

Toward a Land policy observatory in West Africa

Potential roles in contributing to
land policy processes

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Contextualising land in West Africa

- Ecological diversity:
 - Sahel area : agro-pastoralism
 - Coastal area: plantation economy (palm oil; cocoa; rubber tree...)
- History
 - Pre-colonial history
 - Prestigious empires around 8th-13th century (Ghana; Mossi;Mali)
 - Arabic domination/influence (15th- 16th century)
 - European colonial conquest (late 19th century)
 - English, French, Portuguese, German, Islamic, Customary
 - Consequences on land
- Economic political background
 - relatively poor countries, dependent on agriculture
 - Political instability & crisis
 - The Mano river crises/ The Sahel crisis
- Importance of land
 - Culture, livelihood
 - Sound land policies a prerequisite for development
 - Interest for land observatories (UEMOA study)

Key land issues/challenges in WA

- Linking land observatories to land policy processes
 - A land observatory for what purpose?
 - A land observatory for whom?
- Addressing priority land issues in the region
 - Colonial legacy : legal plural systems
 - State sovereignty over land
 - Land and Decentralisation
 - Customary land rights
 - Land tenure security of tenure
 - Women and land
 - Protecting the commons
 - Drought, desertification and floods
 - Population, migration, urban development
 - Shared resources and ecosystems/ regional integration
 - Land tenure and mining activities
 - Disputes, conflicts and post-conflict issues
 - Bio-fuels, land markets...

Experiences of land observatories

- The PRAI conference : land and decentralisation (1994)
 - Problems identified:
 - land laws not accessible to users; Customary systems/local practices poorly recognised; land conflicts...
 - Promising avenues for problem solving
 - Promoting pro-equity/justice land principles ; Promoting national framework laws; empowering local communities; decentralisation...
- The St Louis conference : Research & training on land (1997)
 - Weak Research/ training capacities
 - Most institutions are northern based (Europe/ US)
 - Promoting networking & national land observatories
 - Data collection, information dissemination,
 - research, training
- Initiatives taken
 - Refocusing/Drawing lessons from Mali land Observatory (1994)
 - A land observatory in Chad

The AU-led Land policy initiative

- Land policy formulation
 - Importance of land policies for the continent
 - Key principles from experience
 - Participatory approach/ Holistic approach/ Linked to development/ Consensus building on options
- Land policy implementation
 - Implementation plan
 - Land laws- regulations
 - institutional reforms/ Capacity building
 - Resources/ timeframe
 - Roles of different stakeholders
 - communication
- Progress Tracking
 - Continent at an early stage/ capacity
 - Shaping progress tracking with the F&G (4 pillars)
 - Challenges: data/ indicators)/ participation
- Recent land observatory initiatives
 - Madagascar; UEMOA; Other

UEMOA : a regional Land policy observatory

- The UEMOA study (2004; updated 2009)
 - Focused on Land and regional integration
 - Despite national specificities, large set of common issues
 - Deep change trends/ emerging issues
 - Importance of regional cooperation
 - information sharing; cooperation; rapprochement of policies; progressive harmonisation of land laws
- The Dakar UEMOA workshop
 - UEMOA Member states; CSO/ Farmers; private sector; Partners;
 - Review of the study/ Endorsement of recommendations
 - Recommendation on observatory emerged as key priority for member states
- Roadmap for a regional land Observatory
 - Concept paper on the WALPO
 - Involvement of other regional institutions (CILSS/ ECOWAS; WAI...)
 - Negotiating partnership
 - Establishing a regional steering committee
 - Study/ Regional workshop
 - Implementation...

Why a land policy observatory?

- Making information available/ accessible to stakeholders
 - Collecting disseminating relevant information for the region
 - databases
 - Visibility/ accessibility
 - Target groups: decision makers; projects; development partners; private sector; CSOs
- Informing decision making processes
 - Collecting relevant/updated data?
 - NB: Which data for land policy formulation/ implementation/ evaluation?
 - Providing policy analysis on key land issues
 - Documenting land related change trends
- Creating a regional platform for discussions/ reflection
 - Regional experts meetings
 - Promoting networking
- Need to enhance progress tracking
 - Working on country focused land indicators
 - Independent reviews of land policy processes
 - Early warning of land crisis (land disputes/ conflicts)

Why a regional land Observatory?

- Despite national specificities, region shares common land issues
 - Legal pluralism; tenure insecurity; mobility; disputes; shared resources...
 - Shared natural resources/ rural mobility
 - important to join efforts in finding appropriate approaches/ options
- Important innovations in the region that worth experience sharing
 - Gestion de terroirs; PFR; local conventions; formalisation of transactions...
 - Strong interest in information/ lesson sharing
- Progress of regional integration/ new challenges
 - Regional common market/ Investment opportunities
 - Initiatives of Rapprochement/ Harmonisation of policies
 - Active role of regional institutions (CILSS; UEMOA; OHADA...)
- Need to build common approaches in dealing with emerging issues
 - Land grabbing
 - Land and climate change

Contribution to monitoring changes

- A region in deep and rapid change trends
 - Population
 - Urban development
 - Migration...
- The population
 - Expected to double by 2050
- Urban development
 - West Africa urban in majority soon
- Roles of land observatories
 - Observing changes in different areas
 - Land markets
 - Women and land
 - Land and ethnicity...
 - Raising questions
 - Population/ access to land/ land policy formulation
 - Population : constraint or opportunity?
 - Land and sustainable urban development
 - Opportunities linked to urban development...

Lessons and questions for success

- Lessons
 - Learning from previous/ existing initiatives
 - Mali; Chad; Madagascar
 - Having a clear idea of the role of an Observatory
 - Being realistic (not too ambitious)
 - Linking the observatory with national/ regional land policy processes
 - Being useful (to stakeholders)
 - Avoid duplications of roles
 - Visibility/ accessibility/ interactivity
 - Autonomy/ independence
- Questions
 - Which information to collect/ for whom?
 - How to collect relevant information at country level?
 - Coordination/ Links with national initiatives
 - How to make data available/ accessible
 - How to impact on land governance/ transparency