

MAINSTREAMING LAND GOVERNANCE IN IGAD POLICIES, STRATEGIES AND PROGRAMS

The Strategy: 2017 - 2022

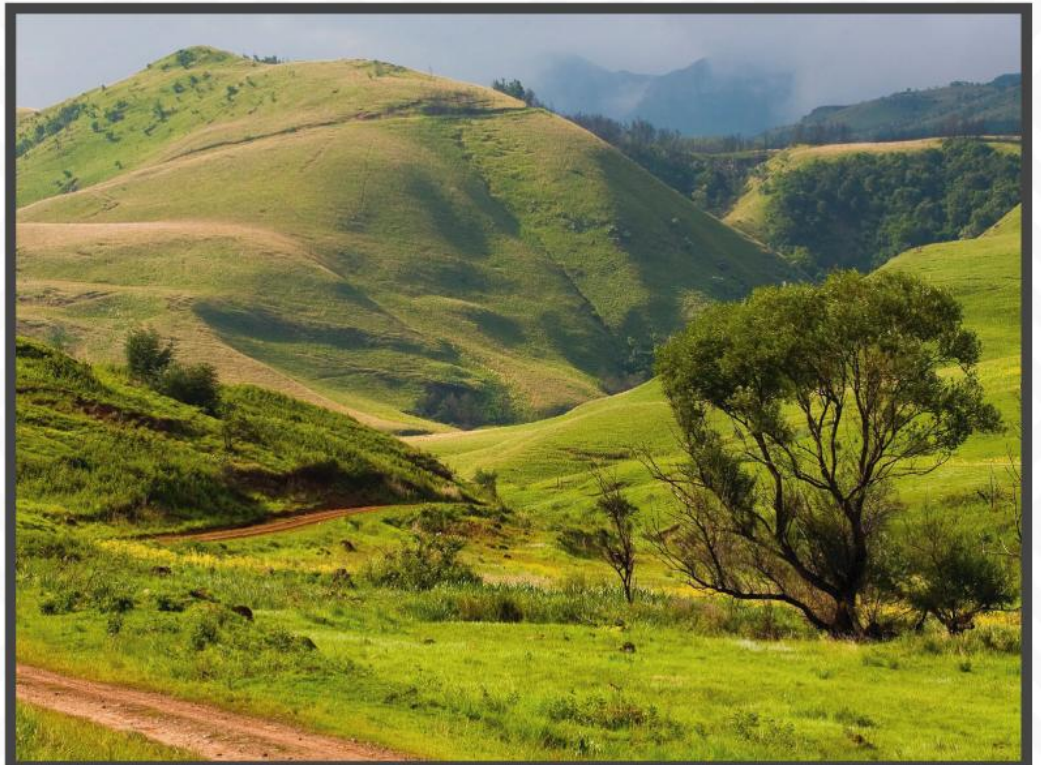


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1.0 LAND GOVERNANCE IN THE IGAD REGION - An Overview

1.1. Introduction

Land is a primary asset for survival and development in Eastern Africa. In most of the countries pastoralism is a major land use owing to the limited amount of arable land - Uganda has the highest proportion of potentially arable land at 70.8%, while Somalia is at 3.8% and Djibouti at 0%.

The countries have different laws governing land as a consequence of their colonial history, diversity of cultural and religious norms, and endowment with natural resources. The region is characterized by political instability. Conflict is a major concern, as Eastern Africa has the largest number of refugees and internally displaced persons (IDPs) on the continent. Desertification, climate variability and climate change are a major concern in this region, a region that has substantial desert mass. Drought and floods pose serious challenges for land management.

Given the centrality of agriculture and natural resources to both the livelihood and economic well-being of people in the region, land in turn has a central role in the operationalization of the cooperation arrangements.

Article 13 of the IGAD constitutive instrument outlining areas of cooperation, proposes to strengthen land resource monitoring systems; harmonize existing national plans of action for marginal lands and dry lands management.

IGAD understands that governance is at the centre of societal development. Policy plays a critical role in guiding the choice-making process, identifying the problems to be addressed, establishing parameters and putting in place structures and institutions. Policy should be designed in close consultation with all stakeholders. Where policies are designed without the informed participation of the target groups, and without taking into account their unique realities, their impact is usually negative. The IGAD land

governance project is designed taking into account the significance of participatory processes in its member states in the development, implementation and tracking progress in the implementation of land policies.

IGAD together with LPI undertook an assessment of the key land issues in the East and the Horn of Africa. The highlighted issues are among those for which the AU Framework and Guidelines on Land Policy in Africa identified and made proposals for policy formulation and implementation. IGAD priorities these issues in the implementation of the AU Declaration on land issues and challenges in Africa.

1.2 Key land issues and challenges in the IGAD region

1.2.1 Legal Pluralism

Most countries in the region have juristic or diffusive plural legal systems governing land. Consequently, multiple sources of property rights coexist. These are broadly categorized as customary and statutory/modern tenure, whereby statutory legal structure and customary practices interface. Very often, this increases uncertainty and confusion when people pursue different ways to legitimize claims to the same parcel of land. In addition, the presence of diverse tenure concepts or laws may create ambiguity. Different sets of rules are applied under different institutions in the same area. Parallel institutions could lead to competition for the same jurisdiction which could fuel conflict.

1.2.2 Land and natural resources degradation

Land and natural resources degradation is a serious problem in the region. While the region contains some of the world's oldest and richest protected areas, a large number of protected areas are under threat from land use change, urbanization and population pressure. Land use change has resulted in deforestation and loss of natural resources.

1.2.3 Land governance and migration

The “refugee” definition does not cover the new range of circumstances under which people are forced to leave their country of origin in search of a destination that will respect their most fundamental human rights. The specter of climate change and environmentally induced displacement are just one aspect of this broader issue of survival migration. People have been forced to flee their country due to a combination of State fragility, livelihood collapse, and environmental disaster. The absence of a clear normative and institutional framework for the protection of non-refugee survival migrants is a challenge for the IGAD region. While environmental displacement, State fragility and increasing threats to livelihoods increasingly interact, a new governance framework to manage this crisis is becoming more crucial.

Very often, societies accept migrants who then enjoy security provided they honour the conditions of their tenure agreements and other social contracts. Their access to land may have no finite time limit even though they might be considered temporary residents. Conflicts may emerge subsequently when circumstances change. For example, in periods of economic downturns or land shortages, the acceptance given to migrants by local communities may be withdrawn. Conflicts may also arise when “outsiders” gain access to a community's land in a manner that does not follow customary rules. The most violent and serious conflicts derive from an explosive mixture of political manipulation of competition for land and challenging of national affiliations against a background of ethnic divisions.

1.2.4 Land tenure insecurity and land administration challenges

Ensuring tenure security for customary land rights in this region is an essential element for sustainable development, given the predominance of customary tenure. In addition, communities whose land has mineral and oil deposits, who border reserve land and those on land earmarked for infrastructure and urban development, also suffer tenure insecurity. Growing populations, declining soil fertility, increasing environmental degradation, climate change, the HIV/AIDS pandemic and new opportunities for agricultural commercialization have all heightened demands and pressure on land resources and caused land conflicts and tenure insecurity. Land and property rights have become the subject of fierce competition and conflict leading to increased tenure insecurity for those who are weak and disadvantaged.

