



NES

**NATIONAL
ENGAGEMENT
STRATEGY**

MULTI-STAKEHOLDER PLATFORMS ON LAND GOVERNANCE IN AFRICA

REVIEW AND ANALYSIS OF ILC'S EXPERIENCE

INTERNATIONAL
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Initiative Prospective Agricole et Rurale

WHAT IS A NATIONAL ENGAGEMENT STRATEGY?

National Engagement Strategies - **often referred to as “NES”** - are multi-stakeholder processes set in motion by the International Land Coalition (ILC) to promote people-centred land governance. NES processes and their platforms are led by national actors and include ILC members and non-members.

Through these platforms, land actors such as grassroots, civil society, intergovernmental organisations, research centers and government come together to formulate country strategies and multi-year action plans to address some of the country's land-related priorities.

NES is a space for governments to approach, listen to and interact with civil society, to complement expertise and share knowledge to improve the state of their country's land governance.

NES work plans include activities such as land monitoring, spatial mapping, land conflict resolution, legal aid, capacity building, policy dialogue and gender sensitive approaches and tools.

The overall aim is to influence the formulation and implementation of land-related policies and legal frameworks using the **ILC's 10 commitments to people-centred land governance** as their compass, and promote the use of instruments such as the Voluntary Guidelines for Land Tenure (VGGTs) and the Framework and Guidelines on Land Policy in Africa.



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NATIONAL ENGAGEMENT STRATEGIES

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PREAMBLE



This report provides a brief review and analysis of the experience of multi-stakeholder platforms on land governance in eight African countries: Cameroon, Democratic Republic of Congo, Madagascar, Malawi, Kenya, South Africa, Tanzania and Togo. Multi-stakeholder platforms (MSPs) are voluntary or statutory decision-making bodies made up of different stakeholders who see a similar resource management problem, recognise that the solution lies in interdependence, and come together to agree on action strategies to resolve the problem. Starting from 2012, the platforms on land governance have been promoted and facilitated through the establishment of International Land Coalition's National Engagement Strategy (NES). The NES platforms provided an important space for coordinated communication, dialogue and advocacy in the context of land governance in the three countries. The NES on land governance is central to the work of the ILC, and its members in each country. The NES approach aims to bring together ILC members and non-members, often with diverse perspectives to join forces to develop a common strategy which can bring about the desired change.

In all eight countries covered in this review, the NES platforms have leverage in six countries where they have been officially established, while the two other countries—Senegal and South Africa—have a MSP established to implement VGGT, and the NES is being currently designed to strengthen and feed into existing initiatives. In the six countries, NES platforms are aligned with existing networks or organisations, which have already recognized the need for a national network to communicate, facilitate and coordinate effective land governance activities, especially national policy advocacy and campaign efforts. When the NES was established, land was at the centre of the political stage and there have been ongoing initiatives to implement land reform policies and legislation in all countries.

Since the NES is already proving useful, NES facilitators and NES countries are recommending the need to up-scale these best approaches to regional policy bodies in 2017. Upscaling is proposed to ensure regional bodies are aware of the importance of multi-stakeholder platform (MSP) approach where civil society organisations (CSOs), government, academia, private sector and other actors can work together. The proposed upscaling may also allow regional decision makers to influence national decision makers to implement regional initiatives and frameworks at the national level and provide conducive environment for MSPs to flourish.

Specifically, the African Union Framework and **Guidelines on Land Policy in Africa** (AU F&G) released in 2009 and the Guiding Principles on Large-Scale land Based Investments provide crucial entry points for NES platforms to engage with regional bodies responsible for land policy and legislative reforms. For example, the AU F&G emphasizes the need to have land policy development to recognize and adequately provide for a deep engagement with CSOs. It is on this basis that ILC is able to co-host with the Land Policy Initiative (LPI), International Fund for Agricultural Development (IFAD) and the Civil Society Platform (CSP), a forum on Multi-Stakeholder Platforms on land governance in Africa taking place on the 13 November 2017 to kick-start collaboration between continental, regional and national level policy making bodies and MSPs.

