



LAND POLICY INITIATIVE

Terms of Reference

Mainstreaming Land in the Programs of the Core Tripartite Partners of the Land Policy Initiatives: African Union Commission (AUC), Economic Commission for Africa (ECA), African Development Bank (AfDB)

1. Background

The Land Policy Initiative (LPI) was established in 2006 as a joint initiative of the African Union Commission (AUC), the Economic Commission for Africa (ECA) and the African Development Bank (AfDB). In its first phase (2006-2009) the LPI was successful in developing a *Framework and Guidelines (F&G) on Land Policy in Africa*, with a view to facilitating national land policy development and implementation processes. The Framework & Guideline, which was developed through a rigorous roadmap of activities, including regional assessments and consultations on land policy, was adopted by the African Ministers responsible for land in Addis Ababa, Ethiopia, in April 2009. They were further endorsed by the highest level of African governance—the AU Heads of States and Governments, through a *Declaration on Land Issues and challenges in Africa*, during the 13th Assembly of the African Union in Sirte, Libya, in July 2009. The launch of the implementation of the Declaration marked the beginning of the second phase of the LPI, at the Conference of Ministers of Agriculture in Lilongwe Malawi in October, 2010.

For its second phase, the goal of LPI is to assist member states in the implementation of the *Declaration on land issues and challenges in Africa*, in accordance with the *Framework and Guidelines on Land Policy in Africa* in order to achieve socio-economic development, peace and security, and environmental sustainability. In this regard, the specific objectives of the LPI are to:

- Advocate for the inclusion of land in the development agenda, strategies and programmes of African tri-partite organizations, Regional Economic Communities, African Member States and development partners
- Facilitate dialogue on land related issues with a view to raising awareness on the importance of addressing challenges that hamper the appropriate utilization of land towards Africa's socio-economic development, peace and security and environmental sustainability
- Coordinate and galvanize the efforts of partners towards effective synergies and partnerships for the implementation of the African agenda on Land Policy, as stated in the Declaration
- Facilitate capacity building at all levels in support of land policy development and implementation in Africa

- Promote networking and knowledge sharing at all levels in order to promote evidence-based land formulation and implementation
- Develop and build capacity for monitoring and evaluation tools and systems in support of land policy development and implementation
- Provide technical support and advisory services to RECs and members states on land policy development and implementation
- Facilitate resource mobilization in support of land policy related research, advocacy, capacity building, technical support and advisory services

2. Why Mainstream land in the Programs of the AUC, ECA and AfDB?

This consultancy on mainstreaming land issues in the agenda of the tripartite partners of the LPI: AUC, ECA and AfDB, will support the LPI secretariat in its quest to accomplish the first objective. Mainstreaming land in the programs and initiatives of the AUC, ECA, AfDB is a critical step towards enhanced knowledge and increased capacities in these institutions in order to facilitate their assistance to member states in accordance with their own mandates.

2.1 AUC

As the lead institution, the AUC has been instrumental in spearheading the work of the LPI, ensuring political buy-in at the regional and continental levels for policy development and implementation. In turn, the Heads of States and Governments mandated the AUC to lead in the implementation of the Declaration of Land Issues and Challenges. This calls for the Commission to examine ways of strengthening its own programs in the area of land, and building its internal expertise and capacities in this regard. This proposed examination and review of how land is addressed in the programs of the divisions of the AUC is a critical first step which will help identify ways to better mainstream the issue of land in these programs. It is expected that the outcome of the consultancy will provide concrete recommendations on how to address land in the context of AUC departments and programs. The Department of Rural Economy and Agriculture (DREA) has been the focal division for the LPI, and has made efforts to mainstream land in the areas of Agriculture, rural economy, and environment and climate change. The consultant will reflect further on how to better mainstream land in DREA, with a view to further enhancing its success in implementing its programs. In the area of Peace and Security, the consultant is expected to examine the commission's work on the conflict management division which aims to support efforts to prevent, manage and resolve conflicts, majority of which are land-related. In this regard, linkages to the current AU Border Programme (AUPB) and the implementation of the AU Policy Framework on Post-Conflict Reconstruction and development (PCRD) are most relevant. Similarly, the consultant will take note of demonstrable linkages between land and the work of other AU departments, including the Department of Political Affairs (e.g. democracy, governance and human rights; refugees and IDPs); Trade and Industry (e.g. land in the context of regional integration and trade promotion); Economic Affairs (e.g. regional cooperation; promoting private sector development); the gender directorate (e.g. equality with regard to access to resources); as well as all other departments.

