
2.4.3 Key issues shared .....	12
<b>2.5 Session IV: Multi-stakeholder engagement &amp; monitoring policy implementation .....</b>	<b>13</b>
2.5.1 Session objective .....	13
2.5.2 The facilitation approach.....	13
2.5.3 Key issues shared .....	13
<b>2.6 Session V: Monitoring of land acquisitions and conflict resolution .....</b>	<b>15</b>
2.6.1 Session objective .....	15
2.6.2 The facilitation approach.....	15
2.6.3 Key issues shared .....	16
<b>2.7 Session VI; Conclusions, follow-up and evaluation .....</b>	<b>20</b>
2.7.1 Session objective .....	20
2.7.2 The facilitation approach.....	20
2.7.3 Key issues shared .....	20
<b>3. CONCLUSION AND RECOMMENDATIONS .....</b>	<b>22</b>
<b>ANNEXES .....</b>	<b>23</b>
<b>Annex 1: List of participants.....</b>	<b>23</b>
<b>Annex 2: Workshop Programme.....</b>	<b>24</b>

## 1. INTRODUCTION

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This is a report on the Skills Sharing Workshop for Inclusive Land Governance, which was held from 3rd – 5th February 2020 at Creata Golf View Hotel, Lusaka, Zambia. This chapter provides the purpose of workshop, its background, the participants, content and approach.

### 1.1 Purpose of the workshop

#### 1.1.1 The overall objective

The **overall objective** of the workshop was to provide a space for civil society and community-based organisations active on land justice issues to come together and exchange experiences, skills and knowledge on tackling land governance issues in order to enhance their capacities, network and abilities in the pursuit of inclusive land justice in their local context and in Africa.

#### 1.1.2 The Specific Objectives

The **specific workshop** objectives are:

- 1) Validate findings on the core underlying and systemic challenges that oppose efforts towards inclusive land justice;
- 2) Connect participants from the 2018 Workshop with other groups promoting inclusive land justice;
- 3) Develop understanding of the complexity and context-dependency of strengthening land justice through exchange of experiences in different political, socio-economic and cultural settings;
- 4) Facilitate exchange and learning of practical skills and knowledge on how to promote inclusive land governance, despite the systemic challenges;
- 5) Provide a platform to discuss the (further) integration of cross-cutting issues in land justice work, including the rights of women, the inclusion of youth and the answers to climate change, amongst others;
- 6) Identify gaps in expertise, capacities and resources for further attention and jointly develop an action plan for future collaboration amongst participants.

#### 1.1.3 The envisaged results of the workshop

It was envisaged that the **results** of the workshop would be:

It is intended that this workshop will produce the following results for participants and facilitators:

- 1) A shared, enhanced understanding of the underlying and systemic challenges they face together in the pursuit of inclusive land justice;
- 2) A clearer understanding of the context specific limitations and strategic choices that influence the design and implementation of different land governance tools;
- 3) Practical and theoretical knowledge on new tools and strategies useful in respective contexts;
- 4) New relationships of solidarity with allies in other organisations from different locations and a shared understanding of their areas of common interest;
- 5) Greater awareness on the concept of inclusivity and a better understanding of how to ensure marginalised groups are encouraged, empowered and able to participate in meaningful ways;
- 6) Any gaps in expertise, capacities and resources, as well as opportunities for future collaboration are identified, and simple follow-up steps are agreed.

### 1.2 Background to the workshop

In September 2018, Both ENDS and its Indonesian partner ELSAM co-hosted a linking and learning workshop in Jakarta (prior to the International Land Coalition's Global Land Forum in Bandung around the topic of 'Building a Movement for Inclusive Land Justice' that included civil society representatives from Asia and Africa (the "2018 Workshop"). The goal of that workshop was to bring people from different countries and political/cultural contexts together to discuss the underlying and systemic challenges they face in achieving inclusive land justice, and to share strategies for overcoming those challenges. In summary, the key systemic challenges identified were:

- 1) **Lack of political will** to recognize indigenous and communal land rights, often caused by corruption/interests in large-scale economic developments;
- 2) **Lack of capacities** (tools, information, resources, human & financial) for NGO's, local communities, indigenous peoples, as well as local governments and judicial systems, to ensure/promote inclusive land justice;
- 3) **Lack of implementation:** Many countries have a number of progressive laws on indigenous and communal rights, but the enforcement of those very same laws is often low or non-existent. Similarly, often no-one is hold accountable for the violation of laws;
- 4) **Inequality**, both between communities and external parties as well as within communities themselves (corporate power, marginalization of communities, women and youth within the communities).

Both ENDS wants to support the workshop participants and other civil society groups working on land justice issues to further develop the strategies identified during the 2018 Workshop and to share lessons, experiences and techniques for implementing those activities at the community level. Whilst strategies for inclusive land justice can be diverse, ranging from confrontational steps like direct action and litigation procedures to the implementation of alternative governance systems, this workshop is focused on strategies towards the latter, aiming to provide knowledge on how to either improve or create new procedures, policies, processes and institutions for inclusive land governance.

### 1.3 The workshop participants



The participants as indicated in the Table (1) below came from 8 different countries and 14 different organisations. In attendance during the workshop were a total of 25 participants of which 13 were female and 12 were male. The list of names of the participants is stated in Annex 1.

No.	ORGANISATION	LOCATION
1.	Zambia Land Alliance (Host)	Zambia
2.	Community Assistance in Development (COMAID)	Cameroon
3.	Innovations Environnement Développement (IED) Afrique	Senegal
4.	Both ENDS	Netherlands
5.	Center for Nursery Development and Eru Propagation (CENDEP)	Cameroon
6.	Groots Kenya	Kenya
7.	Enda Pronat	Senegal
8.	Forum Mulher	Mozambique
9.	Centro Terra Viva (CTV)	Mozambique
10.	Mbororo Social and Cultural Development Association (MBOSCUDA)	Cameroon
11.	Ajemalebu Self Help (AJESH)	Cameroon
12.	Rural Women's Assembly (RWA)	Zambia
13.	Women and Land in Zimbabwe (WLZ)	Zimbabwe
14.	Network Movement for Justice & Development (NMJD)	Sierra Leone

## 1.4 The workshop sessions and approach

### 1.4.1 Preparation for the workshop sessions

The content of the workshop responded to the input and requests of the participants themselves and was prepared by them in small groups. A survey was conducted as a means of getting information on what the participants wanted the workshop to focus on and which approach to use best. The inputs of the survey were used to develop a draft programme. Based upon this, smaller groups among all participants were formed to prepare the different sessions and the overall workshop. Each smaller group was linked to one of the organizing groups, who ensured progress in the preparations and provided input. Each smaller group decided on a session plan, which included the goal and methodology of their session, as well as the materials needed. Annex 2 presents the workshop programme.