INTRODUCTION

In recent years, as part of the efforts to address land governance issues, various organisations are adopting multi-stakeholder platforms as suggested by **Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGTs)**. The VGGTs were formulated between 2009 and 2012 through broad consultation of stakeholders from UN member states, civil society, the private sector and academia. The VGGTs aim to serve as a reference guide for improving the governance of tenure of land, fisheries and forests. Against this backdrop, the ILC has, over the past five years, invested in building an enabling environment to realise people-centred land governance¹ at national level. ILC does this by establishing and supporting multi-stakeholder platforms which develop and implement National Engagement Strategies (NES).

As of 2017, NES platforms are in operation globally in more than twenty countries, connecting civil society actors among themselves and with national and local governments; informing and mobilising key stakeholders; and supporting and strengthening the capacities of key actors at all levels by equipping them with relevant knowledge and tools. On this basis, ILC has commissioned this study to review and provide an analysis of its experience of multi-stakeholder platforms on land governance in Africa. The review however, does not provide exhaustive examples of each studied country, but uses different countries to illustrate the history, structure, outcomes and challenges facing NES MSPs. It then proposes a set of recommendations to strengthen MSPs.

¹ <http://www.landcoalition.org/en/people-centred-land-governance>

THE HISTORY OF THE NES

NES adds a great deal of knowledge and resources to multi-stakeholder platforms responsible for land governance, some of which existed in all eight countries under review. Through these earlier initiatives, CSOs previously engaged and continue to engage in various land policies and legislative reforms. As such, in most cases, introducing NES did not mean starting from a scratch, but adding to existing efforts, so it was easier to set up country level NES platforms. For example, in Malawi, the NES process is coordinated by LandNet Malawi, a network of civil society organizations, individuals and other networks working on and with an interest in land and natural resources management in Malawi. LandNet aims to provide a robust platform to advocate for adopting and implementing pro-poor and equitable land and natural resources management policies, legislation and programmes. Similarly, in Tanzania, the NES is anchored in the five-year-old Tanzania Land Alliance (TALA). TALA, a national network that communicates and coordinates effective land policy advocacy and campaigns, plays a key role in Tanzanian land policy and governance.

In both Cameroon and Togo the NES establishment process were led by individual ILC members; NGOs which still host NES secretariats to this day. Under the leadership of Mbororo Socio Cultural and Development Association (MBOSCUDA) and the Center for Environment and Development (CED), the NES platform in Cameroon brings together more than 300 members. While in Togo, under the coordination of Autopromotion rurale pour un Développement Humain Durable (ADHD), the NES brings together a number of actors including: the State, producer organisations (CTOP, MAPTO), the private sector (order of surveyors, lawyers, notaries), the traditional chieftdom, NGOs and Associations (30 spread throughout the territory).

In these eight countries, national alliances, networks and initiatives were already there, they were key to establishing NES. In other contexts, where no such initiative or mechanism were in place, the NES contributed to facilitating its inception. By sharing experience from elsewhere, and providing financial and technical support, ILC was instrumental in shaping initial consultation processes. Thus, ILC activities motivated the existing networks to establish and implement various components of NES. Within these networks and alliances NES therefore became an avenue for securing crucial support for the existing networks to facilitate ongoing initiatives, which aimed to improve land governance.

In all countries, it was critical that the NES platforms were established at key moments of policy and legislative reform. For example, in Kenya after an initial consultative process, all network organisations (both ILC members and non-ILC members) agreed that a NES was necessary. At the time, Kenya was gearing up for a general election and land was at the core of the main party leaders' campaigns. The Kenyan Parliament also passed three land related laws at this time. The NES was also important because land governance structures in Kenya continued to register new land-based private investments. Combined with generous ILC financial and technical support, these three external factors were key to establishing an NES in Kenya.

Although South Africa has not officially launched a NES, its ongoing NES process is also anchored in ongoing initiatives to establish a multi-stakeholder platform to implement the VGGTs. In 2017, participants in South Africa's third workshop to enhance VGGTs implementation, endorsed the necessity of establishing a multi-stakeholder platform to serve as a catalyst for implementing the VGGTs in South Africa. . The South African MSP aims to establish a national structure to ensure VGGT implementation, especially by:

- » Developing a Charter to hold all participants accountable;
- » Participating actively in the NES to develop an adaptation ("domestication") and translation (e.g. in South Africa's most common official languages) framework for VGGT; and
- » Identifying sector-specific needs to feed into the platform.

