SDC partners in securing access to land in Africa

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Approach of SDC to finance secure access to land

SDC focuses on
- Food Security within overall Poverty Alleviation agenda
- Needs of food insecure, often net deficit producing Small Holders that lack secured access to basic services including secured and equitable access to land
- Pastoral economy and pastoral livelihoods (Sahel, Horn of Africa, Central Asia)

SDC aligns to policy frameworks
- Voluntary Guidelines for the Sustainable Governance of Tenure of Land, Forests and Fisheries
## COMPONENT 2: COMPETING CLAIMS ON NATURAL RESOURCES

**Policy Impact Hypothesis:** Conducive regulatory frameworks are in place and enforced to ensure access to natural resources and their sustainable management by smallholder farmers and other vulnerable rural population groups.

**Policy engagement:** CFS, UNCCD, FOs, ILC, FAO, IFAD

**Target 2.1:** Improve the formulation and implementation of regulatory frameworks on governance of land and other natural resources from a food security perspective.

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<tr>
<th>Activity lines</th>
<th>Expected outcomes</th>
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<tbody>
<tr>
<td>• Promote inclusive frameworks on governance of land and natural resources</td>
<td>• Implementation of regulatory frameworks leads to more equitable land governance, as well as to improved food security</td>
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<td>• Engage with public and private sector investors on the implementation of the principles for responsible agricultural investment (rai)</td>
<td>• Public and private sector agricultural investment improves food security and the livelihood of local communities respecting legitimate tenure and resource use rights</td>
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<td>• Support selected activities of the Global Action Plan derived from the International Treaty for Plant Genetic Resources for Agriculture (ITPGRFA) to prevent further loss of the global agro-biodiversity base</td>
<td>• National seed systems including the local knowledge base and genetic resources are in place, adapted, available and affordable for smallholders</td>
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SDC Global Program Food Security – Land Governance

Land Governance

Governments
- Voluntary Guidelines, AU-Land Policy
- FAO, IFAD, AU

Civil Society
- Cap. Development
- Participation
- Monitoring
- ILC, NGOs, Farmers’ organisations

Private sector
- Standards and code of conducts „PRI“
- „Transparency“
- Financial sector
SDC – Land Governance in Africa

_Bilateral_
**Niger** – securing access to grazing land for pastoral herders  
**Burundi** – securing access to a defined and agreed legal system (land certificates)  
**Mozambique** – securing community land use, and in particular women land tenure

_Global_
**LPI/Niger** – implementing AU Land Declaration; capacity for land use planning; M&E of land policy processes  
**LPI/IGAD** – strengthening capacities to improve land governance and achieve land policy convergence  
**LPI/EU/FAO** – strengthening capacity of LPI (harmonized implementation of AU F&G and VGGT in Africa)

[http://www.sdc-foodsecurity.ch/en/Home/Focus_areas/Land_governance](http://www.sdc-foodsecurity.ch/en/Home/Focus_areas/Land_governance)
Approach of SDC to finance secure access to land

Land governance in drylands, pertaining to pastoral livelihoods

SDC is aware of competing interests from agricultural production, infrastructure and extractive industries interests compete with the need for secured access of mobile herding to grazing land (and water).

SDC takes into consideration the politically marginal role of population in arid and semi-arid lands

SDC is convinced that Land Use planning in such environments is of of particular importance, as well recognizing customary institutions, collective land utilization practices, etc.