### 1.4.2 The workshop approach

The workshop alternated between presentations, plenary and group work sessions. Emphasis was given on maximizing the sharing of experiences between participants and on practically experimenting a methodology for joint planning. The workshop thus used participatory methodologies and innovative learning techniques.





## 1.5 A description of the different land tenure systems

There was a request that in consideration of the diversity of countries and the land tenure systems, it would be appreciated if each country would be able to describe in brief what it was. The purpose was to be able to understand the similarities and differences between land tenure systems across the continent and what the characteristics are in each respective country. Below is a brief overview for each of the participating countries:

### Cameroon

Cameroon has three types of land namely: state-owned land, private (leased) land and national land. The country has community/community forest land managed by the community for which a 25-year management plan is approved by government. Land is completely under state ownership and private land, if enriched with minerals, is handed over to the state. In case of extraction, communities are compensated.

### Kenya

Kenya as a former British colony recently has recently made progressive land reforms as stipulated in their constitution chapter 5. Kenya has:

- (i) Public land that's public owned and accessible it belongs to the people.
- (ii) Private land in Kenya allows private owners to hold title.
- (iii) Community land which is occupied by people of common interest or cultural belief, for instance the Maasai communities. This land accounts for seventy percent of land ownership in Kenya, with private and public owning nineteen and eleven percent, respectively.

Kenya's community land was not registered until a 2016 act that allowed communities to own land titles. There are still concerns of land use and planning in the nation, land data is not transparent and the Kenyatta family (president) are believed to own a majority of land. It is however not known how many men or women own land, although the titling period of 2016-2019, which issued three million land titles, indicated that only ten percent of women were given land title.

### Mozambique

Most land in Mozambique was colonial land until the advent of FRELIMO when land was nationalised. The national land laws are twenty years old with efforts to modernise and reform them underway. Land cannot be sold or bought but is only offered as a right to be used while it ultimately belongs to the state. Mozambique experiences problems with projects due to land being fully state owned as most people are not well compensated.

### Senegal

Land management laws in Senegal date back as far as 1964 on national ownership. Private land accounts for only 2% of the land and can only be taken by state compensation. Public (artificial) land, which includes public roads and markets, etc., is only 3% of the total land, which shows that 95% of the land is continuing to be under national ownership, hence belonging to all citizens as of 2012.

### Zambia

Majority of land in Zambia is customary land and is controlled by traditional leaders. It is estimated that about 70% of land in the country is customary land. The nation also has state land, which accounts for public infrastructure, forests and rivers, etc.

### Zimbabwe

Zimbabwe has three types of land ownership namely communal customary land that is owned by traditional leaders who are given local authority, Zimbabwe also has commercial land that was previously owned by whites who were ousted by former President Mugabe and was given to Zimbabwean citizens. The land is divided into A1 (small land that is given to decongest rural populations) and A2 (bigger portions of land). The country also has urban land, which is paid for, and forestland that is managed by the ministry of lands. Zimbabwe has no secured land tenure hence less compensation of land is given.

## 2. WORKSHOP SESSIONS

### 2.1 Introductory Session

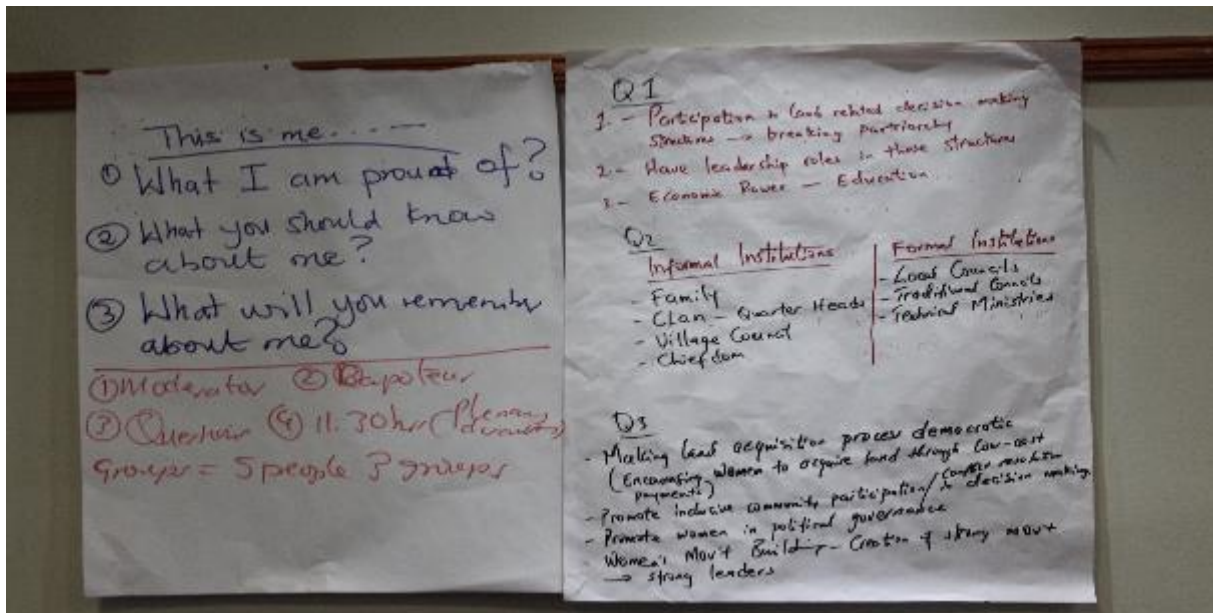
#### 2.1.1 The Opening Remarks

The Zambia Land Alliance (ZLA) Executive Director, who welcomed all participants to Zambia and to the workshop, opened the workshop. He noted that the purpose of the workshop was to share experiences and as such, expected all persons to fully participate. He went on to thank Both Ends for giving ZLA the opportunity to host the workshop.