STRUCTURE OF THE NES AND IMPLEMENTATION OF ACTIVITIES

The NES concept is flexible to suit different implementation contexts and as a result the configuration of NES varies from one country to the other. In the six case study countries, current NES actors include:

- » government's land-related ministries, commissions and institutions;
- » CSOs;
- » farmer organisations; and
- » academia.

In DRC, the NGO CODELT (Council for Environmental Defence through Legality and Traceability)—a development organisation working to improve public policies and legislation on the environment and natural resource management is coordinating and hosting the NES platform. In DRC the MSP operation is guided by the Framework of Consultation of Civil Society Organisations for Land Reform (CACO) which includes all the non-governmental organisations of the country, both national, provincial and local, working on the land issues.

The situation is slightly different in Madagascar where the central government is reluctant to embrace the terms “National Strategy” arguing that the sole authority to develop such a strategy is the government. As a result, the platform “Solidarity of land stakeholders” (SIF)—a civil society organisation platform working on land issues which hosts NES—is yet to secure the inclusion of policy makers in NES platform. However, itself and other ILC members in the country are fully recognized and registered and are able to engage with relevant government agencies.

Senegal and South Africa are still in the process of establishing a NES but they both have MSPs established to implement VGGTs. In South Africa, the private sector is also included in the NES, but not in the other countries where the private sector is considered a core problem that NES actors aim to address in the broader agenda of improved land governance.

Implementation of NES activities

Within NES structures, where a variety of actors, constituencies, geographic coverage and expertise are normally available, different actors implement various activities in groups or on an institutional basis. The example of Tanzania can be mentioned, where the NES is organised by thematic working groups, and activities are implemented by a blend of national actors with support from international NGOs consisting in:

- » the Land-Based Investments Working Group (LBI-WG), which implements land-based investment activities;
- » more than 5 NGOs and the Ministry of Agriculture, Livestock and Fisheries work on pastoralism and rangeland issues;
- » activities around women's land rights component, coordinated by Oxfam; and
- » involvement in a National Task Force established by the Ministry of Lands to review land use planning and management guidelines, and establish an implementation strategy (as discussed in section 4 below).

The same approach is used for NES activities implementation in the rest of the countries.

4 ANALYSIS OF THE NES

As national level initiatives, NES can bring significant changes by advocating for well-articulated land policy and legislative reforms around the globe. In Africa, the African Union (AU F&G) provide an avenue for CSOs deeper engagement. The AU F&G emphasizes that ongoing land reforms in Africa, most of which are pro-market solutions, must not jeopardise the rights and access of vulnerable groups such as women, indigenous communities and youth. It also emphasizes that these vulnerable groups must not be adversely affected by expensive right transfer systems. Furthermore, in 2006, the African Union Commission (AUC), the United Nations Economic Commission for Africa (UNECA), and the African Development Bank (AfDB) established the Land Policy Initiative (LPI) to lead the continental land policy and advocacy agenda and to support national land policy development, implementation and monitoring across Africa. NES platforms can, therefore, use these key policy issues stressed in AU F&G and the LPI initiatives as entry points for influencing the regional bodies that are responsible for shaping policy and legislative frameworks on land. NES platforms are also benefitting from members such as Oxfam and other international NGOs that have long-term experience in lobbying and advocacy on issues such as land governance, women's land rights, and small-scale producers (including farmers) associations.

However, the NES platforms in all countries face several threats, for example

- » some countries are still grappling with whether to incorporate or to accept the private sector as a key partner or member of NES platforms; and
- » an over-dependence on the ILC secretariat to provide NES platforms with financial and technical support, which limits NES sustainability.

A detailed analysis of key strengths, weaknesses, opportunities and threats is provided in Table 1.