1.2.5 Land and conflict

The inequitable resource access, demographic pressure and resource degradation are key drivers in violent conflict. Conflicts in the region are centered on access to and control over land and valuable ecological resources (including timber, water, productive pastures, minerals and oil). Land conflicts have emerged over the competitive use of land based resources, e.g. pastoralists have land use conflicts with sedentary communities practicing agriculture (Uganda, Somalia and Sudan). Armed conflicts are often both a cause and an effect of land conflicts. In post-conflict situations, the land and shelter needs of returnees (IDPs and refugees) must be carefully managed to avoid further conflicts and violence.

1.2.6 Weak rights of women to land

Gender discrimination in access to and control of land remains a serious impediment to development. One of the most serious obstacles to increasing the agricultural productivity and incomes of rural women is their insecurity in terms of land tenure. Traditional/customary systems that might have protected a woman's access to land

during her lifetime are breaking down under population, economic and environmental pressures.

1.2.7 Food insecurity

Access to land and security of tenure are necessary for people to raise and stabilize their incomes. They are essential prerequisites for diverse land based livelihoods, sustainable agriculture, economic growth, poverty elimination, for achieving power in markets, and enhancing food security among others. The contribution of land to food security is evolving and ever changing, lacking clarity at this point of whether to promote large scale agricultural production or family farming and small holder production as a way forward to guaranteeing food security.

Land is a major support not just for agricultural production, but also for the processing and the marketing of these products. Apart from the statutory systems, different parts of the world have traditional systems for land management and administration. These systems and principles are not always homogenous, and they can be either conducive or prejudicial to effective land management and as such impacting on food security.

1.2.8 Impact of Foreign Direct Investment

The NEPAD initiative is committed to economic growth, development and increased employment, reduction in poverty and inequality and regional integration. It is apparent that growth in the industrial and service sectors in the region. Many countries in the region are now scrambling to attract private investment into these sectors, and capital from the developed world will seek opportunities to supply the foreign direct investment (FDI). It is necessary to handle the implications of FDI drives for land policy carefully in order to protect the livelihoods of the poor and avoid generating political and ideological conflicts around land, and enable real partnerships between the private sector and the region's small holder farmers.

The variety of agricultural forms and participants in the sector requires that the property systems under which land is held and used are clarified. This is crucial not only for small holder farmers, whose access to land is based on customary tenure systems, but also

for commercial investors, whether men or women, some of whom seek to engage in large-scale operations (including extensive irrigation networks). The ability to secure access to land resources through a variety of tenure systems that guarantee returns for short- or long-term investments is important if productivity in agriculture is to improve.

The first steps in the mainstreaming strategy are the assessment of how and why gender differences and inequalities are relevant to the subject under discussion, identifying where there are opportunities to narrow these inequalities and deciding on the approach to be taken.

1.3 Principles of Land governance important for mainstreaming

Land governance refers to “the policies, processes, actors and institutions by which land, property and natural resources are managed through decisions on access to land, land rights, land use, and land development” (FIG/World Bank 2009). The principles of land governance are¹:

- 1. Access to land and natural resources should be equitable.** Given the importance of land for a wide range of economic, social and environmental objectives, no group within society should be legally or politically excluded from being able to access land or related natural resources.
- 2. Security of tenure should be provided to all members of society.** Good governance ensures the legal recognition and protection of a range of land rights, including customary and traditional rights as well as intermediate forms of tenure. Evictions should be avoided wherever possible; where absolutely necessary, they should be carried out according to national law and international standards related to due process and fair and just compensation.

¹Adapted from: FAO and UN-HABITAT, 2009. Towards Improved Land Governance. Land Tenure Working Paper 11.

3. **Specific measures must be taken to ensure access to land for, and the security of land and property rights of women.** A gender perspective on land and property rights must be incorporated at all stages of reform analysis, design, and implementation. Data regarding access to land and security of tenure should be disaggregated by sex.
4. **Decision-making regarding land and natural resources should be transparent and the processes to participate should be open to all members of society.** Good governance places all decisions on land upon respect for fundamental human rights and ensures that all relevant stakeholders are enabled to effectively participate, particularly women and marginalized groups. Land management should be decentralized based on the principle of subsidiarity, that is, decisions taken at the lowest appropriate level and based on accountability. It should build on traditional and informal practices, but strengthened to ensure consistency with other governance principles. Inclusive processes are required to ensure the equitable distribution of benefits from land and related natural resources.
5. **Good governance requires that no one stands above the law, and that politicians, officials, land professionals and other actors are accountable for their actions.** It ensures that rules and procedures are clear, consistent, well understood and applied in a transparent manner. It requires that conflicts are managed effectively and efficiently, including through traditional institutions and through alternative dispute resolution methods so long as they do not contravene other laws such as those for women's rights and poverty reduction.
6. **Effective and efficient land administration should be provided to all members of society.** Services should be responsive to the needs of women and men, including poor women and men and other marginalized communities such as indigenous peoples. Costs of acquiring services should be affordable; procedures clear and simple. Technical solutions should be based on available capacity and technology should be gender-sensitive and pro-poor.
7. **Sustainability should be ensured by taking a long-term perspective. Good governance requires institutional and financial sustainability.** Policy decisions

and administrative action should not compromise the social, economic and environmental needs of future generations.

1.4 Key elements of Land Governance considered for Mainstreaming

According to FAO (2007), land governance can be defined : (i) as “the bundle of rules, rights, policies, processes, institutions, and structures created to manage the use, allocation of, access to, control, ownership, management, and transfer of land and natural resources found on land”; (ii) as “the rules, processes and structures through which decisions are made regarding access to and the use [and transfer] of land, the manner in which those decisions are implemented and the way that conflicting interests in land are managed”. This proposed definition highlights three important dimensions of land governance: (1) institutions, (2) quality of decision-making and the translation into action; and (3) managing conflicting interests, which involves consideration of equity issues (UN-Habitat, 2011).

Formal land governance systems: include state organizations that deal with land such as ministries of land, land registries and cadastral services, and courts. Informal land governance systems include customary (informal) institutions that develop land use rules, allocate land, and resolve disputes related to land. (USAID 2013; UN-Habitat 2008 and 2011; Deininger et al. 2011).

Land Governance can therefore be broken down into the following elements or topics.