#### 2.1.2 The Self-introductions

Each of the participants was asked to state their name, the organisation they represent, the country they come from and one thing they find fascinating about Zambia so far (for the foreign participants only). Each participant was then asked to write answers to three specific questions (see below) on a piece of paper and put that paper in a box. The instructions were that on the last day they would be able to identify which person wrote which piece of paper. The questions were:

- 1) What am I proud off? 2) What you should know about me? 3) What will you remember about me?



#### 2.1.3 The workshop expectations, objectives and programme

The participants were each asked to write down their expectations of the workshop, which were put on the wall. It was stated that these would be referred to at the end of the workshop. The workshop objectives, which are stated in 1.1.1 and 1.1.2 and the envisaged results in 1.1.3 were presented to the participants. Further, also the workshop programme was presented to everyone. The expectations of the participants are listed below:

- 1) Learn from each other.
- 2) Active participation of everyone.
- 3) Clear follow-up: ideas and agreements.
- 4) Learn skills in map-making using GIS tools
- 5) Overview of advocacy towards women land rights.
- 6) How to increase women participation in land related administrative institutions.
- 7) Understand the sustainable land use/land use planning.
- 8) Collaboration and networks to build strong movement on land in Africa.
- 9) Solutions to empower a rural woman with land.
- 10) To learn about challenges other CSO face during their work.



## 2.2 Session I: Women's land rights and movement building

### 2.2.1 Session objective(s)

Flaida Macheze, Grace Tepula, Susan Chikal and Fridah Ghituku prepared this session. Its objective was to interrogate the extent to which movement building in Africa has been informed by the need to realize women land rights or have integrated women land rights as a priority agenda for women liberation.

### 2.2.2 The facilitation approach

The participants were divided into 3 group discussions. Each of them was given a question to answer and they were asked to write their presentations of flip chart paper. The persons who were involved in the preparation moderated the group discussion. The questions, which guided the discussions was based on the following questions

- ⇒ Is there a women's land rights movement in Africa?
- ⇒ Has the African movement done justice to women's land rights?
- ⇒ How can we build a cross movement in Africa?

### 2.2.3 Key issues shared

Based on the presentations and discussions in the plenary, the following was what was shared among the participants.

#### **1. What do we mean by land Governance?**

It was stated that inclusive land governance entails the administration and institutions that promote or that hinders women's land rights. They are either formal or informal. The formal are the legal laws and policies that are implemented by formal institutions. In most cases they are theoretically on paper, but not implemented in practice. Informal institutions on the other hand include the role played by traditional leaders and society including the family institution. These institutions are heavily controlled by patriarchy.

#### **2. How are women land rights crucial for inclusive land governance?**

- ⇒ Participation in land related decision-making structures = breaking the patriarchal structures,
- ⇒ Ensure women in leadership structures,
- ⇒ Have education programmes for women.

#### **3. What are the institutions involved in land ownership?**

- ⇒ Informal institutions include the family, the clan, the village council and the chiefdom,
- ⇒ Formal institutions are local councils, traditional councils and technical ministries.

#### **4. How does these institution hinder/promote inclusive land rights for women?**

- ⇒ Making land acquisition process democratic (encouraging women to acquire land through low-cost payments),
- ⇒ Promote inclusive community participation in decision-making processes,
- ⇒ Promote women in political governance,
- ⇒ Building of a strong women's movement.

#### **5. Is there a women land rights movement in Africa?**

- ⇒ There is no collective women land rights movement in Africa,
- ⇒ There is need for integration of all women movements on land rights in Africa. There are only individual groups and organisations working on the issues,
- ⇒ However, they are examples such as SADC – Rural Women Assembly, LAMOSA, community land rights groups, Women and Land in Zimbabwe,
- ⇒ The continent has a strong women organisation, a strong women organisation working on women's rights in general.



## **6. Has the African movement done justice to women land right?**

- ⇒ Women's land rights not on top of the continent's agenda,
- ⇒ The law and the policies include user rights.

## **7. How can we build cross movements?**

- ⇒ There is need to transform the mind-set of the people on the continent,
- ⇒ There is an emerging cross-movement building.

## **8. How can we improve women's participation in these institutions and why is it so important?**

- ⇒ Women participation in land administration issues (both formal and informal) is very limited due to institutionalized gender discrimination. Men in these institutions mostly do distribution of land and other resources including decision-making without giving reference to women's land rights and gender equality.

## **9. Why are women's land rights important?**

- ⇒ Women constitute 70% of the labour force, yet they do not own land and do not have ownership rights. All the other human rights are central conditioned to women's land right for instance the right to health, shelter, food and decision-making.

## **10. How do we build solidarity for creation of a collective voice to influence governments and other stakeholders?**

- ⇒ There is need to build strong networks locally, nationally, regionally and internationally. Thus building a strong support base.

## **11. How do we empower communities to break patriarchal structures?**

- ⇒ The key here is to economically empower women through land rights and property ownership. Further, there is a need to socially build strong networks for dismantling patriarchy and for information sharing, building support base.
- ⇒ The other means which were mentioned in plenary was that there was need to encouraging women to take up leadership positions such as women in the traditional leadership institutions, local government and national Government institutions.

## **2.3 Session II: Successful lobby and advocacy strategies**

### 2.3.1 Session objective

This session was prepared and presented by Aissata Hathii and Wanjiku Kiambo. The objectives of the session are to share and learn from land reform processes and influence of civil society and communities, and also to discuss the tools/successful practices on advocacy for inclusive land governance at national and local levels.

### 2.3.2 The facilitation approach

The approach used in this session included a presentation by Aissata on the work of IED Afrique and Senegalese civil society on influencing the land reform process in Senegal, highlighting successful tools and practices, but also challenges encountered and that of Wanjiku on the Mozambican context. Further, the participants were divided into groups to discuss the advocacy strategies they used and the lobby and advocacy approached/tools.