SDC contributes as well to developing appropriate methodologies of participatory land use planning that becomes a must in such complex contexts.
Assistance LPI – SDC au Niger
en appui à la mise en œuvre de la Déclaration de l’Union Africaine sur le foncier

Défis fonciers
- Sécurité alimentaire et mise en valeur agro-pastorale des terres
- Lutte contre la désertification et gestion des ressources naturelles
- Réduction des conflits relatifs au fonciers et à l’accès à l’eau

Reconnaissance de tous les droits fonciers:
  - Droits immatriculés
  - Droits coutumiers de propriété
  - Droits d’usages prioritaires (Pastoraux)
Des institutions locales inclusives chargées de la sécurisation des droits
  - Les commissions foncières
Des outils d’aménagement de l’espace local
  - Schémas d’aménagement foncier
Code Rural – un bilan 20 ans après

✓ Campagnes d’information et de communication sur le Code Rural
✓ Mises en place des commissions foncières
✓ Elaboration des textes complémentaires
✓ Reconnaissance des droits fonciers locaux
✓ Délimitation / sécurisation des ressources communes (pâturages, pistes à bétail, etc.)

Défis encore à relever

➢ Sécurisation des droits d’usage prioritaires (droits pastoraux)
➢ Elaboration des Schémas d’Aménagement fonciers
➢ Amélioration des droits fonciers des femmes
➢ Suivi-évaluation du processus
➢ Articulation des processus fonciers urbain / rural
➢ Articulation processus Code Rural / processus Décentralisation
Pourquoi un projet LPI / SDC d’appui au Niger?

• SDC intervient au Niger depuis plus de 20 ans
• Une demande d’appui par Niger au LPI
  – Schémas d’aménagement
• Appui DDC à :
  – la Déclaration de l’Union Africain sur le foncier
  – Les Directives Volontaires sur le foncier
• Processus
  – Clarification par LPI/ Niger des besoins d’appui et d’assistance
  – Formulation d’un projet d’appui à la mise en œuvre de la Déclaration de l’UA
  – Encouragement par DDC de la mise en synergie des processus fonciers au niveau national
Résultats escomptés

• **R1:** Des connaissances accrues et des échanges d’expériences en matière d’aménagement foncier local

• **R2:** Un renforcement des capacités des acteurs en matière d’aménagement foncier participatif au niveau local

• **R3:** Un suivi évaluation amélioré du processus de politique foncière au Niger en vue de services fonciers ruraux effectifs;

• **R4:** Une expérience et des capacités renforcées pour le Niger, les Communautés économiques régionales et le Secrétariat LPI en matière de mise en œuvre d’un projet pilote de mise en œuvre de la Déclaration de l’UA au niveau national.
Autres acquis du projet

• Dynamique de collaboration opérationnelle entre le LPI/FAO au Niger pour renforcer le processus à travers la Déclaration de l’UA et Directives volontaires
• Tenue du CNCR après plus de 10 ans de léthargie: Ouverture par le PM,
• Regain d’intérêt du Politique pour le Code Rural
• Intérêt croissant des partenaires pour le processus foncier au Niger
  – Bilan des 20 ans (Coopération française)
  – Projet FSPT
  – AF comme composante du Programme de renforcement de résilience des populations face aux crises et catastrophe Changement climatique de l3N (2015-2018)
Challenges and **Responses** in SDC’s perspective

- **Access to land** as a productive asset and as a base for (rural) livelihoods as well from a social and cultural perspective
- **Benefits for all**, in particular as well for vulnerable and marginalized people and communities
- **Sustainable use** of land and to understand the positive externalities (environmental services) from well managed land
- **Caretaking** of land as a common good by private people

- **Political leadership with legal and institutional frameworks**
- **Land Use Planning**, guided by an overall framework and implemented from the local levels upwards
- **Environmental services from sustainably managed lands**

This in order to **enhance investments in land** for increased productivity and, ultimately, **improved food security**
Approach of SDC to finance secure access to land

SDC learns from field level realities and contributes to establishing appropriate legal and policy framework that respond to the local realities.

SDC combines bilateral development and humanitarian assistance with global (policy) development instruments, such as the Global Program Food Security.
Approach of SDC to finance secure access to land

We are aware about the time that is needed for such changes.

Therefore: **WE STAY ENGAGED**
Thank you very much for your kind attention
Recognization of the rights of pastoral herders

Fatima Sidikou is working in Niamey, the capital city of Niger. She is in charge of admin and finance at the Permanent Secretariat for the Rural Code. She is of Peul origin and is the president of the federation of pastoral herders in Niger.