1.4.1 Land Tenure

Land tenure refers to the legal regime in which rights in land are assigned to an individual, a group or another entity who is said to "hold" the land. It can also be defined as the political, economic, social, and legal structure that determines how individuals

and groups access and use land and related resources—including trees, minerals, pasture, and water (USAID 2013). Land tenure designates the rights (and the responsibilities) that individuals and communities have with regard to land, which may include the rights to occupy, to use, to develop, to inherit, and to transfer land. Land tenure may be temporary or permanent, exclusive or somehow shared or subject to certain conditions, and more or less secure. Land tenure should thus primarily be viewed as a social relation involving a complex set of rules that governs land use and land ownership which describes the terms under which land rights a

Tenure security is the right of individuals and groups to effective protection by the state against evictions, i.e. under international law, “the permanent or temporary removal against their will of individuals, families and/or communities from the home and/or the land they occupy, without the provision of, and access to, appropriate form of legal or other protection”. Security of tenure can then be defined as “an agreement between an individual or group to land and residential property, which is governed and regulated by a legal and administrative framework. A person or household can be said to have secure tenure when they are protected from involuntary removal from their land or residence by the State, except in exceptional circumstances, and then only by means of a known and agreed legal procedure, which must itself be objective, equally applicable, contestable and independent.” (UN-Habitat, 2004; FAO, 2003).

1.4.2 Land Administration

Land administration describes the processes: (i) of determining, recording and disseminating information about the tenure, value and use of land when implementing land management policies (Land Equity, 2006); (ii) of gathering of revenues from the land through sales, leasing and taxation, and the resolving of conflicts concerning the ownership and use of land. (Dale and McLaughlin, 1999); (iii) of transferring rights in land from one party to another through sale, lease, loan, gift and inheritance; the regulating of land and property development.

The function of a land administration system is to record, maintain and make available information that can create security of tenure and support the land market. (UNECE, 2004).

Land administration functions may be divided into four components: Juridical, regulatory, fiscal, and information management. These functions of land administration may be organized in terms of agencies responsible for surveying and mapping, land registration, and land valuation.

1.4.3 Land Conflicts and Dispute resolution

Land conflicts and land disputes are frequently associated although they do not have exactly the same meaning. If we refer to the usage of these concepts in the literature, we can say that land disputes refer to disagreements between parties about specific aspects of land use or specific land rights, such as boundaries, transfers and legitimate uses, although these may extend to disputes over ownership or property rights. In contrast, land conflicts tend to refer to broader, deeper and more longstanding social conflicts between parties which revolve around their interests in ownership and control of land and how it is to be used or developed.

Land conflicts can be characterized by: (i) the causes of the conflict; (ii) stakeholders and parties involved (including both public and private, and both formal and informal); (iii) the scale and level (plot, neighbourhood, settlements, city or regional levels; national).

These terms designate: (i) the process of resolving or settling claims between parties. Resolution mechanisms may exist through formal court structures, less formal though legally sanctioned procedures, traditional customary mechanisms, or various forms of arbitration (USAID, 2013) and (ii) the settlement of conflict between groups or individuals. The factors determining how societies deal with internal disputes are related to the formal authority structures of courts and written law or traditional authority structures of family, village councils, and leadership figures. The existence of different

mechanisms and bodies for dispute resolution can raise opportunities for specialized fora and rules of procedure for different segments of society and different types of disputes. Dispute resolution may be formal (recognized by law and the state administration system for dispute resolution) or informal (such as community-based adjudication or mediation). Decisions made under informal resolution mechanisms are not always legally binding. (IIED, 2000).

1.4.4 Land use planning and management– rural and urban

Land use is the human use of land. Land use involves the management and modification of natural environment or wilderness into built environment such as fields, pastures, and settlements. It also has been defined as "the arrangements, activities and inputs people undertake in a certain land cover type to produce, change or maintain it". <http://www.definitions.net/definition/land%20use>

The terms "land cover" and "land use" are often confused. Land cover is "the observed physical and biological cover of the earth's land, as vegetation or man-made features." In contrast, land use is "the total of arrangements, activities, and inputs that people undertake in a certain land cover type" (FAO, 1997a; FAO/UNEP, 1999). National categories of land use differ, but many have been harmonized under the influence of FAO's periodical World Census of Agriculture. http://www.ipcc.ch/ipccreports/sres/land_use/index.php?idp=45

Land use planning should be a decision-making process that "facilitates the allocation of land to the uses that provide the greatest sustainable benefits" (Agenda 21, paragraph 10.5). It is based on the socio-economic conditions and expected developments of the population in and around a natural land unit (FAO, 1995). Land use planning is mainly related to rural areas, concentrating on the use of the land in the broadest agricultural context. However, peri-urban areas are also included where they directly impinge on rural areas, through expansion of building construction onto valuable

agricultural land and the consequent modification of land uses in the adjoining rural areas. (ibid).

Land use planning can also be defined as the [process](#) by which [lands](#) are evaluated and assessed to become a basis for [decisions](#) involving land [disposition](#) and [utilization](#). This involves [studies](#) on the [environmental effects](#) of land use and its [impact](#) on the [community](#). <http://www.businessdictionary.com/definition/land-use-regulation.html>

Sustainable Land Management can be defined as “the use of land resources, including soils, water, animals and plants, for the production of goods to meet changing human needs, while simultaneously ensuring the long-term productive potential of these resources and the maintenance of their environmental functions” (UN Earth Summit, 1992). TerrAfrica (2005) has further defined sustainable land management as “the adoption of land use systems that, through appropriate management practices, enables land users to maximize the economic and social benefits from the land while maintaining or enhancing the ecological support functions of the land resources”.

Sustainable Land Management (SLM) is crucial to minimizing land degradation, rehabilitating degraded areas and ensuring the optimal use of land resources for the benefit of present and future generations. It is considered an imperative for sustainable development and plays a key role in harmonizing the complementary, yet historically conflicting goals of production and environment. Thus one of the most important aspects of SLM is this critical merger of agriculture and environment through twin objectives: i) maintaining long term productivity of the ecosystem functions (land, water, biodiversity) and ii) increasing productivity (quality, quantity and diversity) of goods and services, and particularly safe and healthy food. <http://www.fao.org/nr/land/sustainable-land-management/en/>

1.4.5 Valuation, taxation and compensation

Land valuation is the determination of the value of property. Value can have many meanings in real-estate appraisal; the applicable definition depends on the context and

usage. Valuers estimate land and property values with specific procedures that reflect three distinct methods of data analysis: cost, sales comparison, and income capitalization. (ECE, 1996; USAID 2013). Land valuation can be seen as one of the four land administration functions (land tenure, land value, land use, and land development). (Williamson, 2010). Land valuation is tightly linked with land taxation. Land valuation and taxation really work only with an effective, formalized land market.

Taxes on land and property have both fiscal and non-fiscal effects. The revenue such taxes produce is often an important source of finance for local governments. The extent to which those governments have control over property taxes is thus often an important determinant of the extent to which they are able to make autonomous expenditure decisions. The level, design, and control of property taxation are thus, in many countries, critical elements in effective decentralization policy. But property taxes are not always local taxes, and whether they are or are not local, like all taxes they must also be considered from a more general policy perspective. From this perspective, property taxes may be viewed, depending upon one's assumptions, the environment in which they are applied, and their design and effectiveness, as an equitable and efficient way of raising revenue or they may be considered to be a regressive and undesirable form of public finance. Property taxation systems used to generate annual taxes are usually based on one of:

- Rental/annual value
- Existing use/capital value
- Highest and best use/capital value
- Unimproved capital value
- Artificial bases

Compensation is the payment for property taken or adversely affected by another. The payment varies between jurisdictions and may take the form of money, bonds, or exchange with alternative land. Interference with the rights of ownership of land, whether through compulsory acquisition of those rights or through planning restrictions, may result in a total or partial loss of value of the rights on the part of the owner. In most

jurisdictions there are legislative provisions, sometimes enshrined in constitutional guarantees, providing for compensation in respect of such losses. These provisions, the procedures and assumptions that they include, and their relative generosity, vary between jurisdictions.

