I- BACKGROUND

From 2006 to 2009, the LPI has successfully developed a Framework and Guidelines on Land Policy in Africa (F&G), which was endorsed by African Heads of State and Government through a Declaration on Land. The Land Policy Initiative (LPI) is now working for the implementation of the Declaration on Land based on a five years Strategic Plan. Capacity development was identified in the Strategic Plan as a key component for the successful implementation of the AU Declaration on Land. The Expert Group Meeting (EGM) on Capacity development for Land Policy in Africa is the initial step toward the preparation of a Framework which will serve as a tool to guide LPI Capacity Development activities related to land policy development, implementation and monitoring. The EGM convened by LPI in partnership with UN-Habitat/GLTN took place on 27-28 June 2012 in Addis Ababa. It was hosted by the African Union Commission and benefited the financial support of the European Commission. The EGM was attended by 42 participants from all regions of the continent, representing member states, Regional Economic Communities, academia and research centers, civil society organizations and development partners,

II- PURPOSE, OBJECTIVES AND AGENDA

The overarching objective of the EGM was to discuss the methodology for preparing the Capacity Development Framework for Land Policy in Africa, reaching agreement on its content and clarifying partnerships for its development and implementation.

Specific objectives include:

i) Review the methodology for preparing the Capacity Development Framework;

ii) Reach agreement on criteria for identifying partner learning centers to facilitate data collection and anchor capacity development activities in Africa;

iii) Identify categories of stakeholders to be targeted by capacity development activities;

iv) Identify development partners and on-going initiatives that could inform the capacity development framework and provide a basis for partnerships in training activities;

v) Discuss modalities to engage in capacity development initiatives at regional and national levels;

vi) Agree on content of the Capacity development framework.
The opening session was presided by Dr Dr. Abebe Gabriel, Director, Department of Rural Economy and Agriculture, African Union Commission. The opening remarks by Dr Abebe were followed by remarks respectively by Dr Clarissa Augustinus, Unit Leader, UN-Habitat and the Global Land Tool Network (GLTN) and Mr. Maurice Tankou, OIC, Food security and sustainable Development Division (FSSDD).

The agenda of the meeting channeled the 2 days reflection on:

i) the key concepts and methodology of capacity development;
ii) specific aspects of capacity development framework
iii) the draft outline and roadmap toward the Capacity Development Framework.

Participants worked in plenary sessions as well as in breakout sessions. Dr Joan Kagwanja, Chief of the Land Policy Programme anchored the EGM in the strategy of the LPI through a presentation of the Elements of the Five years strategy and roadmap. Discussions of the EGM were informed by other presentations performed by experts from UN-Habitat and LPI.

III- KEY CONCEPTS, ISSUES AND METHODOLOGY FOR PREPARING THE CAPACITY DEVELOPMENT FRAMEWORK FOR LAND POLICY IN AFRICA

The discussion on concepts issues and methodology was informed by the presentation of a Concept paper by Dr. Solomon Haile from UN-Habitat. The presentation highlighted the key topics relevant to Capacity Development to be discussed by participants in the EGM. This includes: priority regional land issues which need to be addressed by national land policy development and land reforms; the 3 dimensions of capacity development, namely individual, organizational and systemic (society) levels; the diversity of capacity development activities beyond classic training sessions. Lastly, information was provided on broad elements of the roadmap toward the capacity development framework.

The discussion which followed the presentation led to a consensus on some of the conceptual issues. In particular, the specific concept of Capacity Development was endorsed as underpinning a more holistic approach of enhancing capabilities for land policy in Africa. It also considers capacity development as a continuous process. Agreement was reached on the terminology of learning centers rather than centers of excellence; the concept of learning center was considered more inclusive as it do not limit source of knowledge generation and holding to Universities and research institutions only.

The importance of a framework for Capacity development was another focus of the discussions of the first plenary session. In its current phase, the main goal of the LPI is to “assist member states in the implementation of the AU Declaration on land issues and challenges in Africa, in accordance with the Framework and Guidelines on Land Policy in Africa”. Capacity development is important to the implementation of this Declaration. However it was made clear that capacity development cannot be limited to design and delivery of ad hoc training sessions. Capacity development is about a process to create change. The difficulties experienced in bringing change toward enhanced land tenure security for land users, strengthened rights of
women or more effective land administration systems is related not only to lack of knowledge; they also relate to changes in mindsets, perceptions and attitudes toward land in the context of economic development. That is why Capacity development needs for land policy in Africa are to be addressed in a holistic, coordinated and mainstreamed manner. The main advantage of such approach is sustainability of capacity development interventions with limited resources. Finally, participants to the EGM converged to the conclusion that a unified Capacity Development Framework is required to ensure robust, coherent and sustainable capabilities in developing, implementing and monitoring land policy in Africa.