2.2 ECA

ECA has been instrumental in providing technical assistance in the development Framework & Guidelines, and resource mobilization for the LPI. As the focal LPI division from ECA, the Food Security and Sustainable Development Division (FSSDD) has interest in ensuring that land is well mainstreamed in its program, especially since land is central to the lives of millions of Africans who reside in rural areas engaged in agriculture. The success of FSSDD work focused on increasing agricultural productivity and value chain development; as well as that focused on environmental protection and climate change adaptation, rely on successful land rights delivery, hence the need for careful examination of core linkages of these sub-areas to land and the work of the LPI. Other programs areas of ECA would equally benefit from an examination of land linkages and mainstreaming of land, including: Gender (e.g. improving access to land as a means of increased gender equality)) Economic Development and NEPAD Division (e.g. cost-effective land delivery to reduce the cost of doing business and promote FDI); Governance Policy and Administration (e.g. linking to the APRM to promote consultative land policy processes and review); STD (enhancing Land Information Systems to facilitate inclusive, transparent and cost effective land rights delivery) RCID (e.g. demystifying the role of land in the context of regional protocols to promote the African Common Market); as well as the work of ECA sub-regional offices (increased capacity of RECs in land policy development and implementation)

2.3 AfDB

Land is linked to the work of the African Development Bank in almost all its areas of intervention, especially Agriculture, environment, climate change, gender and private sector development. In addition to playing a critical role in the development of the Framework and Guidelines during the first phase of the LPU, the AfDB worked closely with the LPI secretariat in 2011, examining the issue of large scale land based investments (LSLBI) in Africa, including foreign direct investments (FDI) in agriculture. The outcome two high-level dialogue fora (Lisbon and Nairobi in 2011) was the Nairobi Action Plan on LSLBI which calls for urgent guidance and support to African Member states and other stakeholders in negotiating land deals that benefit national governments and local communities even as they secure property for investors. The AfDB will partner with the LPI in the implementation of the Nairobi Action plan, which includes the development of principles and guidelines on LSLBI; and developing an M&E framework for tracking impacts of LSLBI; and capacity building for equitable, efficient and profitable LSLBI deals. Examining ways to better mainstream land issues in the programs of AfDB will enhance these programs outcomes and impacts on Africa's development.

3. Objective

Review the programs of the AUC, ECA and AfDB and identify entry points for the inclusion of land related issues in order to ensure that land related challenges are adequately addressed for the successful implementation of these programs, to achieve socio-economic development, environmental sustainability, peace and security as per institutional mandates.

4. Main tasks

1. Reviews the programs and initiatives of the AUC, ECA, AfDB and identify the linkages between land and these programs, in particular highlighting:
 - a. How current and emerging land related challenges affect the successful implementation of these programs;
 - b. Ways in which the organization is already addressing these challenges –including the potential contribution of current programs and initiatives to resolving land related challenges;
 - c. Program related gaps that exist in addressing land challenges within the programs and initiatives of these organizations;
 - d. Knowledge and Capacity needs of managers and staff as well as resource caps in mainstreaming and addressing land issues in the context of their programs.
2. Identifies entry points and provides concrete recommendations for mainstreaming land in the programs and initiatives of the organisations;
3. Provides recommendations on potential synergies and areas of possible collaboration with the LPI---e.g. joint activities to be undertaken between the LPI and specific departments within the three organizations;
4. Provides recommendations on awareness raising and training programs for managers and staff of the three organizations on mainstreaming and addressing land related issues in their programs;
5. Prepares a draft background document based the review, identification of entry points and recommendations for future programming to mainstream land in the programs of the AUC, ECA and AfDB;
6. Finalizes the document based on comments and suggestions of a review team comprising of senior managers and staff of the three organizations and the LPI advisory panel;
7. Prepares policy briefs (3) for advocacy among governing bodies of the three institutions, partners and others for the inclusion of land the context of programmes of AU, ECA, AfDB;
8. Prepares presentation slides and talking points to facilitate advocacy for the mainstreaming of land in the programs of the AUC, ECA and AfDB--- to be used by managers and senior staff;
9. Prepares material for brochures and bookmarks highlighting linkages between land and the programs of the AUC, ECA and AfDB.

5. Methodology

The methodology will include:

- An inception meeting of consultant with LPI focal persons, secretariat staff and senior managers/staff of AUC, ECA and AfDB to gain a common understanding of the objectives

and expected outputs as well as garner buy-in on the potential outcomes and recommendations of the study;

- Desk review of the main documents on the mandates, initiatives, programs and work plans of the three organizations;
- Face-to-face and telephone interviews with senior management and staff, and selected stakeholders of the three organisations to garner their views of potential linkages land and their programs; and to identify gaps in knowledge and capacities in addressing land related issues and challenges.

6. Main Outputs

- Background papers (3 each) providing a review of linkages between land and the Programs of the AUC, AfDB and ECA, identifying entry points and providing concrete recommendations for mainstreaming land in order to enhance the successful implementation of programs and initiatives of these LPI core partner organisations in support of Africa's socio-economic development, environmental sustainability, and peace and security. Each paper should be approximately 25 pages but may additional contain annexes.
- Policy Briefs (3) for advocacy among governing bodies and others for the inclusion of land the context of programmes of AU, ECA, AfDB.
- Presentation slides and talking points to facilitate advocacy for the mainstreaming of land in the programs of the AUC, ECA and AfDB--- to be used by managers and senior staff.
- Preparation of brochures and bookmarks highlighting linkages between land and the programs of the AUC, ECA and AfDB.

7. Timeline

The consultancy assignment will take **45** days, spread over a three-month period.

8. Reporting

The Consultant will work under the overall guidance and supervision of Chief of the LPI, Dr. Joan C. Kagwanja.

9. Consultancy fees

The honorarium and other payments are as indicated in the contract.