Benchmarks and Indicators in Support of Land Policy and Land Administration Reforms in Africa

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Joan Kagwanja, ECA

Environment Indicators Workshop
July 16-20, 2007
UNCC, ECA
A Pan African Framework on Land Policy-Overview

AUC-ECA-ADB Led Initiative
Brave Ndisale
DREA/AUC

Workshop on Environmental Statistics
16-20 July 2007

Addis Ababa,
Outline

- Rational for a Pan-Africa Framework on land issues
- Main Functions of the framework
- Roadmap/Critical Steps
- Status and achievements
Rationale: Importance of land in Africa

- Land is important to Africa’s economic, social and political development as well as environmental management:
  - Secure land rights is a the basis for Economic investment and economic growth (Economic)
  - If well-governed and managed, land is a means for poverty reduction and inequalities (social)
  - Better governance of land resources (e.g. decentralized management) and renewal of land institutions is vital to peace, security and participatory democracy (political)
  - Sound Land policy/management is necessary for environmental management and existing commitments (Environmental)
Rationale: Why a pan-African initiative?

- Initiative is rooted within the framework of NEPAD and is based on four pillars: Economic, Social, Political and Environmental

- Potential value added of an African wide approach in generating resources/capacity to tackle land issues

- Land policy and reform are a means of integration at different levels helping to facilitate African integration

- A pan-African initiative can help facilitate peer learning, knowledge exchange and monitoring land policy reforms e.g. through the APRM/NEPAD
Main Functions of the Framework

- Provide a basis for political commitment by African nations and build programmes of common action for sound land policies

- Gain commitment of the international community in establishing a lasting framework for funding land policy and administrative reforms

- Develop clear guidelines and benchmarks with indicators of good practice for land policy and institutional reforms
Main Functions of the Framework cont’d

- Promote constructive treatment of land issues within the CAADP framework to facilitate agricultural transformation

- Promote programmes for securing urban land rights to support urban growth and development of peri-urban areas

- Make land policies and the performance of land institutions subject to the African Peer Review Mechanism
Road Map/Critical Steps

- A continental Consultative Workshop (March 2006)
- Land Policy benchmarks and Indicators development (on-going)
- Regional Assessments and Consultations (on-going)
- African Experts/Ministers Meeting (March 2008)
- Summit of African Heads of State and Government (July 2008)
Stakeholders

Participatory process involving stakeholders:

- Land users: smallholder farmers, pastoralists, natural resource users, urban dwellers and investors
- National level: sectoral ministries, land agencies and institutions, local government
- Traditional authorities and customary institutions
- Pan African institutions
  - African Union; Economic Commission for Africa; African Development Bank
- Regional Economic Communities
- Donor Agencies
- Research and Training Institutions
- Civil Society
- Regional Networks
Status of Implementation

- Consultative meeting March 2006
- African Experts Meeting/completion of background document
- Experts Group Meeting on Land indicators
- Regional assessments underway---Consultations upcoming
Achievements so far

- Support to Kenyan Land policy formulation process—review of draft document and recommendations up taken prior to parliament

- Capacity building in Support of SADC land facility—ongoing

- Successful synergies with UN agencies working in Africa on land issues

- Advocacy for Land issues—e.g. discussed in ECOSOC ministerial forum in Geneva, July 2007
Thank you!!
Developing Benchmarks and Indicators in support of Land Reforms

AUC-ECA-ADB Land Policy Initiative
Joan Kagwanja
FSSDD/ECA

Workshop on Environmental Statistics
16-20 July 2007

Addis Ababa, Ethiopia
EGM on Land Indicators: Objectives

- Approach for developing regional and national land indicators, for the measurement of the performance of countries in the implementation of their land policies and related reforms

- Initial list of benchmarks and Indicators for measuring progress in addressing key land issues in Africa
  - state sovereignty over land; duality of property systems; protecting the commons; tenure security; land distribution; land administration; policy implementation processes;
Inputs necessary to transforming the Concept Note into a viable background document for the development of benchmarks and indicators

- Gain consensus on a roadmap for the development, review and advocacy for the benchmark and indicators----related to overall initiative

- Agree on the way forward in implementing the roadmap for the development of benchmarks and indicators
EGM on Land Indicators: Inputs

- Background Document
- Skeleton Framework

- Concept Note --first draft of potential land indicators for Africa for discussion and input.