IV - SPECIFIC ELEMENTS OF THE CAPACITY DEVELOPMENT FRAMEWORK: STAKEHOLDERS AND KEY ISSUES

Stakeholders play a major role in land policy development and implementation at all levels. Enhancing their capacity is instrumental in ensuring successful land reform. Dr. Remy Sietchiping from UN-HABITAT, presented specific elements of the Capacity Development Framework focusing on the identification of key stakeholders and Centers of excellence at national, regional and continental levels and clarifying their roles. At national level state actors including Ministries, land dispute tribunals are key players of the land reform process. However, the Government is not the sole actor to be considered in capacity development activities. The private sector, non governmental organisations and research institutions are also key actors to be considered if capacity development is to be a catalyst of change in the land sector. Special reference was made to land professionals as they are both capacity development providers and recipients at country level.

The need to value knowledge generated by experts from civil society organizations in support of land policy reforms for poverty alleviation was underscored. Some of the key issues which require specific attention in capacity development programmes include customary land rights, land use planning, land management, and land taxation. Land and gender, land and governance and land and environment were also highlighted as crosscutting issues which need to be further considered in capacity development programmes.

Input from APRM

On request of participants, APRM made a brief contribution on its role and how this relates to land policy. The Africa Peer Review Mechanism (APRM) is a mechanism by which some 30 countries voluntarily assess their governance issues. The review includes a self assessment on governance issues and an external assessment by peers. During a survey on major governance issues in Africa, land issues were ranked as the third major governance concern for most African countries. APRM is a continental program which aims to ensure that the policies and practices of participating countries conform to the agreed values in the four focus areas of: i) democracy and political governance; ii) economic governance; iii) corporate governance and iv) socio-economic development.
V- THEMATIC WORKING GROUPS, FIRST SESSION: thematic issues

All the above issues related to the preparation of a capacity development framework were unpacked and further discussed in breakout sessions. Participants were gathered in three breakout sessions for thematic discussion: The common format of discussion for all groups was to address capacity development needs, opportunities and stakeholders with regard to thematic issues identified by the facilitators and assigned to each group.

Group 1 discussed issues pertaining to gender, customary land rights and Natural resources and climate change; Participants in the group highlighted the discrepancy between laws and practice: In Madagascar for example, while the law does not discriminate between men and women, the reality is that women are excluded from access to land in practice. Beyond land laws, other sectoral laws (family laws and inheritance laws for example) are of interest when it comes to assessing access of women to land. Sensitizing the public including women, policy makers and other stakeholders should not be underestimated: in most cases, women, rural women in particular ignore their rights to land. There are opportunities to be sized in order to improve women’s access to land. This is the case of the CEDAW (Convention on the Elimination of all forms of Discrimination Against Women) which was signed by most African countries or the AGDI (African Gender Development Index).

Regarding customary land rights, the group reached consensus on the fact that more than 70% of African lands are in practice under customary systems while these customary based land rights are not acknowledged by the law. Therefore the group insisted on the need to enhance capabilities in clarifying and documenting customary based land rights and in changing other laws such as inheritance laws which impact on women’s land rights.

Group 2 discussed issues pertaining to Land fragmentation. Land fragmentation is to be considered as a serious issue in the continent and particularly in certain regions such as North Africa. Therefore, building capacity to address this issue is of critical importance in the continent. In the stage of land policy development the group highlighted the need to provide scientific knowledge in support of determining the minimum/maximum size of land holdings in different agro-ecological zones. At the stage of land policy implementation developing specific laws and regulations on land fragmentation and mainstreaming land use in regional initiative was considered critical. Sensitizing the public on the issue was also considered of importance. Finally, developing M&E tools including setting clear targets and indicators was considered a key requirement. Capacity development interventions are required in all above subject matters. The group brainstormed on key stakeholders and mentioned learning center of interest such as AGRA, IFAD, ICRAF, FAO, NGOs. While national initiatives of interest were identified in Kenya and Egypt, all African countries were encouraged to work on this issue.

Group 3 was assigned to discuss issues pertaining to Land and conflicts. In the framework of land policy development, addressing land conflict issues was considered of high importance by the group. At continental level, land use planning needs to be promoted as a way of reducing conflicts. This includes addressing issues related to borders in the continent as well as developing a framework for the use of common resources; mainstreaming land in
CAADP was also considered a promising direction to go. At country level land taxation was considered a powerful tool to be used in order to encourage productive use of the land. Finally training traditional leaders in Alternative dispute resolution was considered critical in order to impact on reduction of land conflicts.

THEMATIC WORKING GROUPS, SECOND SESSION: initiatives, development partners, roadmap

A second round of break-out sessions took place on second day of the meeting. Using the same format as the day before, the second session of working groups focused on the following issues: i) Existing initiatives; ii) Development partners; iii) Roadmap toward the Capacity development framework

Group 1 identified a number of initiatives in the field of land use planning at continental, regional and national levels. At continental level the following initiatives were mentioned: the AMCHUD (African Ministers Conference on Housing and Urban Development); different land related professional associations such as the African Association of Architects... An important part of regional initiatives relate to arrangements on river basins (Nile basin initiative) or transport planning agreements (Transport planning agreement between SADC countries). However the group discussed regional initiatives of interest in the field of land conflicts. The Intergovernmental Conference for the Great Lake regions was specifically highlighted. Most national initiatives relate to establishment of land commissions, set up specific planning units or programs to support Alternative land dispute resolution through the establishment of National Houses of Chiefs and Land courts.