Traditionally, herders in Niger are nomads and move with their animals to make best use of the available grazing land. Animal husbandry is highly economical and important for the economy.

The biggest problem is the loss of rangelands in the North of the country that is legally protected. Sedentary farmers penetrate into these regions while in the same time pastoral herders are forced to move southwards, into farming land, due to recurrent droughts. Illegal land occupation is not punished though.
Recognition of the rights of pastoral herders

Today, Niger is exposed to a substantial international pressure, as regards land. Many people try to sell national grasslands, while the herders are being sidelined. Frequently they are afraid. It is therefore important that their rights are recognized.

For this reason, the SDC supports the Rural Code, a legal regulatory framework, which was designed by the Nigerien authorities in 1992.

The Rural Code applies to the rural and the urban space, its distribution is based today on a traditional oral culture of the ancestors. With the Rural Code, the whole land is to be inventoried and associated use rights are determined. It should help to settle the conflicts between nomads and sedentary people.
Land policy and land administration in Niger
Swiss contributions to the implementation of the “Code Rural”

Initially: Local development and natural resource management project (‘les rôneraies du Dallol Maouri »), support to the local land commission.

Since 1998: Securing pastoral areas through Mapping of corridors and grazing areas; Tagging of 3000 km of secondary and international transhumance corridors -> that resulted in reducing conflict between rural operators, building of expertise of land committees and emergence of pastoral associations.

2003 – 2006: Development of Pastoralism Law (under the Rural Code legal framework) to facilitate the settlement of disputes and secure pastoral exploitation of rural areas -> that resulted in the endorsement of the approach promoted by SDC to manage conflicts on pastoral areas and corridors. However, limited national leadership.

Since 2006: Guiding local authorities, the structures of the Rural Code and organizations of national and cross-border pastoral civil society to ensure the secure and sustainable use of pastoral resources (in Dakoro and Maradi).

Niger is a pilot country for the implementation of the AU Declaration on the Land. UNECA with the support of Switzerland 'facilitates the implementation of the AU Declaration on the land in harmony with the key principles of the Framework and Guidelines on Land Policy in Africa. This is expected to result in good/promising practices, reinforced land development capacity; and improved monitoring and evaluation of the process of land policy in Niger.
Objectif global du projet

- Faciliter la mise en œuvre de la Déclaration de l’UA sur le foncier en vue d’une meilleure sécurisation foncière des producteurs ruraux et d’une réduction des conflits
Land policy – Food security

«Without secure access to land no investment on land»

Colonial Legacy
- Pluralistic property regimes
- State sovereignty over land
- Displacement, land allocation

Cultural Practices
- Discrimination against women
- Lack of representation
- Communal land ownership

Poor Governance
- Centralized structures
- Lack of transparency
- Inadequate consultation

- Low access to info
- Corruption
- Elite capture/land grab

AU Declaration on Land and Framework & Guidelines

IGAD Land Governance Program

Land governance incorporated in IGAD programs

IGAD Land Governance policy framework formulated

National land governance policies and legal frameworks

Translation of national land policies in land administration procedures

In particular: Land Use Planning
- Dry seasons grazing
- Crop land
- Infrastructure
- Livestock corridors fattening areas
- Watering points
- Settlement
- etc.

Enhancing factors: availability of and accessibility to basic infrastructure (transport, information, water, electricity), basic services (education, health), technical advisory services

Investment in land, land-based production for increased productivity by governments and local land users

Increased food security of communities in ASALs

SDC, 2014
Perspectives

• Réflexion nationale sur la nécessité d’élaborer une politique foncière (ANACO états généraux du foncier)
• Portage politique et financement conséquent du processus Code Rural
• Financement d’une nouvelle phase de projet LPI-SDC
• Construction de vision partagée de la gouvernance foncière et articulation des outils (DGU, Cadastres, IGNN, SPCR)