1.4.6 Public/State land management

Public land is known in some countries as *crown land*. This is land that belongs to the government who owns the title to the land. This land is not owned by a company or individual and the government decides its use. It can sell it to a company for development or it can develop it itself. It is often vacant land and is left vacant unless the government has a good reason to sell it.

State property is property owned by the State. Different regimes adopt different approaches to the identification of state property. The feudal system from which English land law stems identifies the Crown (the personification of the State) as the source of all land ownership, as the ultimate owner of all land. In another sense the State is an owner of land as property in the same way as any other owner, public or private, and will acquire or dispose of land and enjoy the same rights as any other land owner. In a third sense the State's over-riding capacity to control land through, for example, town and country planning, reflects the fact that the rights of the land owner may be limited by the State.

1.4.7 Provision of public information

Land information system is a tool for legal, administrative, and economic decision-making and an aid for planning and development. A land information system consists, on the one hand, of a database containing spatially referenced land related data for a defined area and, on the other, of procedures and techniques for the systematic collection, updating, processing, and distribution of the data. The base of a land information system is a uniform spatial referencing system, which also simplifies the

linking of data within the system with other land-related data. (FAO, 2003, citing FIG, 1991).

Public access to information is a feature of public policy by which each society defines what information, particularly about private citizens and corporate entities, should be available to the public. Public access is an important issue in relation to land information as such information can form a very significant part of decision-making for individuals, corporations and governments. It is an area of rapid development as computer and internet technology increase capabilities to access, distribute and analyze data.

Jurisdictions vary in their approaches to the ownership and protection of data within registries. The UNECE Land Administration Guidelines recommend that laws should contain the following (UNECE, 1996):

- the extent of legal liability for the accuracy of the data;
- the extent of rights of privacy over land and property information;
- who owns the copyright to data within the registers;
- who may have access to data;
- who may alter entries in the registers

1.4.8 Trusteeship over Natural resources management including extractives, oil & gas

A Trust is an arrangement through which property rights are transferred from an individual to one or more trustees to be held for a set of beneficiaries. A trust may be set up to manage property on behalf of minors, or a charitable trust may be established to manage income from property on behalf of a large group of people. (IIED, 2000)

The Public Trust Doctrine is the oldest principle of environmental law, pre-existing all statutory environmental laws across the world. With roots in natural law, the doctrine

springs from public property rights in natural resources recognized since Roman times. The principle speaks to one of the most essential purposes of government: protecting crucial ecology for the continuing survival and welfare of citizens. It designates government as a trustee of natural assets “in which the whole people are interested.” The public, both present and future generations of citizens, stand as the beneficiaries of this trust, holding an enduring common property right in the natural resources comprising the trust res. Both legislatures and agencies are held to a quintessential fiduciary duty to protect the trust assets (the “res”) to sustain future generations of citizen beneficiaries.

The overarching position of the public trust in political and legal traditions around the world reflects the character of the doctrine as a fundamental attribute of sovereignty – a constitutive principle that government cannot shed. Derived from “*inherent and inalienable rights*” that the citizens reserve and retain against their government, the trust remains fundamentally ensconced in the original social contract. Public trust rights are secured, rather than granted, by any constitution. The public trust imposes a “duty to exercise continued supervision” over trust resources even after private rights to such resources have been allocated under statutory law.

1.4.9 Land markets

Land market is the focus where buyers and sellers of interests in land meet. Broadly speaking, the market in land includes a range of possible transactions, such as sales, leases, mortgages, land exchanges, and other temporary transfers. (Bruce, FAO, 2003, USAID 2013). A land market is considered to exist once land is traded as a commodity.

Land markets can be formal or informal, but all markets require an administrative system and established rules of the game. In the land administration discipline, a market is more or less formal according to the level that its activities are serviced by public, authorized systems provided by, or at least organized through, government. There are, of course, many markets that operate beyond government, under the auspices of some local system; some are even illegal. Globally, markets in land and land-related commodities are more likely to be informal than formal (Williamson, 2010).

“It is now accepted that, due to a variety of factors, informality is the predominant characteristic of urban growth and that a majority of urban residents, especially the poor, access property rights through transactions occurring outside state regulation and formal land markets” (Rakodi & Leduka, 2003, cited by Napier, 2010)

Market failure occurs when a market, left to itself, does not allocate resources efficiently.

Because the free market has inherent flaws and is unable to provide some goods efficiently, government interventions, such as subsidies, taxes, quantity controls and the provision of public goods are essential to correct market failures – but also to compensate for market limitations – and achieve more efficient markets. (Napier, 2010).

1.4.10 Gender and land administration

The rules of land tenure reflect the structure of power and beliefs in society. People who are landless or who have weak rights to land are usually those without power. In some societies, women cannot hold rights to land independently of their husbands or male relatives. Their rights are also often different from those of men. “Gender equity in rights to land can increase women’s power in social and political relationships. Providing secure rights to land for women can increase their social and political status, confidence, security and dignity. Land rights often lead to other benefits in society including participation in community decision-making, elections, and other socio-economic activities...Having rights to land may help to empower women in their negotiations with other household members, and with the community and society at large (FAO, 2004).

Evaluating gender equity makes it possible to identify areas of gender equity as well as inequity. Particular attention must be given: to existing legislations with regard to rights to land (e.g. does formal legislation support or limit the rights to land of women and men?); to conflicting relationships between statutory and customary land rights; to registration of land rights in the name of women; to equitable protection of land rights by courts and community tribunals.

1.4.11 Land for investment

Responsible public and private investments are essential to improve wellbeing, food security, human rights and contributes the achievement of broader social, economic and environmental goals. Land governance encourages tenure right holders to make responsible investments that increase sustainable agricultural production, infrastructure development, growth in the tourism industry and sustainable management of the extractive industry thereby generating higher incomes.

Underlying these elements are the following key principles:

a) Transparency and accountability

Transparency: clearly defining and widely publicizing policies, laws and procedures in applicable languages, and widely publicizing decisions in applicable languages and in formats accessible to all.

Accountability: holding individuals, public agencies and non-state actors responsible for their actions and decisions according to the principles of the rule of law.

b) Participation

Participation is the involvement of significant number of persons in institutions or actions which enhance their well-being. This can happen in two dimensions:

- Political participation: Deals with voting rights, advocacy, lobby
- Development participation: involves using local approaches knowledge, and harnessing local resources

Participation means giving more opportunities to people to participate effectively in development activities, and empowering people to mobilize their own capacities, to be

social actors rather than passive subjects. They mobilize and manage the resources, make decisions and control the activities that affect their lives.

c) Equity

Equity means recognizing that equality between individuals may require acknowledging differences between individuals, and taking positive action, including empowerment, in order to promote equitable tenure rights and access to land for all women and men, youth and vulnerable and traditionally marginalized people, within the national context.

