LAND GOVERNANCE IN TRANSITION

How to support transformations that work for people and nature?

CONFERENCE SESSIONS

Theme 6:
Land Governance in Practice:
Approaches and Tools

DEBATE

Pay to play: how should we finance land governance transitions, and why does it matter?

Michael Rice, Karin van Boxtel & Stefan Schuller, Both ENDS

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Supporting transformations in land governance frameworks is a slow and costly endeavour, and someone has to foot the bill. Like many other fields of public life, the private sector is taking an increasingly influential role in the identification, categorisation, and negotiation of land rights. In areas where people depend on land for their livelihood yet have no official rights to that land, where land is the most valuable thing a family can own, where access to land means the difference between harvest and hunger, where control over land means the privilege of access to education and health care, the way in which 'land governance' is done in practice is extremely political. In many countries where insecure or ambiguous land tenure is a challenge, national governments are rarely willing or able to fund genuinely inclusive, democratic and fair land governance programs. The participation of benevolent private sector actors can be essential to finance, initiate and sometime even design and implement important land governance reforms, but it may also fundamentally compromise them.

This session opens the question of land governance economics up for debate. If land is inherently political, and if economics is intrinsically about power, how can land governance transitions be financed without excluding those who are already politically and economically vulnerable? Does it really matter where the money comes from or whether it flows from the top-down or from the bottom-up, so long as landholders get their titles at the end of the day? This session will present six land governance practitioners from diverse sectors to debate the idea of 'pay to play' in land governance transitions and answer the million-dollar question: 'how should we finance land governance transitions, and why does it matter?'

Clear reference to the conference theme: the intention of this debate is to delve deeper into the concept of 'governance' through the experiences of the session participants, their perspectives and responses, propositions, and arguments, to question assumptions that any 'governance' is better than none, and to investigate how different processes of governance may lead to vastly different outcomes for rights holders depending on whose perception of land is internalised within land rights adjudication processes.

Potential speakers/presenters:
• Nonette Royo, Executive Director, The Tenure Facility (confirmed as interested)
• Astrid Broekaart, Programme Development LAND@Scale, RVO Dutch Enterprise Agency (tbc)
• Idsert Boersma, Partnerships for Impact Director, FMO (tbc)
• Simon Ulvund, CEO, Meridia (tbc)
• Dr Monica Lengoiboni, Assistant Prof. Land Administration, University Twente (tbc)
• Grassroots NGO representative from the Global South (tbc)
• Facilitator: Michael Rice or Karin van Boxtel
This session does not invite abstract submissions, yet welcomes active participation in the debate.

PANEL

Multi-Stakeholders Platforms: a Transformational Arena Fostering & Scaling-Up Local Innovation
Yonas Mekonen, Global Coordinator, National Engagement Strategies, International Land Coalition (ILC)

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Multi-stakeholder platforms (MSPs) are increasingly recognized as important vehicles to build sustained dialogue among land actors, and support their collective long-term strategies aiming to improve land policy design and implementation. Some have hailed Multi-stakeholder mechanisms as 'the collaboration paradigm of the 21st

century'[1]. While MSPs are not the (only) golden bullets to foster inclusive land governance, experiences show that in a diversity of context, they are contributing to more equitable, efficient and transformative outcomes. ILC has been investing in, and setting in motion close to 30 People Centred Land Governance MSPs as a central component of the National Engagement Strategies (NES) operating model.

In line with the conference's objective to ''*look back at the decade since the land grab "hype" began*'', and ''*analyse the transformation processes that have taken place in those locations where investments have been made*'', the proposed session will introduce early results from one set of responses and strategies deriving from the Community Land Protection Initiative (CLPI), an innovative cross-regional program designed to equip frontline communities with the required tools, capacities and process to safeguard customary rights.

A growing body of literature indicates the positive role of MSPs in democratising decision making process, increasing coordination among actors, addressing power inequalities among stakeholders and improving land governance ecosystems at multiple levels. Although growing expectations are placed on multi-stakeholders dynamics, evidences exploring the role played by national level MSPs in bringing tested innovations at scale, and the multiplier effect they offer in nurturing ''good'' local land governance dynamics are less abundant.

In the context of localised initiatives, the session will attempt to challenge and question the role, transformative potential and transformative possibilities of multi-stakeholder mechanisms to make land governance more inclusive, effective, and sustainable.

Conference theme: i) conflict and competing claims, ii) Natural Resource and Environmental Protection, iii) compensation and resettlement, and iv) the role of the state.

This session welcomes abstract submissions.

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[1] Austin, J.E. 2000. 'Strategic collaboration between non-profits and businesses. Non-profits and Voluntary Sector Quarterly 29(1): 44.