- Lessons on development of land indicators
Benchmarks and Indicators: Examples

Issues to be addressed:
1. Protecting the commons
2. State Sovereignty over Land
3. Tenure Security
## Issue 1: Protecting the commons

<table>
<thead>
<tr>
<th>Focus areas</th>
<th>Benchmarks</th>
<th>Indicators</th>
</tr>
</thead>
<tbody>
<tr>
<td>Communities able to gain equivalent land rights as individuals</td>
<td>Land institutions recognize collective rights to common property resources (ownership, use and management)</td>
<td>Increase in proportion of common property registered in the national cadastre</td>
</tr>
<tr>
<td>Land policy recognizes collective rights to land</td>
<td></td>
<td>Amount of land registered as common property of groups</td>
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<td></td>
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<td>Specific minority groups granted collective land claims</td>
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</tbody>
</table>
### Issue 1: Protecting the commons

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<tbody>
<tr>
<td>Ensuring individual needs for land and natural</td>
<td>Common property systems recognize the rights of individuals within the</td>
<td>Legal safeguards that protect individual rights</td>
</tr>
<tr>
<td>resources are not denied</td>
<td>community</td>
<td>Numbers of individual vs group disputes</td>
</tr>
<tr>
<td>Ensuring the management of common resources</td>
<td>Land policy enables negotiation of access and use of land between</td>
<td>Degree of community involvement in decision making over high-value public</td>
</tr>
<tr>
<td>that have multiple claims</td>
<td>interested groups and parties</td>
<td>resources</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Frequency of negotiated agreements of conflict between groups</td>
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</tbody>
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## Issue 2: Sovereignty of the state

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<tr>
<td>Role of state in land ownership</td>
<td>State divests itself of radical title of land</td>
<td>Decrease in proportion of land owned by the state</td>
</tr>
<tr>
<td>Role of state in ensuring equity</td>
<td>State plays an effective role in guaranteeing sovereignty of land rights for all citizens, particularly vulnerable groups</td>
<td>Frequency of disputes between communities and private individuals</td>
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</tbody>
</table>
### Issue 2: State sovereignty of land

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<tr>
<td>Role of state in regulating and guaranteeing land rights of citizen</td>
<td>State ensures effective mechanisms for conflict resolution over land and balancing diverse interests</td>
<td>Proportion of land management by local communities</td>
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<tr>
<td></td>
<td></td>
<td>Proportion of land allocated by private investors</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Level of disputes by local communities regarding land allocations by the state</td>
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</tbody>
</table>
## Issue 3: Tenure Security

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</thead>
<tbody>
<tr>
<td>Protection of occupants according to different tenure types</td>
<td>Ability to identify land rights holders</td>
<td>Record of documented land rights</td>
</tr>
<tr>
<td></td>
<td>Ability to recognize diversity of tenure situations</td>
<td>Number of documented tenure types</td>
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<tr>
<td></td>
<td>Percentage of land rights holders that are protected</td>
<td>% of demarcated and documented customary land</td>
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<tr>
<td></td>
<td>Ability to identify /register overlapping tenure rights</td>
<td>% reduction of land-conflict cases arising from overlapping claims</td>
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# Issue 3: Tenure Security

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<td>Gender equity in access to land and security of tenure</td>
<td>Laws protecting gender are created, and their implementation is closely monitored</td>
<td>Existing laws</td>
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<tr>
<td></td>
<td></td>
<td>Number of registered cases of spouse s’ co-ownership</td>
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<tr>
<td></td>
<td></td>
<td>Number of registration in inheritance cases in favour of women</td>
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<td></td>
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<td>Number of cases of widows eviction</td>
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</table>
Next steps

- Revise the Concept Paper and transform to background paper
- Refinement of benchmarks and indicators
- Designing mechanisms for assessing the progress of countries against the indicators
- Assessment of possible participating institutions – who could do what
Next steps/2

- Assessment of human resources capacity in key institutions at the country levels and development of plans to address constraints

- Initiative to streamline land into the Peer Review Mechanism/ explore linkages with the NEPAD initiative on sustainable land management indicators
Thank you!!