TABLE 1: Analysis of key NES strengths, weaknesses, opportunities and threats in Kenya, Malawi, South Africa, and Tanzania

STRENGTHS	WEAKNESSES
<div><ul style="list-style-type: none">» Builds on existing structures established by various organisations working on different thematic areas: land governance, women's land rights, pastoralism and indigenous people's rights, environment and natural resources, small holder farmers' rights.» The diversity of members from across civil society, government, academia and the private sector, allow a cross-pollination of ideas and more robust dialogue around key land governance issues. Discussion and decision-making, thus considers a wide range of perspectives.» The NES platform allows countries to share similar experiences on land governance in order to formulate their own tailor-made, context-based policies.» The participatory processes adopted by NES contribute to sustainability in that they enable a clearer analysis of the current picture of land governance in the country, and a set of indicators against which progress can be measured.» NES members are already engaging stakeholders on the ground at national and local levels, including government through joint activities such as land use planning, policy and legislative reforms.» There is a growing consensus among NES members for joint advocacy and lobbying on issues of national interest, with members funding joint advocacy activities when the NES coordinating organisation does not have the necessary funds.</div>	<div><ul style="list-style-type: none">» NES host organizations are prone to hoarding and losing focus of the multi-stakeholder nature of the platform» Reaching consensus is challenging given existing and emerging divisions within civil society and within government, as well as between the different stakeholder groups. Some NES members are more likely to work alone, leading to concerns over the ownership of NES results.» Members sometimes do not know the mandate of NES coordinating organisation, leading to individual members taking the lead.» Governments continue to approach individual NES members for input, instead of channelling policy-related issues through the NES coordinating organisation.» Dependency on a single donor and an inadequate funding pool» Some sectors are unequally represented on the NES platform, creating tension among members.» Poor record-keeping, monitoring and evaluation mechanisms from both government and civil society provides a number of challenges to NES process.</div>
OPPORTUNITIES	THREATS
<div><ul style="list-style-type: none">» NES brings wide ranging perspectives, competencies and voices into one room and hence generates fresh articulations of issues, establish synergies and solutions.» Ongoing initiatives to review land and land-related legislation with respect to other sectoral strategies and programmes in the studied countries provide an opportunity for a shared vision to emerge from the current fragmented and contested picture of land governance in the country.» Governments' willingness to engage CSOs in developing or reviewing policy; some government agencies and ministries no longer view CSOs as a threat to their activities, but partners in development» Potential to attain legitimacy as the primary land governance platform for engagement at country level and even the national level.» Development partners are willing to support CSO engagement in policy dialogue.» The ability to create an online platform for sharing lessons and experiences by all actors within and outside the NES at any time.» Members' agreements on indicators and progress-tracking can allow some consensus to emerge to enable better accountability among members and feed agreements and consensus into international frameworks such as Sustainable Development Goals (SDGs).» NES platforms are becoming attractive as a vehicle for bigger land initiatives.</div>	<div><ul style="list-style-type: none">» Political instability and risks politicisation of NES platforms especially during elections may affect implementation of NES activities» Government ministries or departments have senior representatives elected to platforms such as NES, but when meetings take place they are often unavailable and deploy lower staff who aren't equipped to engage or make decisions, thus reducing the effectiveness of their engagement and reaching consensus among NES members.» The populist politics around land issues in national election campaigns can potentially get the land governance debates mired in rhetoric without substance.» Governments' inadequate trust on CSOs activities at local and national levels. Although governments have opened space for engagement, they sometimes still try to interfere in the work of CSOs, especially advocacy-based CSOs.» In some countries, NES members are not willing to accommodate private sector because they see private sector as one of the problems they need to address.» The number of MSPs is mushrooming, some of which try to poach NES members to participate in new MSPs.» Overdependence on the NES Secretariat for technical and financial support.» In case the nES is used as a vehicle for international bigger initiatives, the coordination need to be strong enough and the facilitation neutral enough to take the opportunity without undermining the consultative nature of NES» Lack of established skills, knowledge and commitment to effective communication, monitoring and evaluation of NES activities could derail its implementation.</div>