INTERACTIVE WORKSHOP

Actor perspectives on landscape scenarios: Linking sectors through integrated landscape governance for people and nature

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Agricultural transformation and urbanisation increase the dynamics and complexity of landscapes in the Global South, affecting peri-urban and rural land use, livelihoods and the provision of ecosystem services. For example, the effects of expanding cocoa and oil palm cultivation in a country like Ghana affect biodiversity and food production, while poverty may remain persistent. Sectorial approaches are unable to curb the challenges and there is a growing call to tackle these issues in a holistic and integrated manner through negotiated landscape governance that engages multiple sectors, actors and scales. Such integrated approaches are considered vital to achieving SDGs 6 (clean water and sanitation) and SDG 15 (life on land); important for SDG 1 (no poverty), 2 (zero hunger), 13 (climate action) and 14 (life under water); and relevant for SDG 11 (sustainable cities and communities) (Reed et al. 2015). Ten principles for integrated landscape approaches have been developed (Sayer et al. 2013) but getting multi-stakeholder negotiation of trade-offs between competing land uses off the ground and moving from theory to practice occurs mainly through landscape-level initiatives that emanate from sectorial approaches (Ros-Tonen et al. 2018). At the same time, urban development is still largely absent in the debate on integrated landscape governance, despite the majority of the world's population living in cities. Moving beyond sectorial approaches and institutional jurisdictions towards integrated landscape governance for people and nature requires deliberate efforts and tools to bridge different interests and perspectives (Meijer et al., 2018). This session therefore aims to bring together experiences with participatory mapping, modelling and scenario building as 'boundary objects' (Zurba et al. 2018) that may contribute to bridging sectorial and jurisdictional gaps and move towards integrated and negotiated landscape governance.

More specifically, this session addresses the following questions:

1. How can (participatory) mapping, modelling or scenario building approaches help achieve sectorial commitments to sustainable landscapes, conservation and zero deforestation and have these sectors benefit from ecosystem services in the landscape (including nature-based solutions)?
2. How can a common entry point combining concerns and opportunities be identified based on mapping stakeholders' desired landscapes and perceptions of landscape dynamics?
3. How can (participatory) mapping, modelling or scenario building help in putting urban and peri-urban development in an integrated landscape perspective and in moving towards integrated governance of the urban-rural interface?

This session welcomes abstract submissions.

PANEL

Land & The Role of the State: Increasing accountability through promoting transparency

Land Portal Foundation

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The governance of resource and land rights is often complex, split between different interest groups and confronted with states and administrations with low capacities. Being exposed to the combination of high economic value, financially powerful interests, low regulatory capacities and lack of transparency in administrative procedures the land and resource sector often shows non-transparent procedures of land ownership and use allocation. Missing data on tenure rights further aggravates the problem and paves the way for corruption, reaching from bribery up to illegal sales of state land, displacement and illegal dispossession.

The word 'corruption' was taboo not more than a few years ago. Thanks to the work of many development specialists, it has become an important topic of discussion in the development sector and after the African Union declared 2018 the "Year of Anti-Corruption", in 2019, the Africa Land Policy Initiative has decided the Annual Africa Land Policy Conference will have 'corruption' as its running theme.

In anticipation of this important event, we would like to kick off the discussions at the LANDac conference as well. The main goal of this session is to gain a better understanding on how we can achieve more transparency within land governance globally, and including the role of data ecosystems to promote evidence-based decision making and how to democratize the discourse by allowing grassroots voices to become part of the debate.

In this context, we want to have a look at this issue from three different perspectives:

1. What are the underlying structural problems and reasons for lack of transparency in the land sector?
2. What is the role of civil society & grassroots organizations in holding governments accountable and what can be done from a global perspective to support these efforts?
3. How can we share this knowledge, lessons learned and data to reach out to crucial stakeholders in order to improve our work in the land sector?

Conference theme: The Role of the State

This session welcomes abstract submissions.

ROUNDTABLE DISCUSSION

Dynamics of Due Diligence: Conditions for Responsible Land Based Investment

Katie Minderhoud, Solidaridad & Caitlin Ryan, University of Groningen

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Multi-stakeholder international frameworks on responsible investment and due diligence for investment were developed in response to the 'the land grab 'hype.' The response to these frameworks is mixed. There is some critique of their to be used as a way to legitimize deals (De Schutter 2011). While the principles and frameworks discuss the processes of 'due diligence' in straightforward and prescriptive ways, the context-specific realities where this 'due diligence' is to be applied are considerably more complex and 'messy' than the frameworks might imply. Meanwhile, discussions on processes of land reform, alternative dispute resolution and formalization of customary tenure does recognize this 'messiness' (Van Leeuwen 2014; Chimhowu and Woodhouse 2006; Collins and Mitchell 2018; Blattman, Hartman, and Blair 2014).