3.2 Mainstreaming Land in Poverty Reduction Programmes (*The Framework and Guidelines on Land Policies in Africa (2010) Pg. 15*)

3.2.1 The persistence of poverty in Africa Poverty, which refers to an inability to satisfy basic needs, is widespread in both urban and rural settlements in Africa. Equally distributed and effectively managed, land can be instrumental in eradicating poverty. Securing land tenure, redistributing land, to those in need, improving access to land resources and spreading land related services can also contribute to poverty eradication. This will require a number of specific policy strategies.

3.2.2 Enhancing access to land through tenure reform Provision of secure access to land through various forms of tenure will facilitate economic opportunity and livelihood security for all land users. Tenure reforms accompanied where necessary with programmes of land redistribution will improve access to land and confer security for vulnerable groups, especially women who constitute most of the urban and rural poor. Addressing the issue of tenure security is particularly important if the cycle of dependency and systemic and institutional poverty among these groups is to be broken and if women are to be protected against the tendency towards high risk behaviors especially in times of crises caused by pandemics such as HIV/AIDS and persistent conflicts in Africa. The choice of which tenure systems to adopt will depend on the specific context and production system in operation in each country.

3.2.3 Balancing pro-poor priorities with market orientation Many African countries perceive an apparent contradiction between the pursuit of pro-poor strategies of land development on the one hand and market-driven options on the other. Mainstreaming land issues in poverty reduction strategies requires that these apparently inconsistent objectives be engaged and rationalized. In particular, there is need to ensure that adequate measures are put in place to ensure that increased market-driven policies of land development do not expose vulnerable groups, particularly women, to further marginalization through speculation and costly land rights transfer systems.

2.0 MAINSTREAMING LAND GOVERNANCE – Mandate, Rationale and Principles

2.1 Land Governance Mainstreaming Strategy Mandate

The core values of IGAD, its mandate derived from the AU Declaration on Land Issues and Challenges and the established practice areas continue to commit IGAD to provide for effective mainstreaming of elements of land governance into all areas of policy, programming, and operations. IGAD recognizes the poor land governance-poverty nexus as impacting on strengthening resilience and ending hunger in the IGAD region. IGAD can be proud of pioneering activities in land governance mainstreaming in its programs. The efforts and experiences so far generated in implementing the LPI-IGAD land governance program with the support of the Swiss Development Cooperation(SDC) and the considerable achievements obtained to date provide a solid in-house basis of best practice within the IGAD Secretariat to develop the strategy for mainstreaming land governance in IGAD policies,

strategies and programs.

Analysis IGAD programmes and projects reveals that land governance has not been adequately mainstreamed within IGAD. The Agriculture, Livestock and Fisheries policy makes reference to land governance however no mechanisms for its implementation are elaborated. The IGAD CAADP- Regional Agricultural Investment Plan recognizes land governance as a key constraint to achieving food security. Furthermore, the Natural resources strategy recognizes the centrality of land governance to natural resource management. These provide entry points for mainstreaming land governance in programs.

IDDRSI provides opportunity to integrate land governance I its implementation in a bid to strengthen the region's resilience to the effects of draught. Furthermore opportunity exists to mainstream land into migration, infrastructure development projects, peace and security as well as work on pastoralism.

Human resource capacity on land governance is weak within IGAD. Except for the land expert, there are no adequately trained and skilled persons within IGAD on the subject of land and land governance. Capacity development remains a key entry point for mainstreaming land governance in IGAD.

2.1.1 What does Mainstreaming Land Governance mean for IGAD?

Mainstreaming land governance is the integration of elements of land governance into IGAD's policies, strategies programming and operations to ensure the coherence and sustainability of our mission and practices. Mainstreaming is a strategy towards realizing improved delivery of IGAD programs through integration of land governance in

its programs and those of its member states. It involves the integration of various elements of land governance into the preparation, design, implementation, monitoring and evaluation of policies, regulatory measures and programs with a view to promoting broad social economic goals. This must be executed within the mandate of IGAD within the mandate of IGAD as a Regional Economic community and as stipulated in the AU Declaration on Land Issues and Challenges in Africa.

Mainstreaming land governance refers to the integration of land governance elements and policy considerations into core institutional thinking in IGAD with other policies and related activities, as well as with coordination and harmonization, to ensure policy coherence.

Mainstreaming systematically takes into consideration land governance as early as possible in the decision-making process where decisions can best benefit from opportunities and avoid negative impacts on broader social development outcomes in the region. In this way, mainstreaming can help align policies, programmes and operations with the long-term requirements of sustainable development, help shape development policy content and procedures, and promote a pro-active approach to overall IGAD programming.

The main challenge to mainstreaming land governance is finding a strategic nexus and compatibility between development priorities and land governance, given that reforms and results of land interventions take lengthy periods of time to be realised. Improving the effectiveness of land governance is not easy. Many land-related issues – like landlessness, informal settlements, and the resettlement of people displaced by violent conflicts, natural disasters and climate change – are complex, politically sensitive and massive in scale, and are thus highly resistant to resolution. They often display the following characteristics

Furthermore, different land stakeholders will have a different understanding of the nature, scale and scope of the problem. Each stakeholder holds a piece of the puzzle, but, alone, none can see the complete picture, and because of their differences there may not even be a complete, unified picture. Different stakeholders will emphasize different parts of the problem and therefore propose different solutions. Some proposals

will have unforeseen consequences, including negative impacts on other parts of the system. As such the land governance discourse has often been dismissed as a sovereign states issue and therefore not one of those areas that states should cooperate around. This has led land governance to be branded as controversial and political, not easily tagged to broader development projects and outcomes.

Mainstreaming land governance is, therefore, a policy principle, placing land at the centre of political, cultural, economic and social aspects of decision-making within IGAD. Mainstreaming land governance goes far beyond the mere application of the conventional monitoring and evaluation assessments to being regarded as a key component of an institution's broader sustainable development strategy. Stand-alone land governance initiatives are considered insufficient in addressing issues and challenges in the IGAD region, calling for more integrated approaches.

Effective mainstreaming involves an integration process to pursue land governance and policy interests in coordination with other development policies and programmes. Sustainable development involves integrated approaches in substantive, procedural, and methodological dimensions of programming and execution of mandates.

2.1.2 Mainstreaming land Governance in the context of IGAD's core mandate

Mainstreaming land governance in IGAD involves integrating sustainability objectives into poverty reduction practices, building internal and external capacities, promoting regional strategies, policies and programs for improving land governance and improving the capacity of IGAD to deliver land related programmes to achieve broader socio-economic and human development goals.

