

SADC LAND REFORM SUPPORT FACILITY:

SUPPORT TO NATIONAL PROGRAMMES



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Africa Workshop**

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PRESENTATION OUTLINE

- Land Issues in SADC Region
- Need for a Land Reform Facility
- Progress in Establishing the Facility
- Land Policy in Africa – AUC/ECA/ADfB Initiative
- Relationship between the two Initiatives
- Conclusion

Land Issues and Problems in SADC

1. Land Distribution

- Inequitable and unjust access to land
- Limited rights/access for majority
- Costly and cumbersome transfers of land

2. Land Utilization

- Discriminatory regulations against customary tenures
- Speculative under utilisation of freeholds
- Unsustainable use in overcrowded areas

3. Land Tenure

- Insecurity of some tenures
- Discriminatory protection system
- Over-centralized regulations

4. Land Administration

- Centralised approach
- Lack of capacity and weak institutional support
- Poor representation of majority
- Weak transparency

Need for Land Reform

- 2001 – Summit directive to develop a strategy for land reform in the SADC region
- 2001 - Lands Ministers recommended integration of land issues into policies and programmes of SADC and the establishment of a Facility
- 2003 – Proposal for the establishment of SADC Land Reform Support Facility was approved by SADC Council of Ministers
- 2004 Extra Ordinary Summit on Agriculture and Food Security decision to fast track the establishment of the Facility
- Land – resource for economic development and poverty alleviation
- Regional Indicative Strategic Development Plan (RISDP) identifies priority intervention areas that include:
 - sustainable food security
 - environment and sustainable development
 - Deep regional integration

Objectives of the Facility

- Provide technical support to Member States implementing land and agrarian reforms
- Mobilise financing and technical services of regional and international experts
- establish a regional land information resource centre including a website;

- **Strengthen the capacity of national agencies and civil society institutions to ensure broad based and effective and efficient implementation of land and agrarian reforms;**
- **Facilitate the exchange of information and experiences amongst the states and provide the opportunity to learn from the lessons of SADC countries that have implemented land reforms.**

Financial Support

- **The World Bank through the former SADC Multi-donor Hub supported studies that led to the proposal for a Facility (2001/02)**
- **SADC Secretariat with assistance of Task Team members mobilise resources and few donors have shown interest to support the Facility**
- **March 2006 : SADC Secretariat and UNDP signed an agreement providing resources (from DFID and UNDP) for one year to conduct a study on the operationalization of the Facility – up to March 2008.**
- **Estimated to cost US\$11.4 million for five years-resource mobilization continues.**

Progress to date

- March 2006 – SADC/UNDP Agreement – provision of funding from UNDP and DFID
- September 2006 – Recruitment of a Facilitator and two regional short term Consultants
- September 2006 – April 2007- initial establishment / kick start activities including an institutional study.
 - Identification of critical land issues through country consultations
- April 2007- Completion of the draft institutional study report by a Task Team.
- Recommendations endorsed by Permanent Secretaries of Ministries responsible for lands in

5/27/2008

September 2007

Institutional Positioning of the Facility

- Presently the Facility falls under Environment and Sustainable Development Unit of Food, Agriculture and Natural Resources Directorate
- Ministers have recommended to Council that the Facility be in the office of the Executive Secretary due to the crosscutting nature and sensitivity of land issues in the region.

Virtual Facility

- Setting up a lean Facility structure at the SADC Secretariat
- Institutions contracted to implement its projects.
- Use of existing capacities in institutions in the region
- Harnessing and sharing of knowledge and experiences among Member States through network mechanism.

Governance Framework

- Proposed Governance Framework ensures:
 - Accountability, transparency
 - Implementation, representation
 - Inclusive participation and effectiveness
- Derived from what currently prevails for SADC institutions and programmes.
- Steering Committee involving all countries
- Reference / Advisory Group (State and none State Actors)

Civil Society Participation

- Networking with a wider civil society institutions
- Maintain low cost interaction between the Facility and networks of land institutions
- Based in substance upon existing networking activities
- **No** formally structured SADC Land Network Organization
- To be maintained by some of the committed land networking organizations in the region.