### 2.3.3 Key issues shared

Based on the presentations and group discussions, the participants during the plenary stated that in the case of Zambia, CSOs have engaged benefiting communities in the lobbying process and get them to understand particular legislation and policies that affect them. In Zambia, CSOs also made contributions to the Customary Land Administration Bill.

It was noted that there was need for legislations which concern land in Africa, in each country to be harmonised. It was also noted that the implementation of policies and laws should be monitored and the results of this monitoring is what can be used in lobby and advocacy efforts. Further, it was noted that the stakeholders working on land administration are fragmented, which makes it difficult to achieve progress on advocacy issues. Two aspects were very prominent during the plenary discussion, that is communities not having knowledge on user rights and not being well informed, but also that when CSO are well organised they can win and build strong movements, which can contribute to inclusive land governance.

The tools and approaches, which were mentioned as being used for lobbying and advocacy, were:

- ⇒ Participatory research as a means for evidence based advocacy,
- ⇒ Development of an interface connecting local to national to regional level.
- ⇒ Use of petitions by women groups as a pressure tool during lobbying.
- ⇒ Establishment and development of a women's movement.
- ⇒ Research has facts and figures to backup arguments.
- ⇒ Cultural assessment on land policy.
- ⇒ It is important to work with the government, not against it.
- ⇒ Use of media to communicate as a social practice.
- ⇒ Valid research is critical as a success practice for country assessments.
- ⇒ Conducting of problem analysis is important.

## 2.4 Session III: Sustainable land use/ land use planning nexus

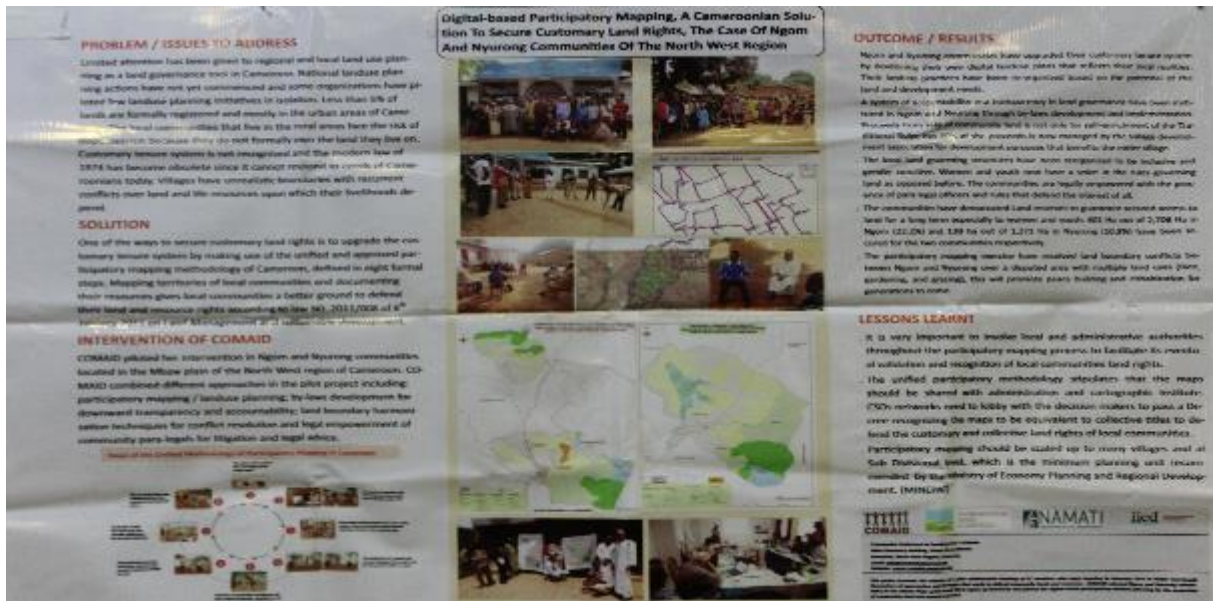
### 2.4.1 Session objective

The objective of this session was to enable participants to appreciate and share how sustainable land use relates to land use planning and how this directly linked to access and ownership of land.

### 2.4.2 The facilitation approach

Representatives presented this session from COMAID, CENDEP and AJESH. It was primarily based on a plenary presentation and discussion and a component where the participants were divided into groups and draw sketch maps.

### 2.4.3 Key issues shared



### The presentations

Two presentations were made followed by a question and answer session. The presentations were made by Harrison Nnoko, who presented on the “Community Land Use Planning” The case of South Western Cameroon” and Perlementah (Perry) Ndzefemmegho, who presented on the “Community-Led sustainable Land-Use Practice: Case of Analog forestry Practice in Ndu, North West Region of Cameroon”. The presentations focused on the following questions:

- ⇒ What is analog forestry?
- ⇒ What is participatory mapping?
- ⇒ What is land use planning?
- ⇒ Do we have laws/methods in our countries on land use planning and participatory mapping?

### Group work on land use mapping

The participants were divided into four groups and each of them draw a land use map, The maps which were drawn by the participants were presented in an “information market” where the visited where each map was placed and discussed how it would contribute to better utilization of the land.



## 2.5 Session IV: Multi-stakeholder engagement & monitoring policy implementation

### 2.5.1 Session objective

This session was prepared and presented by NMJD (Berns Komba Lebbie), Enda Pronat (El Hadji Samba Sow), MBOSCUDA (Sali Django) and Both ENDS (Karin van Boxtel). Its objective was to discuss and exchange on the conditions of a multi-stakeholder settings to truly ensure a say for local communities as rights-holders on land and how multi-stakeholder settings can enhance the monitoring of land policy implementation?

### 2.5.2 The facilitation approach

First of all, each organisation (NMJD, Enda Pronat, MBOSCUDA and Both ENDS) made presentation based on their country context with respect to multi-stakeholder settings. Further, the participants were divided into four groups with one presenter taking up one group. The participants were asked to answer the following questions:

- ⇒ When is a MAP inclusive in terms of land governance?
- ⇒ When can a MAP be effective and lead to positive impact?
- ⇒ How can a MAP contribute to policy monitoring?