Taking stock of mainstreaming land governance involves assessing the extent to which a policy, a programme or an activity may affect or improve land governance,

considering the procedures currently in place within the organization. Mainstreaming land governance is implemented in internal procedures and practices through corporate strategies and policies and related management, programming, and operational process procedures, using specific instruments and in-house capacity. Mainstreaming implementation is monitored and evaluated with the help of verifiable indicators using management reporting tools.

In 2015, IGAD adopted its current Regional Strategy 2016-2020 and an Implementation Plan. In the Strategy, the vision statement is for IGAD to be the premier Regional Economic Community (REC) for achieving peace and sustainable development in the region. The mission statement is to promote regional cooperation and integration to add value to Member States' efforts in achieving peace, security and prosperity.

The four pillars of the IGAD Regional Strategy include:

Pillar 1: Agriculture, Natural Resources and Environment,

Pillar 2: Economic Co-operation and Integration and Social Development

Pillar 3: Peace and Security

Pillar 4: Corporate Development Services

The IGAD Strategy has four core strategic interventions, namely:

- Appropriate development policies (promoting compatible policies in the IGAD priority areas, and developing strategies and concepts of regional relevance);
- Development information and knowledge sharing (recognizing information as a strategic resource, which when appropriately tapped and shared can accelerate sustainable development for the region);
- Capacity development (transfer of the skills the IGAD Secretariat had acquired to member states, and building the capacity of the Secretariat); and
- Research, science and technology agendas (recognized that technology is a key to development and all IGAD countries were making every effort to generate and adapt new technologies to improve agricultural production, natural resources

management and environmental protection among others). Efforts have also been made to link the strategy with other IGAD strategies and processes such as – those of environment and natural resources, food security, gender, peace and security and the Environment Outlook, among others. In addition, the strategy is significantly influenced by regional and international development processes, like the AU Declaration on Land Issues and Challenges in Africa, and the Framework and Guidelines on Land Policy in Africa. These strategies offer potential entry points for mainstreaming land governance.

The IGAD land governance strategy expounds on how the four core strategic interventions will be addressed

2.2 Rationale for and objectives of mainstreaming land governance

IGAD seeks to ensure that land is managed based on the principles of sustainable development so that it maintains its capacity for supporting human life and development, food security, peace and security, social progress and inclusive economic growth.

For mainstreaming land governance to happen within IGAD, senior management and technical officers need to understand the importance of addressing land issues within programmes and projects. Awareness and in-house short course trainings need to be offered to the technical staff in Djibouti, Ethiopia, Kenya, Somalia and those based in Khartoum. Financial and human resources needs to be mobilized for this purpose.

The next step would be to create awareness among all the organs of IGAD including Heads of State Summit, Council of Ministers and Committee of ambassadors. This organs will influence resource mobilization from donors and their respective governments.

There can be no sustainable social progress or expansion of economic activity in the IGAD region unless land governance is improved to support peaceful existence of its community, food security and investment. In recognition of this interdependence, IGAD has drafted this Mainstreaming Land governance in IGAD Strategy to ensure that land governance will be integrated fully into policies, programming, and operations.

2.2.1 Overall goal for Mainstreaming Land governance in IGAD programs

To integrate land governance in IGAD's overall strategy, sectoral strategies, implementation plans and operations for food security, sustainable development, and peace & security.

Objectives for mainstreaming land governance in IGAD programs

Objective1. To ensure that the analysis of issues and the formulation of policy options are informed by land governance considerations relevant to the subject at hand;

This is in a bid to make specific land governance concerns and experiences in IGAD region an integral dimension of the design, implementation, monitoring and evaluation of policies, strategies and programmes in all political, economic and societal spheres

Objective 2: To seek opportunities to narrow the inequality gap in the IGAD region using land as an engine for growth and development.

2.3 Principles for Mainstreaming land governance in policies, strategies and programs

1: COMMIT to Land Governance Principles.

Be strategic when addressing land governance. Institutional commitments to address land governance are demonstrated by senior management leadership, explicit strategic priorities, policy commitments and targets, which allow for the integration of elements of land governance in the different programs and strategies.

Mainstreaming land governance requires regular expressions of commitment and support from the top, providing clear language and unequivocal support, and setting priorities for the organisation; Such commitment and support is necessary to secure adequate financial resources, and as a backdrop to the establishment of effective internal routines and information systems.

2: MANAGE context specific land governance challenges.

Assess your portfolio, pipeline and new policies, strategies and programs. Work with stakeholders to determine appropriate measures to addressing the land governance challenges a particular program may be faced with. This work needs staff with very good communication skills who carry land governance thinking and messaging into other units on IGAD.

3: PROMOTE appropriate and relevant land governance objectives and approaches.

Promote approaches to generating instruments, tools and knowledge on how best to overcome risks and barriers associated with poor land governance that may impact on

project or program progress. Engage stakeholders and share lessons of experience to help further mainstream relevant elements of land governance into activities.

4: IMPROVE performance on improving land governance.

Set up operational tools to improve land governance activities. Develop tracking and monitoring indicators tied to land governance priorities, including the indicators monitoring the AU Declaration on land issues and challenges in Africa, Agenda 2030 and the VGGT. This requires a strong team working on land governance, in order to:

- provide core competence and expertise, as well as institutional memory,
- maintaining strong contacts between all units, stimulate and facilitate information exchanges, operational learning and training, and peer reviews (maintaining the knowledge network),
- evaluate experience, document and disseminate best practice, and fulfil core reporting requirements, and
- act as contact point for similar units in other regional bodies for learning and experience sharing;

5: Be TRANSPARENT and report

Wherever possible, on the performance of IGAD in improving land governance, transparency and accountability is central. Be transparent and report, wherever possible, on how the institution is addressing land governance challenges and supporting member states.

2.4 Preconditions for Mainstreaming Land Governance in Ongoing Policies, Strategies and Programs

1. Preparation for mainstreaming

It is important to plan for the implementation of mainstreaming land governance. Through this defining the key steps, milestones, the assigning of tasks and responsibilities to various stakeholders based on function and mandate and what it would take to formalize and communicate the plan to the relevant department or program in IGAD is key.

2. Resources

For mainstreaming to happen, there is need for adequate resources to be made available in terms of budget and time. The key areas that require resources are – awareness raising and capacity building initiatives.

3. Stakeholder involvement

The significance of the organs of IGAD to take on board the concerns, expectations and views from Member States and IGAD Secretariat in respect of land governance must be interrogated based on their functions. It is important to assess the current opportunities that exist within these organs and to engage these stakeholders throughout the process of mainstreaming land governance in IGAD policies, strategies and programs.

4. Monitoring and Evaluation

Accountability mechanisms to ensure adequate follow up of implementation and progress towards mainstreaming land governance are critical. The accountability mechanisms must be development in line with the commitments and obligations assigned under the AU Declaration on Land Issues and Challenges in Africa.

5. Knowledge Generation

Building up knowledge on land governance taking into account the existing good/best practices in mainstreaming land governance in IGAD programs contributes to making the approaches to mainstreaming land governance more effective. Collection of data and information on land indicators and reporting of progress contributes to institutional learning and facilitates experience exchange within IGAD.