5 RESULTS OF THE NES

The results of the NES platforms are differentiated in the countries in which it is operational. In all these countries, the NES has adopted an inclusive approach towards diverse actors that represent different views and organisations. Government departments and/or ministries have been part of the process to establish and implement NES activities, which has allowed NES to gain both social and political buy-in. As a result, in Kenya, government ministries and departments, which are part of the NES, want to be an implementing agency for NES activities. Similarly, in Cameroon, NES is accepted by all stakeholders, including the state. It has allies in Parliament, in Administrations, including the Presidency of the Republic. It is a platform, a framework for legitimate consultation of all stakeholders involved in land. The NES Facilitator was invited with about 10 civil society actors and traditional leaders to a session of the Parliament–Government Dialogue on Advancing Reforms on Land and Natural Resource Management. NES produced 2 position papers on land reform, as a contribution to the elaboration of the new Land Law. These documents were requested by the working group of the Network of Parliamentarians for the Sustainable Management of the Ecosystems of the Dense and Humid Forests of Central Africa (REPAR) to constitute a Working Document in case the new Land Law comes to be introduced at the Assembly. These two documents are taken into account in the draft law that is currently being drafted.

In Malawi, the NES was established at the time when the government was battling to finalise its 18- review of land policy and related legislation. As Malawian CSOs working on land rights debated the first country assessment report commissioned by ILC, they realized that their failure to unite had led to failure in achieving common goals. The report highlighted how CSOs weak advocacy led to government failing to table the Land Bill in the last sitting of parliament in 2013. Only after the NES platform was established were CSOs able to improve their relationship with government. The improved relationship meant CSOs could participate in and influence the review of ten long-awaited land-related bills, which were finally approved in 2016-17.

In Tanzania, NES has so far successfully carried out its first activities which include a situational analysis on land-based investments in the country. The government of Tanzania, through the Ministry of lands and the National Land Use Planning Commission, has at different times, welcomed CSOs including TALA which coordinates NES activities to participate in land related events. For example, in August 2017, Tanzania's NES national coordinator was invited by the Ministry of

Lands to attend the launching of the Land Tenure Support Program (LTSP) – the land formalisation project funded by the Department for International Development (DfID), the Swedish International Development Cooperation Agency (SIDA) and the Danish International Development Agency (DANIDA). During the event the Minister issued Certificates of Customary Rights of Occupancy (CCROs) to villagers in one of the villages participating in the programme. All three TLSP donors have insisted that TALA, as the coordinating organisation of Tanzania's NES, must fully participate in implementing the TLSP.

In Madagascar, the NES has reopened the debate on the 2015 land policy letter by introducing all the orientations resulting from the dialogues initiated within the framework of the process. Since 2014, almost all the land decisions have been made after systematic consultations with the SIF (NES lead organisation). The development of training modules on participatory and inclusive land governance processes are integrated into the curricula of the training schools of the administration agents. NES activities were recently referenced in the speech of the President of the Republic.

In South Africa, where the establishment of the NES is in its initial stage, ILC members have secured government endorsement and they have recently presented NES framework at the first ever National Multi-Stakeholder Platform established to champion the implementation of the VGGTs in the country. It is envisioned that with the built-in culture of reconciliation, and maturing democracy in South Africa, the establishment of NES will take a much shorter time after the national MSP event is concluded.

NES's role in removing bottlenecks in policy processes

In the six countries where NES is operational, significant attention has been given to land policy reforms and programmes. NES partners have focused on ensuring that policy-making processes are inclusive and people-centred. For example, in Tanzania, despite inadequate consultation space, most NES members have participated in several events where the government invited stakeholders to air their views about the ongoing land policy review process. TALA, which is now coordinating NES implementation in the country, has made several submissions to the Ministry Lands, proposing policy statements and legislative amendments, which have either been addressed or deferred to future reform processes. In Malawi, NES members fully participated in the formulating the country's new national land policy.

Gender justice

While it is slightly early to analyse the performance of NES partners, most of the NES activities prioritize gender justice, not only on land access, but throughout the policy formulation and implementation processes. For example, in all countries, all initiatives have established platforms with gender at the centre, with gender-related activities being allocated to organisations that have gender experience and the capacity to advance women's land right and other right issues.

For instance, Oxfam in Tanzania (OITZ) is leading the gender component on women's land rights. Oxfam with other NES members and non-NES members have undertaken an ongoing review of the National Land Policy to engage and influence the processes and outcomes. These actors are focusing their efforts on building relationships between themselves and members of parliament, and ministerial and state agencies to enable continuous engagement. CSOs have used opportunities to meet with the Land Policy Review technical team to share best practices to ensure women's land rights. As a result of the engagements, in August 2016, the Ministry of Lands invited seven CSOs to join the Land Use Planning Task Force, which reviewed and drafted a 'Revised Participatory Land Use Planning Administration and Management in Tanzania Guidelines'. The task force also designed the strategy to guide the implementation of national land use planning. As members of the task force, CSOs were able to ensure that the best practices on women's land rights are documented in the National Land Use Planning Strategy, which has been approved by the Minister of Lands, Housing and Human Settlements Development.