### 2.5.3 Key issues shared

In the first place, Multi-Actor Partnerships (MAP) were defined as collaborative processes involving a diversity of actors in order to address complex problems together. Such multi-actor partnerships, multi-actor processes or multi-stakeholder partnerships have gained increasing importance during the last two decades. Below is a brief on the presentations from the different counties on the MAP.

#### **The Netherland case study – MAP**

The summary of the presentation of the Netherlands case study were:

- ⇒ It is not about quantity (i.e. number of people in the MAP), but quality representation during a MAP dialogue, as people should be free to express themselves.
- ⇒ There is unequal power distribution and power dynamics during a MAP which always need to be addressed.
- ⇒ The cultural effects should be taken into consideration, i.e. in some cultures, women cannot speak in front of men.

- ⇒ There is a need to improvise in an event that a woman will not be allowed to talk, so get a representative preferably.
- ⇒ There is need to create a platform were women land rights are discussed and women being represented accordingly.

### The Senegal case study – MAP

The summary of the presentation of the Senegal case study were:

- ⇒ **Training and awareness sessions for all stakeholders:** Organize awareness / training sessions for better awareness and civic engagement for the protection and restoration of ecosystems, with the support of land and forest experts, and with a strong involvement of municipal councillors, chiefs of villages, farmers, breeders, forest operators associations, women, youth and finally local authorities.
- ⇒ **Functional literacy an effective tool for understanding and monitoring:** Set up functional literacy classes at the village or village committee level. Applied to local governance of natural and land resources, this literacy program will raise awareness among young men and women who have dropped out of school between the ages of 18 and 35, and prepare them to participate significantly in the management of their land in relation to territorial administration, in particular by allowing them to read documents written in local languages concerning natural resource management, land governance and local governance.
- ⇒ **Enlarged land commission in municipalities:** It is a municipal authority that will facilitate the inclusion of village committees. Setting up a land commission means saying that from now on, in addition to the members of the land commission, the commission is open to resource people from the municipality. The municipal representation of farmers, women, youth, breeders, and religious groups depends on the specificities of the area and its needs in terms of information and effectiveness of the mission, and only when knowing this, we can identify resource people to involve.
- ⇒ **Joint village committees:** In Senegal, the Framework for Reflection and Action on Land (CRAFS), of which Enda Pronat is an active member, recommends in its position document on land reform, the institutionalization of joint village committees.

### The Cameroon case study

The summary of the presentation of the Cameroon case study were:

- ⇒ The collection of information and an analysis of it to identify gaps/challenges can help multi-stakeholder settings to enhance monitoring of land policy implementation.
- ⇒ Accompanying and facilitating policy reforms and implementation in multi-stakeholder settings can enhance land policy implementation. Cameroon National Engagement Strategy (NES) sponsored by the International Land Coalition (ILC) is a good example.
- ⇒ A comprehensive diagnostic tool that covers the main areas for policy implementation can assist multi-stakeholder settings in enhancing the monitoring of land policy implementation

### 1. Discussion Question: When is a MAP` inclusive in terms of land governance?

In answering the question as to when a MAP is inclusive in terms of land governance, the following were noted:

- ⇒ This is when women, youth and people with disability are democratically elected into leadership.
- ⇒ When the decisions of governments, civic leaders (councillors), child protection leaders represent the needs of children,
- ⇒ This is when it constitutes CSOs, traditional leaders, religious leaders and faith-based organisation. It should also include relevant Government ministries and departments, farmer groups, cooperatives, etc.
- ⇒ The documents produced by the MAP are not written in complicated language and in limited copies.

## 2. Discussion question: When can a MAP be effective and lead to positive impact?

- ⇒ Community involvement, which includes women and youth. Continuously providing feedback to them,
- ⇒ Holding Governments and investors accountable to their commitments, e.g. respecting a contract,
- ⇒ Ensuring community participation by using appropriate language,
- ⇒ Monitoring the stages of policy development and implementation,
- ⇒ Ensuring that there is transparency and access to information.

## 3. Discussion question: How can a MAP contribute to policy monitoring?

- ⇒ It gives an opportunity for diverse views and gives room for a stronger force.
- ⇒ It can help to monitor how different groups (women, men, youths) are affected by policy implementation.
- ⇒ With the use of MAP, different sectors can jointly participate in the review and monitoring of policies.
- ⇒ It helps to bring together different actors for solidarity, credibility and a stronger voice
- ⇒ Identify who the key actors are, then institute a bottom up approach to help with information flow and allow for facts to be used even as monitoring occurs.
- ⇒ MAP ensures that there is community representation even at national level. In that case, community voices are represented as well during policy monitoring.
- ⇒ MAP may facilitate having a double edge approach to allow for decision makers to have discussions with communities so that they too understand what is happening on ground.
- ⇒ Build on already existing communication channels so that actors can speak from an informed point of view.
- ⇒ Cooperation partners should also be involved in MAP because they influence a lot of government decisions.

## 2.6 Session V: Monitoring of land acquisitions and conflict resolution

### 2.6.1 Session objective

This session was prepared and presented by ZLA staff (Bridget Chinyemba, Emma Mwansa, Jesinta Kunda, Precious Miyoba, Mufalali Samalumo). Its objectives were threefold:

- ⇒ Introduce participants to the issues surrounding large-scale land acquisitions.
- ⇒ Learn from experiences and practices used by ZLA to resolve conflicts.
- ⇒ Present real cases of large-scale land acquisitions in Zambia and have interview session with affected communities

### 2.6.2 The facilitation approach

This session was divided into the following:

- ⇒ A video on large-scale land acquisitions
- ⇒ A presentation on conflict resolution based on ZLA practices
- ⇒ A PowerPoint presentation on monitoring land investments
- ⇒ A presentation and question and answer session with a community affected by large-scale acquisitions.

### 2.6.3 Key issues shared



#### **A video on large-scale land acquisitions**

This video demonstrated the work of ZLA in supporting displaced people. It focused on a community of farmers in Serenje District, Central Province, Zambia. The video showed the problems associated with displacement in Zambia. It was also used as a preamble to the discussion with the community members who were invited to share their experiences of being displaced.