6. Land Governance Expertise

An analysis of existing internal expertise within IGAD Secretariat itself and then its Member States as a region and how much external expertise is required to achieve mainstreaming of land governance in IGAD programs is necessary.

3.0 MAINSTREAMING APPROACHES

This mainstreaming strategy is implemented in somewhat different ways in relation to activities such as research, policy development, policy analysis, programme delivery, or technical assistance activities. The opportunities and processes are different for each area of work. The mainstreaming strategy must be adapted to the particular subject under discussion. The analytic approach and questions asked must be appropriate to the specific concerns being addressed. There is no set formula or blueprint that can be applied in every context. However, what is common to mainstreaming is that a concern land governance is brought into the '*mainstream*' of activities rather than dealt with as an 'add-on.' Three key approaches are proposed for mainstreaming land governance is IGAD policies, strategies and programs:

- a) analytical approaches
- b) Integrating elements of land governance in procedures and work processes
- c) management leadership

3.1 Applying analytical approaches to policies, strategies and programs

Analytic approaches ensure that societal differences and inequalities are among the factors considered in assessing trends, problems, and possible land related policy and strategy outcomes.

The aim of this is to develop context specific land governance overviews based on IGAD's thematic areas as a means of incorporating elements of land governance into the different strategy papers, programmes and projects during their formulation. It is

based on multi-stakeholder, participatory procedures at the earliest stages of policy, strategy and programme formulation in order to systematically integrate relevant elements of land governance.

The steps that can be applied are:

1 Problem assessment by stakeholders

Start the mainstreaming process with a diagnosis of the current state of mainstreaming land governance, identifying and defining the specific land governance problems or challenges that need to be addressed. Each problem needs to be discussed with a wide range of stakeholders to understand its fundamental drivers and what action is required.

2. Identify elements of land governance to be mainstreamed

This depends on the problems identified which might be context or issue specific. Any of these might affect achievement of specific objectives and/or present potentials which are being ignored by development policy and activities of IGAD.

3. Identify sectors and institutional objectives into which elements of land governance are to be mainstreamed

This also depends on the problem identified. It may require targeting a particular department, unit or program such as agriculture, peace and security or social development; a particular development challenge such as food security or climate change adaptation; or a broader economic development or poverty reduction strategy. It might entail working with international agencies, government agencies, civil society and private sector organizations.

4. Identify desired land governance development outcomes

What linked improvements in both land governance and development have most potential? These mainstreaming outcomes range from revised policies, plans, budgets or other decisions to behavioral, institutional, capacity and actions in the field. Specific examples include harmonized regional land policy framework, Regional land use

planning to meet developmental needs, strengthen community resilience, achieve food security, and reduce migration and reduce resource based conflicts.

5. Shape a communication strategy for promoting mainstreaming of land governance

Effective communication is essential for bringing about the changes in policy, norms and behaviour that are required for mainstreaming land governance. There must be strong communication throughout the mainstreaming stages; it is vital during problem articulation, stakeholder engagement and business case development. It is important to identify who needs to change, what behaviors need to change, and what decisions, methods and instruments best bring about these changes.

6. Identify and engage stakeholders who might support or undermine progress towards desired outcomes from mainstreaming land governance

This involves initial discussions about associated institutional, governance and capacity changes required to achieve desired outcomes, in order to identify who should be engaged. Stakeholder analysis and power mapping and a simple matrix can guide initial thoughts on who might be for and against the desired outcome and who might have the ability to influence the outcome. Engage the stakeholders with the most influence, whether for or against the desired outcome.

7. Identify enabling factors for mainstreaming land governance

Existing enabling factors that need to be worked with might include:

- Political will and leadership
- Media and public perception and awareness of importance of improved land governance in IGAD
- Inter-sectoral coordination
- Transparent, accountable and inclusive land governance
- Stakeholder participation, and

- Availability of funding.

Absent factors should inform what you choose to do at step 8.

8. Identify approaches to achieve land governance and development outcomes

Various approaches may be needed. Some of these are tools to make a business case. Others are tools to enable the necessary policy and strategy development. Certain approaches can help to bring about the required reforms, such as partnerships to implement land governance programs, regional land use planning and inclusive land based investments. The latter may include revenue-sharing mechanisms.

9. Develop a business case that persuades the stakeholders who need convincing

A business case needs to be as specific as possible and to give evidence of direct benefits from strategies. Staff, donors and the relevant stakeholders should be incentivized to integrate land governance in programming. A good business case is key to influencing powerful but difficult-to-convince stakeholders.

Then build on the enabling opportunities identified above such as political will, availability of adequate funds and cross-departmental dialogue processes.

10. Develop a monitoring and evaluation (M&E) system for mainstreaming land governance

A proper M&E system needs to be in place to guide the mainstreaming process and assess its success. M&E should focus on the approach, enabling factors and outcomes. The lessons learnt through the M&E process can help fuel a process of continuous improvement and provide valuable experience to share with others. It is good practice to get your plans for mainstreaming peer reviewed by people who are doing the same thing in another department or unit. They will be able to share what has worked well or not so well for them.

3.2 Integrating elements of land governance in procedures and work processes

Procedures and work processes should ensure that there is attention to land governance issues at critical decision-making steps of normal work routines, such as those related to capacity development, sectoral policy and strategy development, establishing expert groups, commissioning research, planning technical assistance activities, etc. The following approaches are key:

3.2.1 Integrating land governance into operational planning and strategies

It is important to ask the following questions in planning operations:

- What measures for implementing elements of land governance need to be reflected in objectives, outputs activities, inputs, indicators, risks, management arrangements,
- What prior obligations with regard to land governance exist?
- Which elements of land governance should objectives, specific outputs and related activities reflect?
- Can existing inputs (personnel and materials) be used?
- How will monitoring be undertaken as a contribution to the broader social,

economic and environmental development goals?

- What are the external risks that should be borne in mind?
- How do management arrangements and prior obligations take land governance into account?

3.2.2 Capacity development within IGAD

Significant efforts with respect to human resource capacity in land governance is important.

The form of capacity development that is most needed is competence development. Competence development” refers to the efforts to assist staff to *understand* how land governance is relevant to their responsibilities and to *identify practical ways* that individuals and divisions can act on that understanding. Competence development aims to clarify concepts and analytic approaches, but also to result in some concrete outputs. In particular, the approach centers on the mandate and professional responsibilities of particular work units, considering the issues they deal with and the practical opportunities for strengthening their outputs and impacts through integrating relevant elements of land governance. The target group for this approach to competence development is all staff with responsibility for analysis, decision-making procedures, and management.

The aim of capacity development is to stimulate dialogue on elements of land governance relevant to specific work units and engaging the staff in a process tailored to their specific subject and work methods, and identifying feasible next steps by individuals within their mandates to integrate land governance in their strategies, programs and activities.

3.2.2.1 Main characteristics of a competence development approach to mainstreaming land governance in IGAD.

There are four major characteristics of this approach.

1. Practical and work-related, focusing on issues and work processes rather than teaching of techniques.

The point of departure is the day-to-day work of staff rather than analytical frameworks.