Multi-Stakeholder Conference

- Not permanent structures of the Facility
- Means of informing stakeholders about the scope and objectives as well as the progress status of the land reform programmes
- Engage stakeholders through workshops, conferences, roundtable discussions on critical land issues

Member States' Contribution

- Support National Land Fora
- Secondment of staff to the Facility
- Support staff of the lean Facility Management Unit
- Offices and supplies including equipment and communication

Programme Content

- Based on the original proposal, Members State Consultations and priorities agreed by the Task Team the developed programme addresses the following:
 - Policy formulation / implementation support;
 - capacity building;
 - research; and
 - information and communication.

Phased Implementation Plan

- Kick Start Activities (one Year)
 - WBI/SADC/SARPN Land Redistribution Course
 - Land Administration course to follow
 - Other activities on database development, best practice documentation, regional land conference, etc..
 - Regional assessments and consultations for the Africa Land Policy Initiative
- Main Programme (four years) based on the four components



*Towards a Pan African Land
Policy Framework*

*Spearheaded by a consortium of
AUC, ECA and ADfB working
through the regional Economic
Communities (RECs)*

*Aims to develop land policy
Framework / Guidelines with
indicators for benchmarking for
Africa*

Rationale

- Rooted in/within the framework of NEPAD
- Land as a basis for investment and economic growth
- Land as a means for reduction of poverty and inequalities
- Better governance of land resources/renewal of institutions
- Potential value added of an African wide approach in generating resources/ capacity to tackle land issues
- Land policy in relation to environmental management and existing commitments
- Decentralized land management as a means for broadening and deepening of democracy
- Land policy and reform as a means of integration at different levels

Main Functions of the Framework

- Providing a basis for political commitment by African nations, programmes of common action/sound land policies
- Gaining commitment of the international community in establishing a lasting framework for funding land reforms
- Developing clear guidelines and benchmarking of good practice for land policy, land reforms and land institutions.

Main Functions of the Framework

cont'd

- Promoting constructive treatment of land issues within the CAADP framework to facilitate agricultural transformation
- Promotion of programmes for securing urban land rights to support urban growth and development of peri-urban areas
- Making land policies and the performance of land institutions subject to the African Peer Review Mechanism

Road Map/Critical Steps

A continental Consultative Workshop, 27-29 March 2006

- An Issues/discussion paper into a background document
- Stakeholders
- Outcomes: Elements/thematic issues; Feature of a vision/guiding principles; Action/sequential activities; Roles of stakeholders/partners; resource mobilisation; African land expert Task Force

Regional Assessments and Consultations

- Regional specificities, initiatives/lessons
- Challenges, knowledge, institutional/resource gaps, on-going initiatives
- Outcome: enriched draft of framework and guidelines; regional background documents

Road Map/Critical Steps cont'd

Development of Land Policy Indicators

- Identify list of benchmarks and indicators for the framework
- Identify modalities and mechanisms for review of land policy and land reform processes using land indicators

Road Map/Critical Steps cont'd

African Experts/Ministers Meeting

- Review/discussions by key experts and ministers of land related line ministries (2008)

Summit of African Heads of State and Government

- Minister's report sent to policy organs of the AU Summit
 - Permanent Representative Council (PRC)
 - Executive Council of the Assembly
- Executive Council to prepare a draft Declaration for the review and adoption by the Assembly of AHSG (early 2009)

Progress

- Background Paper and draft Land Reform Guidelines
- Development of land indicators
- Regional Assessments and Consultations Workshops for 3 RECs so far
- Assessments and consultations for remaining RECs are not yet completed

The Facility Vs the Africa Land Policy

Initiative

- SADC is the only REC that is working towards a regional approach to land reform
- The Africa wide process borrows much from the experience of SADC Member States
- While the SADC Facility does not aim at producing Guidelines; the guidelines from the Africa process will assist to harmonize approaches
- SADC through the Facility coordinated the regional assessments and convened the consultation workshop for southern Africa
- The African land policy process will subject Member States to peer review

Conclusions

- SADC Land Reform Support Facility established
- It is yet to be adequately resourced (human and financial resources)
- The Facility will provide support based on needs of Member States
- Both the Facility and the Africa wide initiative on land policy seek to improve the formulation and implementation processes of land reform policies and programmes