The facts from the video are that a community of Zambian farmers were displaced to pave way for a white farmer who had been displaced due to the land problems in Zimbabwe. The farming community consisted of over 50 families and were provided with an alternative land and housing but it did not have good access to water, health facilities and school for the children. They were also of the opinion that the houses provided to them were smaller than the ones which they had before.

Zambia Land Alliance was working with Human Rights Watch to see how the affected communities can be properly compensated or that the Land Title Deed provided to the white farmer is nullified.

In the question and answer session after the video, the following were noted:

- ⇒ Zambia Land Alliance has been working around land investments since 2013. The current strategic plan (2018-21) has a dedicated operational objective on lobbying for responsible land investments that benefit the local communities.
- ⇒ The organization has conducted awareness raising, capacity building, and advocacy, raising activities, research and paralegal support around land investments.
- ⇒ Steps and strategies followed when monitoring land acquisition is by following up a case study as reported by an affected community or reported in the media,
- ⇒ Strategies used in dealing with large-scale acquisitions include a review documents such as the Resettlement Action Plan, EIAs, policy provisions, correspondence with community. Other strategies are sharing reports with relevant stakeholders, engaging decision makers and policy makers based on findings. Other steps are the creation and/or strengthening of community liaison structures, so as to monitor compensation and resettlement systems (through research and community contacts).



- ⇒ A lesson learnt when conflict arises is not to engage the media before fact finding mission. Use evidence to engage stakeholders. Where funds allow, get the services of a lawyer when faced with litigation and use already existing community structures. Identify and use existing grievance platforms and not to use a big number of actors (lawyers, CSOs) in conflict resolution. Even when working with the Community Liaison Committee, there is need to consult other community members when making decisions.
- ⇒ Tools that have been used in monitoring land acquisition include conducting media monitoring - all staff must flag land investments, ensuring visibility of organization in relation to land investments, conducting timely and continuous research, share reports with stakeholders, work with other like-minded organization to avoid duplication of work, train and involve communities in monitor land investment and sensitize communities on the impact of land investments.

### **A presentation on conflict resolution based on ZLA practices**

#### The role of paralegals in conflict resolution on land issues

Moses Phiri and Precious Miyoba presented this component of the session. It focussed on the role of paralegal workers in improving support of communities to manage conflict around their land. The presenters began their presentations by stating that conflict resolution is a way for two or more parties to find a peaceful solution to a disagreement among them. The disagreement maybe land disputes, emotional or even political. When a dispute arises, often the best course of action is mediation or negotiation to resolve the dispute.

The presenters noted that the work of paralegals was to resolve a land dispute and find a peaceful resolution through mediation and negotiation. All cases, which are identified by the paralegals, are treated with importance regardless of magnitude. The presenters emphasised that it was important to take interest in any dispute, for example a gender-based violence case can end up having land issues. A couple could for example be having a dispute over land which can lead to domestic violence. The presentation also noted that it was important to partner with law firms.

The participants in the plenary asked if paralegals can also be employed by the Government or is it only by CSOs? In response, it was noted that yes, they can, and they are now guidelines issued by the Government on the conditions in which paralegals can be employed. It was however noted that it is important to see how paralegals are recognised and/or ensure they are recognised at all.

### **Presentation on monitoring land investments by ZLA**

Bridget made this presentation. The presentation will be shared again with participants. However, a summary of the presentation can be found in the following:

1. The steps and strategies for monitoring land acquisitions are:
  - 1) Case is reported by affected community members or seen in media
  - 2) Fact finding mission conducted
  - 3) Review of documents including Resettlement Action Plan, EIAs, policy provisions, correspondence with community
  - 4) Share reports with relevant stakeholders
  - 5) Engage decisionmakers and policymakers based on findings
  - 6) Creation and strengthen of community liaison structure
  - 7) Monitoring compensation and resettlement system (through research and community contacts)
2. The tools/successful practices on monitoring land acquisitions from the experience of ZLA are:
  - 1) Conduct media monitoring - all staff must be flagging land investments
  - 2) Ensure visibility of organization in relation to land investments
  - 3) Conduct timely and continuous research

- 4) Share reports with stakeholders
- 5) Work with other like-minded organization to avoid duplication of work
- 6) Train and involve communities in monitor land investment
- 7) Sensitize communities on the impact of land investments

### 3. Challenges faced in monitoring land acquisitions

- 1) Limited access to information, including agreements, Resettlement Action Plans and EIA reports
- 2) Personal, tribal and political affiliation can cause biasness
- 3) Information shared with the public can be technical
- 4) Lack of capacity of community members to be proactive in reporting land investments and how to monitor them
- 5) Limited funds to support litigation
- 6) Limited lawyers to support pro bono services
- 7) Limited grievance mechanism in both government and corporate investments
- 8) Too many actors in the land sector
- 9) Lack of monitoring of projects impacts (in EIA) by Zambia Environmental Management Agencies.

#### Land displacement – A case of community members from Forest 26

Community members were invited to come and share their experiences of being displaced from where they had been staying for a long time to pave way for the construction of a Multi-Facility Economic Zone (MFEZ).

In total, there were 247 displaced households and these were relocated to Mhphande Forest. The new location is not suitable for farming, which is their main source of livelihood. Secondly, they are not sure if they will be relocated again as this is a Forest Reserve, which has affected their farming.

In the plenary, the participants noted the following;

- ⇒ Does ZLA have an international alliance to help with the case? In response it was noted that taking the case to court is expensive for the community, but there are lawyers who are assisting with the case. ZLA also works with an international organisation that provides legal assistance.
- ⇒ Would it be possible to find out who is providing funding to these institutions which are involved in the displacement of people? Yes, it would be, but the MFEZ is a Government initiative with funding from other Governments.
- ⇒ There is need to engage with the media after evidence is found. The media is a very important tool for advocacy.
- ⇒ One of the aspects which needs to be considered is that displacement cases need lawyers and they are expensive. They are very few lawyers who are willing to work on pro-bono basis.
- ⇒ In managing displacement cases, it is important to use existing communication structures and not to create new ones as this would cause confusion.
- ⇒ It is also important to use existing grievance platforms and follow procedures while consulting others in the CSO sector.