Capacity-building and awareness-raising

NES platforms provide an opportunity to build the capacities of both ILC members and all other organisations participating in implementing NES in each country. In all countries reviewed in this study, NES is now used as a platform to mobilize research, and monitor and advocate activities of the NES implementing organization or its members. However, all NES platforms are at the initial stage, so the NES in each country has not achieved much in terms of building capacities of local organisations due to time, resource, and capacity constraints among NES facilitators or institutions.

In Togo where NES was launched in 2012 things are far more advanced than in many other countries. To-date NES has played a significant role in building the capacities of its members on gender assessment criteria (GEC) and it has established permanent framework for dialogue and consultation to promote women's access to land in different parts of the country. It has strengthened the capacity of 128 paralegals and 325 community leaders on the issue of women's access to land. Currently, NES is one of the first civil society forum on land and on the request of the state it has developed and popularised the standard lease farming contracts. It continues to build the capacity of the Media on NES issues through the production of radio and television programmes. Within the NES Togo, all government representatives are automatically members of the National Steering Committee of the NES Togo. They periodically meet with members of civil society to discuss. The NES structure promotes gender mainstreaming, for instance, of the five government representatives (appointed by ministers), three are women and also, of the 30 CSO members of the platform, 13 are women's organisations. As a result of these achievements, NES has gained credibility among CSOs in the country which then appointed ADHD as the civil society interlocutor with MCC.

In Malawi, Madagascar and Tanzania, because NES activities are implemented by previously established networks – TALA and LandNet – these networks have already built structures for implementing their programmes and activities. TALA, SIF and LandNet are member-based organizations, representing leading land rights CSOs in their respective countries; they play a critical role in representing CSO and community voices to policy makers.

Through the coordinated efforts by NES coordinating organisations, NES members are gaining access to technical and financial support they need to implement their activities on the ground and advance their advocacy and campaign agendas.

LEARNING LESSONS, OUTLOOKS AND CHALLENGES FACING NES

Lessons and outlooks

Existing NES platforms reveal several key lessons, especially in respect of establishing new platforms. The first key lesson is that aligning NES with existing platforms or networks yields better results because such networks already have established structures, contacts, and some level of trust, which are enabling factors for establishing and implementing NES activities in a given country.

Secondly, by incorporating diverse actors and government, the NES secures legitimacy and buy-in from government and other actors. Bringing different stakeholders on board results in sharing diverse views, skills, and knowledge, all of which are critical in addressing many land governance issues. The inclusiveness of NES platforms helps ensure sustainability, as recommended by the VGGTs, which encourage states to set up multi-stakeholder platforms and frameworks at local, national and regional levels or use such existing platforms and frameworks to collaborate on implementing the guidelines. The guidelines further encourage all parties, including CSOs, academia, and the private sector, to use collaborative efforts to promote and implement VGGTs in accordance with national priorities and contexts.

Challenges facing NES

Establishing NES has been smooth in most countries and it is likely to sail through in South Africa and Senegal in the next few months. However, several challenges inhibit its successful implementation, including:

» POLITICAL INSTABILITY AND INADEQUATE TRUST BETWEEN GOVERNMENT AGENCIES AND CSOs

Some NES members still face political and trust issues. For example, in Kenya recent crackdowns on human rights defenders and threats to de-register some NGOs have raised alarms. In Tanzania, all NGOs have been asked to submit registration documents to the registrar of NGOs for verification.

Human rights defenders have described the process as a means to silence them and or de-register NGOs that are critical of the government. As such, NES members in these countries still struggle to build trust between them and government departments. To address these challenges, NES platforms need to engage with regional bodies such as the LPI, not just national and local government, since the LPI recognizes and values the role played by CSOs.