Staff often have difficulties translating general analytical frameworks for use in their own work, particularly for analytic work related to policy analysis and formulation. For staff who have not worked on land governance, or are skeptical of its value to their work, such analytical frameworks are not a useful or persuasive starting point for discussion. Thus the approach to competence development is to use discussions and exercises based on the issues and tasks on which the staff currently work as a means of generating insights about “how and why” land governance is relevant in their current work.

2. Specifically tailored to the issues and needs of each unit or division.

The way in which elements of land governance are relevant will vary with the particular role and subject matter of a particular work unit and the professional responsibilities of the staff. Discussion sessions and problem-solving exercises that are situated in the particular context in which staff find their current work challenges is more likely to engage the staff and stimulate thinking on practical follow-up possible than a more generic training programme. This requires a programme structure in which there is a

preliminary step that allows for discussion between facilitators and each participating division to clarify the nature of the work done, experience in incorporating land governance if any, gaps and constraints, etc. in order to prepare appropriate materials for a constructive training program.

3. Use of participatory methods to draw on the experience of staff.

A participatory approach that engages staff in thinking through issues and opportunities is particularly important for adult learning. This requires the preparation of discussion sessions and problem-solving exercises that allow staff to work through the meaning of new concepts and their practical implications (rather than the use of lectures). The programme must allow time for discussion among participants, and the use of mechanisms such as small groups to encourage the exchange of ideas on emerging issues and problem-solving.

4. Capacity Development should be conceived as a “process” rather than an “event.”

Training and staff development are often approached as an event – an activity is scheduled and a programme delivered. By contrast, the approach here is to develop a programme that consists of several steps – a preliminary step to begin the discussion and develop a relationship with a division, follow-up with a workshop specifically designed to address the issues, gaps and concerns identified, and then feedback that the division can use in its own follow-up efforts. An important element of the programme with each division is that participants identify the follow-up steps that the division will take to further explore issues and opportunities and to implement the insights gained.

Management and staff must take this further for there to be tangible results, and therefore the competence development programme must be seen as a step in an

internal process of capacity development. This means that internal leadership for the programme and for follow-up must be considered when planning the programme itself.

3.2.2.2 Important features of staff capacity development.

a) Targeted to staff working on substantive issues.

As the aim of competence development is to strengthen analytic approaches to land governance issues in the professional work of IGAD, the target group is staff working on substantive programmes. The approach deliberately excludes general services staff. Achieving results through the approach outlined above requires discussions among colleagues engaged in similar types of analyses and doing similar types of work. Addressing the role and contributions of support staff would require different discussions and exercises, which would be most productively pursued in separate activities, at least at the initial stages of competence development for mainstreaming land governance.

b) Does not address issues of gender balance.

The programme is concerned with the outputs for which IGAD is responsible, and not equal opportunities or gender balance among staff. It also does not deal with issues of organizational change or management culture. While these may be important issues in themselves, and relevant to the environment for mainstreaming land governance, they must be dealt with separately.

3.2.3 Improving mainstreaming tools and facilitating their effective implementation

Actions need to be taken at levels of corporate policies, procedures and culture in order to influence policies, strategies and day-to-day practices to integrate land governance. Therefore, mainstreaming land governance will only receive its legitimacy by being perceived as the responsibility of all individuals units and divisions rather than being associated with any one unit within the organization. In this regard, mainstreaming land governance is based on existing functions and procedures of an organization, rather than create new ones. Therefore, the existing tools whether policies, strategies, implementation manuals or plans need to be constantly improved to integrate relevant elements of land governance to each Division, unit or program. Some of the approaches to do this are:

- The improving the programming approach ensures that appropriate attention is paid to elements of land governance that are impacting on project progress or that could amplify project results;
- It is important as part of the Program Planning and Management Unit consideration is given to providing programming guidance as an interactive process that creates opportunity annually for the mainstreaming of land governance into IGAD programs.
- IGAD's Strategic Results Framework should clearly map out elements of land governance in relevant programs of IGAD.

3.3 Management leadership

Support to Mainstreaming land governance

Management leadership ensures that management takes an active role in providing guidance to staff about objectives and responsibilities for mainstreaming land governance, and provides a conducive and supportive environment for staff to explore issues and approaches applicable to their own work and mandates.

Mainstreaming land governance must be based on an understanding of the motivating forces operating within an organization as well as the constraints that these forces place on the process. Management therefore plays a key role in unplugging any bottlenecks that might be experienced in the process of mainstreaming land governance.

3.1.2 Integrating land issues into decision making processes (The Framework and Guidelines on Land Policies in Africa (2010) Pg. 14)

Further policy making processes should promote holistic approaches instead of the tendency to pursue sector specific paths or foci to policy development with little or no co-ordination or harmonization with other sectors and crosscutting policies. This would entail ensuring that all necessary linkages within and contributions of land related issues to other development processes are accounted for.

The integration of land policy with natural resource management strategies and poverty reduction programmes would be of particular – but not exclusive – importance in this regard.

3.3.1 Key entry points for management support to mainstreaming land governance in IGAD policies, strategies and programs

3.3.1.1 IGAD strategies and policies

To be effective the broader management system as well as the business planning process must integrate relevant elements of land governance. In addition, a precondition to the success of this mainstreaming strategy is the involvement of all parts of the organization, with particular attention from senior management.

- **Policy Statements:** Mainstreaming land governance in IGAD may require a clear public endorsement and ratification of a strong policy statement by IGAD's most senior management that identifies its overall goals and objectives. It also requires an active commitment for follow up and implementation.
- **Management:** The implementation of the IGAD M&E system will support the management in understanding how far land governance has been mainstreamed within IGAD policies, strategies and programs. The M&E system has considerable impact on IGAD's operations, including opportunities for a further consolidation of functions and mandates relating land governance.

3.3.1.2 Programming guidance

Mainstreaming land governance implies that land governance objectives must be synergized with social, economic and environmental objectives reflected in IGAD programmes. Internal dialogue between management and staff needs to be promoted to influence staff to integrate land governance in their policies, strategies, programs and budgets. IGAD management could environmental mainstreaming land governance in IGAD programs institution wide. As regards to the integration of elements of land governance into practice areas activities it is important for management to work with program managers to identify priority areas of intervention and support fundraising efforts for their implementation.

3.3.1.3 Operational processes

Land governance needs to be integrated into IGAD's action planning for operational processes as experience has shown that plans quickly move out of date and are best managed in efforts of continual improvements. It is critical for IGAD's senior management to encourage staff whose portfolios bear relevance to land governance to set their own targets and indicators of success.

3.3.1.4 Monitoring, evaluation and reporting

IGAD's reporting activities on progress made vis-à-vis this mainstreaming land governance strategy needs to be strengthened over time. Reporting tools that better reflect IGAD's management role in advocating for Mainstreaming land governance and the accruing benefits need to be developed and reinforced.

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LAND POLICY INITIATIVE

MAINSTREAMING LAND GOVERNANCE IN IGAD POLICIES, STRATEGIES AND PROGRAMS

The Strategy: 2017 - 2022



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