Group 2 on development partners established a list of key partners working in the field of land. These include UN agencies (FAO, IFAD, UN- Habitat…) but also bilateral partners (e.g. GIZ, SDC, DFID, USAID…). In the field of monitoring and evaluation of land policies, the Land Governance assessment framework (LGAF) initiated by the World Bank was highlighted. Significant Regional initiatives are currently taking place in West Africa (ECOWAS and UEMOA).

Group 3 provided comments on the proposed roadmap for the preparation of the Capacity development framework.

The proposed roadmap for development of the Capacity Development Framework included:
- Preparing/ finalizing the Background paper on Capacity development needs
- Capturing relevant information and analyzing the same from LPI Capacity development stakeholders (needs assessment) and partner institutions/ centers of excellence (supply side analysis)
- Full-fledged capacity development framework with region-specific strategies
- Training package development
- Training on selected themes (pilot) mapping human and institutional resources
- Country profiles and assessments
- Validation workshops.
TOWARD A FRAMEWORK FOR CAPACITY DEVELOPMENT IN AFRICA: OUTLINE

UN Habitat presented a draft outline of the Framework for Capacity Development. The outline is articulated along the 5 following key chapters:

i) Why a Capacity Development Framework for land policy;
ii) What is capacity development for land policy?
iii) How to implement capacity for land policy in Africa?
iv) Capacity development for whom, by whom?
v) Mapping initiatives and partnerships for land policy capacity development.

Based on this outline, the following key challenges for capacity development in Africa were identified:
- the need to build technical capacity to manage the systems;
- inaccessibility of information due to interpretation difficulties; and
- the breakdown of inter-agency information sharing capacities.

The presenter insisted that a capacity development framework necessitates undertaking comprehensive land reviews, peer review, training of relevant personnel in managing information - involving stakeholders and people at the grass-root level, creating awareness on the issue, and establishing a fully fledged capacity development framework with region specific strategies.

From the discussion, the recommended approaches toward the development of the framework are summarized below:
- the background document on Capacity development for land policy in Africa is to be prepared by UN-Habitat;
- EGM participants to update LPI Secretariat with information on capacity needs in their respective countries;
- LPI to organise a writeshop to prepare the draft capacity development framework; and involve universities and learning institutions for peer review (technical validation process);
- LPI to support the introduction of capacity building and training packages for ongoing programs on land administration.

CLOSING

Selected participants were given an opportunity to share their take away thoughts during the plenary session. Ms Susana Maria Nilsson, EU delegation to Africa Union, stated that the Expert Group Meeting is a demonstration of the strength of the Secretariat to bring best minds and diverse skills to pull together the roadmap of the very important initiative. She also underscored that it was interesting to listen to various experiences. She concluded that capacity development in land policy has been addressed in a broader sense.
Ms. Agnes Yawe, civil society organization (PELUM), commended the spirit of LPI for acknowledging the expertise of civil society organizations (CSOs) in the area of land issues. She also encouraged and committed CSOs to provide further inputs into the process. Finally she expressed her happiness to be part of the process.

Mr. Augustine Masinde, Government of Kenya, expressed his gratitude on behalf of representatives of governments. He also expressed appreciation for the dynamic representation of experts during the EGM. He encouraged other governments and committed his government to spare no efforts to make this initiative a success.

Dr. Clarissa Augustinus, UN-Habitat, highlighted the key outputs of the meeting, noted the experts’ contribution in demonstrating how capacity development had constrained progress in Africa, and said the recommendations would strengthen the Framework for Capacity Development in Africa. She also listed a number of “take-home messages” including: moving away from conventional learning methods; the need to build institutional mapping at different levels (national, regional and international); and the need to use the sharing and learning techniques rather than a training approach. According Dr. Augustinus, the fact that land has been identified as a common issue by APRM is a demonstration of the timeliness of this EGM. Finally, she reaffirmed UN-Habitat’s commitment to the land policy initiative.

Dr. Joan Kagwanja, LPI Secretariat, highlighted the symbiotic relationship between the ECA, UN-HABITAT and all EGM participants. She underscored the need to involve all the stakeholders including those at the grass-root level in the formulation of land policies; the importance participants accorded to capacity development; and the need for crosscutting partnerships to strengthen the proposals made on land management policy and planning framework. She called on participants to prepare their governments so that they can support these issues at a country/regional level and emphasized the need to filter these outcomes into national-level policy making.

Dr. Josue Dione, ECA, reiterated UNECA’s support for the LPI. He underscored the value of the action related to capacity development and noted that the efforts are at the core of the implementation of the AU Declaration on Land. He noted that the regional assessment studies and the consultation meetings highlighted the issue of inadequate resources as a key impediment to land policy formulation and implementation. In addition, he stated that capacity needs were identified as important in ensuring member states track progress in addressing land related challenges and achieve intended outcomes. In conclusion, he stated that the Expert Group Meeting organized in partnership with UN-Habitat and the support of the European Union, is a timely and important step towards developing a tool that will be used by the LPI, RECs, Member States and other stakeholders in building capacity training schemes in support of land policy development and implementation.