In the question and answer session between the community members and the plenary, the following were noted:

Question/Comment from the participants	Response from a community member	Comment from ZLA
<b>Did the Government ask for you to be relocated?</b>	No. They started making plans for us to be relocated, then we were forcefully removed from the area of settlement.	
<b>Did you object to be relocated</b>	Yes, we rejected, but they used force against us to leave.	
<b>Is there s resettlement policy for people to be paid if relocated?</b>		Yes there is a law that provides for food and new shelter, enacted in 2015.
<b>Were you given compensation?</b>	We were 1,500 who were displaced. Some were given money to go to other places, but we opted to stay and were suddenly told to leave.	
<b>What is the situation now?</b>	With help of ZLA, we were given the land where we are now and only awaiting the council to partition the land.	
<b>Has the resettlement improved your lives?</b>	No. The gazetted forest has also been encroached by police and soldiers exploiting land.	Zambian law doesn't allow people to settle down in a Gazetted Forest, so they are still not secure.



## 2.7 Session VI; Conclusions, follow-up and evaluation

### 2.7.1 Session objective

The purpose of this session was to find out the participants' perspectives on what they have been able to learn from and share during the workshop, what they conclude and suggest as follow-up activities.

### 2.7.2 The facilitation approach

This session was done in three parts. The first part was the evaluation of each session of the workshop based on the "World Café" method. The second was a plenary presentation of what the participants perceived as follow-up activities and finally, the last part of the session was a plenary where the participants were asked to identify the person who wrote each answer on "This is me".

### 2.7.3 Key issues shared

Based on the "World Cafe" approach per day and session, the participants were able to state the following conclusions and follow-ups (including reporting):

#### **Day 1**

#### **SESSION I: Women's Land Rights and Movement Building + SESSION II: Successful Lobby & Advocacy Strategies**

##### Conclusions

- ⇒ Empowerment of women with knowledge and putting women in leadership positions
- ⇒ Encouraging women to use the land that they can access,
- ⇒ Encouragement of dialogue meeting between community and CSOs,
- ⇒ Promoting mind-set change so that more women can have access and ownership of land.
- ⇒ Identification and strengthening of grassroots organisations in Africa.
- ⇒ Documentation of processes, stories, processes used in promoting the rights of women,
- ⇒ Development of strong communication among networks supporting the women's movement on land rights and the protection of frontliners fighting for women (land) rights.

##### Follow-ups

- ⇒ There is need for evidence-based advocacy.
- ⇒ Provision of financial resource for activities.
- ⇒ Formulation of an advocacy guide on influencing land policies.
- ⇒ Mobilisation women's land rights movement in Africa to pursue the advocacy agenda.
- ⇒ Making a regional blog that will be used for advocacy.

#### **Day 2**

#### **SESSION III: Sustainable land use/land use planning nexus + SESSION IV: Multi-stakeholder engagement & monitoring policy implementation**

##### Conclusions

- ⇒ Use of the MAP to engender land institutions for women land rights.
- ⇒ Rights of women to acquire land is still a change.
- ⇒ There should be continuous monitoring during all steps of the mapping stages.
- ⇒ There should be an involvement of all stakeholders before a MAPPING process.
- ⇒ There is little security for either state or customary land.
- ⇒ Those poor and vulnerable people who already have land should be assisted to put it to sustainable use.
- ⇒ MAPs should be inclusive and participatory.
- ⇒ Communities should participate in land management.
- ⇒ The legal systems in most African countries do not promote ownership and need to be revised.

- ⇒ In the first place, it's important to find out if a law is good or not, as you do not monitor a bad law.
- ⇒ There is need to ensure that one has accurate data which can be used in land use mapping.
- ⇒ There is need to take into consideration the power dynamics when engaging in a MAP.
- ⇒ Land mapping stimulates sustainable land-use and community benefits.
- ⇒ There is need to develop and share tools for use in MAP and advocacy.
- ⇒ There need for transparency and accountability in land governance.

#### Follow-ups

- ⇒ There is need to create networks of multi-stakeholder platforms.
- ⇒ Build the capacity of CSOs in participatory land use methodologies.
- ⇒ Creation of women's movement in Africa.
- ⇒ There is need to build capacity of CSOs in analoge forestry for the local communities.
- ⇒ There are gaps in the legal system on land which needs to be harmonised.
- ⇒ There is need to strengthen partnerships and follow-up on agreed recommendations
- ⇒ There is need to develop and share MAP tools.
- ⇒ CSOs should engage in joint-resource mobilisation.
- ⇒ There is need to have follow-ups on the implementation of land-use plans by communities.
- ⇒ Development of advocacy actions for review of land reforms.

### **Day 3**

#### **SESSION V: Monitoring of land acquisitions and conflict resolution**

#### Conclusion

- ⇒ The local communities who were brought by ZLA were very moving/touching and brought the reality of displacements to life.
- ⇒ Monitoring and lobbying of inclusive land governance should be based on facts.
- ⇒ The research tools were very interesting and their applicability to inclusive land governance.
- ⇒ The presentations showed how it was easy to access decision makers.
- ⇒ ZLA data management was impressive.

#### Follow-up

- ⇒ Develop guide land for land conflict resolution management on land.
- ⇒ A lot of knowledge shared should be documented to help inform people on issues and guideline on definitions agreed upon.
- ⇒ Detailed guideline that are accessible i.e. website
- ⇒ Need to have a document and how it should look like must be like a training material that can be used in a community.
- ⇒ Have platform to share cases so that everyone can be aware on follow up on international platform.
- ⇒ Need to complement each other rather than compete and work with existing forums.
- ⇒ Have a knowledge sharing book/guidebook that can be used in local workshops.
- ⇒ Civil society and media should work more closely together, help civil society actors to have such a partnership.
- ⇒ Training journalists on reporting inclusive land governance issues.
- ⇒ Forge alliance with unusual investigative journalists so that there is public shaming of those who displace local communities.
- ⇒ There is need to mobilise resources to support persons who are displaced.



A short video presentation from an advocacy campaign against land grabbing in Senegal.