» DIFFICULTIES IN BRINGING THE PRIVATE SECTOR ON BOARD

Apart from South Africa, where the private sector participates in the initial platforms established to implement the VGGT, in other countries the participation of private sector is still limited if not absent. In some of these countries, the private sector is viewed as part of the problem, especially with respect to land-based investments. Therefore, while some of the interviewed facilitators noted that they need to engage the private sector in their respective countries, they have yet to find out the best way to engage them. Facilitators would like to learn from other countries in how to engage with the private sector, since private sector inclusion is necessary to broad-based, sustainable NES platforms. The FAO and ILC should draw on their experience in dealing with the private sector in other continents to provide support to NES countries where private sector is not on board.

» POLITICAL RHETORIC ON LAND MATTERS

In all countries, NES platforms will have a significant challenge to deal with the way in which land matters will continue to dominate the political stage. This is because, land is politically sensitive and the achievements and success of local communities and CSOs depends on how transformative the political and bureaucratic elites are, and how academics shape debates and strategies around land reforms and restitution.

» THE RESPECT TO NATIONAL SOVEREIGNTY

In most countries, land matters are sensitive, and it is one of the key symbols of national sovereignty. MSPs, as well as all AU F&G and VGGT must acknowledge and respect that. Regarding this, in some countries, establishing a NES is considered to be the function of the state and not of the NGO(s).

» DISCRIMINATORY CULTURE AND NORMS

In some African countries, although NES action plan addresses the issue of access and control of women to land, some ethnic groups do not want women inheriting land. For instance, in Madagascar, only 1 of the 18 ethnic groups accepts the principle that women have heritage rights to land.

RECOMMENDATIONS

In order to improve the governance and administration of land African countries have the opportunity to work with all available stakeholders as presented by the Multi-stakeholder platform recommended by both the AU Framework and Guidelines (AU F&G) and the Voluntary Guidelines. Specifically:

1. African States have the mandate to keep the spirit of deeper engagement with stakeholders: academic, civic society organisations, farmers' organisations and other non-state actors working on land rights and governance issues as demonstrated during the formulation of AU F&G, Guiding Principles on Large-Scale Land Based Investments and VGGT.
2. African governments need to facilitate and empower oversight institutions such as the civil society organisations multi-stakeholder platforms to assess, monitor, evaluate and challenge the implementation of existing regional and international guidelines on land governance and large-scale land-based investments in the continent.
3. MSPs must be operated on the understanding that the policy making is the core function of government and as such, all land reform processes must be owned by the government. The MSP's role is to ensure effective cooperation and participation of all stakeholders from the outset of the policy making process and continue throughout the development of full policy document and its implementation phases.
4. MSPs provide an opportunity for stakeholders to raise awareness about and promote domestication of both the AU F&G and the VGGTs at the national level. These guidelines need to be translated into binding national regulations and enforceable laws. They further need to recognize and strengthen customary tenure rights that are non-discriminatory and clearly spell out the rights of both poor men and women as well as the protection of indigenous peoples' rights to land and other natural resources.
5. African governments and leading CSOs must avoid bureaucratization of MSP to ensure they provide room for independent consultation and participation in policy formulation and implementation processes so that they can act as checks and balances platform rather than being a political technical group.
6. The MSP in each country needs to find ways to engage private sector to ensure inclusivity of all sectors in dialogue, implementation and evaluation of MSP activities in the country.

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WHY IS NES WORKING?

- » **National Engagement Strategies** provide a space to develop a common strategy and vision for land governance with the support of a neutral facilitator;
- » they build links and trust between civil society and government for policy engagement;
- » they increase political legitimacy of civil society with governments and promotes open dialogue;
- » they give lead organisations visibility, credibility and partnership opportunities; and
- » they combine different strategies for change; policy dialogue, sharing of solution oriented knowledge and monitoring tools, and capacity building.

WHAT IS ILC DOING?

- » Provides technical and financial support to the setting-up of NES platforms, strategies and work plans
- » Facilitates connections and supports new alliances particularly with international civil society and intergovernmental actors
- » Promotes linkages with regional and global policy processes, campaigns and ILC initiatives;
- » Provides cross-country learning and capacity building opportunities for those responsible in supporting the NES processes and platforms NES facilitators
- » Promotes innovation by documenting good practices from country experiences for dissemination and upscaling.

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