This session is interested in drawing out some of the dilemmas of 'due diligence' to contrast its imaginaries in the frameworks, with the context-specific dilemmas that arise when applied. Applying 'due diligence' may take place in the midst of contested authority, weak land laws, interactions between communities, customary authority, civil society, investing companies and the state, and land administrations that may be challenged by both capacity and political constraints. In this sense, questions of due diligence are not easily resolved by the frameworks alone, and major questions remain, such as who has the responsibility to strengthen local and national land governance, and how pre-existing power relations will impact partnerships.

The session draws from concrete experiences of the DFID funded LEGEND program. The Dutch based company Natural Habitats in partnership with Solidaridad and NAMATI (supported by LEGEND) tested specific due diligence guidance in a private investment project in Southern Sierra Leone.

Since the project is coming to an end this year, we aim to share lessons and experiences.

Potential Speakers TBC:
• Jan Hein de Vroe - CEO Natural Habitats Sierra Leone
• Kalindi Lorenzo - Sustainability manager Natural Habitats
• Marieke Leegwater – Solidaridad International Oil palm programme coordinator
• Katie Minderhoud – Solidaridad Learning advisor
• Julian Quan – Learning Coordinator LEGEND / Greenwich University
• Caitlin Ryan – Groningen University
• Representative from NAMATI and/or Action Aid
• Others TBD

We also aim to invite representatives from private sector companies, to ensure lessons learnt and output of the LEGEND project reach this specific target audience.

This session does not invite abstract submissions, yet welcomes active participation.

PANEL

Geo-information management for land administration: innovation, transitions and stability

Dimo Todorovski & Jaap Zevenbergen, Faculty ITC, University of Twente

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Developments of digital geo-information technologies have influenced many domains of governance; and the land administration domain is no exception. While some surveying technologies are stable driven by norms and designs written into the laws and procedures of administration, others have been added in recent years, for instance through initiatives like fit-for-purpose land documentation initiatives, new means for data collection

through remote sensing technologies, and online data platforms that focus on the publication of land and land rights information.

For this panel we invite presentations of research and development projects that focus on studying, changing and/or supporting a country's or region's land administration through geo-information management. We want to discuss the kinds of geo-information technologies that are being introduced, by whom and for what purposes, the reasons for uptake and/or resistance to these technologies on part of administration, as well as the anticipated and observed societal changes in shorter or longer run.

Geo-information management is quite loosely defined for our panel. It may involve mobile mapping apps, geographic information systems, remote sensing hardware and software, but also the techniques of analysis and interpretation of digital geographic data.

Given the conference theme we ask presenters to include two parts in their presentations:
1. Provide a descriptive overview of their research, project, or initiative; including successes and challenges
2. A critical reflection on at least one of the following questions based on your experience in the project or as explicit research findings:

- What makes the geo-information management that you study, promote or develop especially important to support land administration in your view? Who shares this view with you / or not based on the development and/or research process so far?
- What kind of assumptions guided the introduction of the geo-information technology in a given land administrative context; and did these assumptions change? How did they change through time; and why?
- What do the research participants and/or main actors involved in the initiative perceive to be the greatest promises and the greatest risks related to geo-information management for land administration?

Presenters are most welcome to choose another question for critical reflection. Presentations should not exceed 10 minutes for both parts combined in order to leave enough time for Q&A and discussion.

This session welcomes abstract submissions.

References:

Blattman, Christopher, Alexandra C. Hartman, and Robert A. Blair. 2014. "How to Promote Order and Property Rights under Weak Rule of Law? An Experiment in Changing Dispute Resolution Behavior through Community Education." *American Political Science Review* 108 (01): 100–120. https://doi.org/10.1017/S0003055413000543.

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Collins, Andrea, and Matthew I. Mitchell. 2018. "Revisiting the World Bank's Land Law Reform Agenda in Africa: The Promise and Perils of Customary Practices." *Journal of Agrarian Change* 18 (1): 112–131. https://doi.org/10.1111/joac.12201.

De Schutter, Olivier. 2011. "How Not to Think of Land-Grabbing: Three Critiques of Large-Scale Investments in Farmland." *Journal of Peasant Studies* 38 (2): 249–79. https://doi.org/10.1080/03066150.2011.559008.

Van Leeuwen, Mathijs. 2014. "Renegotiating Customary Tenure Reform - Land Governance Reform and Tenure Security in Uganda." *Land Use Policy* 39: 292–300. https://doi.org/10.1016/j.landusepol.2014.02.007.