El Hadji Samba Sow requested to present a video his organisation had done in Senegal done in 2012, which was used successfully as a advocacy tool against land grabbing. It was manly a musical as people could be able to sing to it and thus it was able to appeal to a lot of people.

This is ME

This was based on the card each participant was asked to write the following during the introductory session.

- 1) What am I proud off?
- 2) What you should know about me?
- 3) What will you remember about me?

People read out card that they wrote before and will point at people who they thing have similar character to the card. The participants were able to learn more about each other and have a light moment.

Workshop Evaluation

Each participant was given a questionnaire to fill in as a means of evaluating the workshop.

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### 3. CONCLUSION AND RECOMMENDATIONS

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The Skills Sharing Workshop for Inclusive Land Governance provided an opportunity for professionals in the land rights and governance sector from selected African countries and Both ENDS from the Netherlands to share their experiences. The strength of this workshop was that it was able to bring in professionals from Central, East, West and Southern Africa as they were able to identify differences, but also similarities with regard to the problems they are facing in terms of land governance in general and communal and/or women's access to and control of land in particular.

Some of the most important conclusions stemming from the workshop were the need to further strengthen and mobilise the African women's land rights movement, the need to tackle gender discrimination to foster women participation in land administration issues (both formal and informal), the power of making use of inclusive multi-actor partnerships (MAPs), the importance of lobby and advocacy strategies for inclusive land governance (and against land grabbing) being evidence-based and the significance of ensuring that inclusive land governance goes hand in hand with sustainable use of the land.

The three days created a lot of positive energy and eagerness within the group to keep the momentum going. Whilst each participant has gotten new insights which he or she is able to apply in his/her respective context, there was also a multitude of ideas brought forward of how the group as a whole could continue to stay in touch and further cement exchange and collaboration on some of the central issues brought forward during the workshop. Some of those interesting follow-up ideas have been under point 2.7 and will be further developed by Both ENDS in close consultation with the group of participants. Both ENDS has promised to regularly follow-up with them to see how to best make use of the limited funds available in 2020 to further build upon and spread the conclusions generated during this meeting.

## ANNEXES

### Annex 1: List of participants

	Organisation	Country	Name
1	ZLA (Host)	Zambia	Bridget Chinyemba
2	COMAID	Cameroon	Christian Jitar Taku
3	IED Afrique	Senegal	Aissata Hathii
4	CENDEP	Cameroon	Perry Ndzefemmegho
5	Groots Kenya	Kenya	Fridah Ghituku
6	Enda Pronat	Senegal	El Hadji Samba Sow
7	Forum Mulher	Mozambique	Flaida Macheze
9	MBOSCUDA	Cameroon	Sali Django
10	AJESH	Cameroon	Harrison Nnoko Ngaaje
11	WLZ	Zimbabwe	Thandiwe Chidavarume
12	NMJD	Sierra Leone	Abu Augustus Prima
13	RWA	Zambia	Grace Tepula
14	RWA	Zambia	Susan Chilal
15	CTV	Mozambique	Wanjiku Kiambo
16	Both ENDS	Netherlands	Stefan Schüller
17	Both ENDS	Netherlands	Karin van Boxtel
18	ZLA (Host)	Zambia	Emma Mwansa
19	ZLA (Host)	Zambia	Moses Phiri
20	ZLA (Host)	Zambia	Precious Miyoba
21	ZLA (Host)	Zambia	Charity Chikandula
22	ZLA (Host)	Zambia	Dyless Mbewe
23	ZLA (Host)	Zambia	Jesinta Kunda
24	ZLA (Host)	Zambia	Mufalali Samalumo
25	ZLA (Host)	Zambia	Patrick Musole

## Annex 2: Workshop Programme

### Day 1: Sunday, 2<sup>nd</sup> of February

Time	Description	Responsible
– 18:00	Arrival and registration	All
18.00 – 19:00	Welcoming, logistics and introduction	Moderator Zambia Land Alliance (ZLA) Both ENDS
19:00 – 20:30	Dinner	All

### Day 2: Monday, 3<sup>rd</sup> of February .

Time	Description	Responsible
– 18:00	Arrival and registration	All
18.00 – 19:00	Welcoming, logistics and introduction	Moderator Zambia Land Alliance (ZLA) Both ENDS
19:00 – 20:30	Dinner	All
Time	Description	Responsible
07:30 – 08:30	Breakfast	All
08:30 – 09:30	Expectation setting	Moderator, ZLA, Both ENDS
09:30 – 13:00	Session I: Women’s land rights and movement building	Groots Kenya, WLZ, RWA, Forum Mulher, Both ENDS
13:00 – 14:00	Lunch Break	All
14:00 – 17:15	Session II: Sustainable land use/ land use planning nexus	COMAID, CENDEP, AJESH, local office ZLA
17:15 – 17:30	Closing Session/Evaluation	Moderator
17:30 – 19:00	Free time	All
19:00 – 20:30	Dinner	All

### Day 3: Tuesday, 4<sup>th</sup> of February

Time	Description	Responsible
08:00 – 09:00	Breakfast	All
09:00 – 13:00	Session III: Multi-stakeholder engagement & monitoring policy implementation	NMJD, Enda Pronat, MBOSCUDA, Both ENDS
13:00 – 14:00	Lunch Break	All
14:00 – 17:15	Session IV: Successful lobby and advocacy strategies	IED Afrique, CTV
17:15 – 17:30	Closing Session/Evaluation	Moderator
17:30 – 19:00	Free time	All
19:00 – 20:30	Dinner	All
20:30 – 00:00	Live Music + Drinks	All

### Day 4: Wednesday, 5<sup>th</sup> of February

Time	Description	Responsible
08:00 – 09:00	Breakfast	All
09:00 – 12:30	Session V: Monitoring of land acquisitions & conflict resolution	SDI, ZLA (including communities’ participation)
12:30 – 13:30	Lunch Break	All
13:30 – 15:30	Session VI: Conclusions, follow-up and evaluation	Moderator
15:30 – 19:00	Sunset tour Lusaka	ZLA
17:30 – 19:00	Free time	All
19:00 – 20:30	Dinner	All



