



Africa Regional Dialogue on **Forests, Governance & Climate Change**

11-12 OCTOBER 2010 | ADDIS ABABA, ETHIOPIA

Compendium of relevant declarations

KEY MESSAGES AND RECOMMENDATIONS FROM THE INTERNATIONAL CONFERENCE ON FOREST TENURE, GOVERNANCE AND ENTERPRISE: NEW OPPORTUNITIES FOR CENTRAL & WEST AFRICA
Yaoundé, Cameroon, 25-29 May 2009

1. Governments

- a. Acknowledge that land and forest tenure reforms that take into account human rights, and customary land rights of forest communities and indigenous peoples are essential for sustainable development
- b. Through a multi-stakeholder process, set ambitious targets for community ownership of forest lands (e.g. a percentage to be reached by 2015) and develop a strategy and plan to achieve those targets
- c. Accelerate forest tenure, trade and market policy reforms, with particular attention to the rights of communities, women, minorities, and marginalized groups
- d. Carry out such reforms using a participatory and multi-stakeholder process (especially including women, minorities, and marginalized groups, including indigenous peoples) within a land use policy reform/development process
- e. Ensure that forest tenure reforms are aligned with broader land tenure reforms, informed by the AU, AfDB, ECA Land Policy Initiative
- f. Learn from other country experiences in the development of forest tenure policies and law and the development of CFEs
- g. Create an enabling environment for the development and success of CFEs and provide funding mechanisms accessible to women, minorities and marginalized groups
- h. Review poverty-reduction strategy papers (PRSPs), with particular attention to forest tenure and CFEs

2. NGOs

- a. Put forest tenure reforms at the center of their campaigns
- b. Ensure the provision of legal advice to communities on the establishment of SMFEs
- c. Support communities in the development of transparent partnerships with financial and technical bodies
- d. Work to develop minimum standards for participation and consultation in tenure reform processes
- e. Monitor the status of follow-up on the Rio Branco and Yaoundé conference recommendations
- f. Work to clarify language and concepts around rights and tenure, and engage government agencies, civil society and others in discussions around recognizing and realizing rights and obligations

- g. Make available tools, such as participatory mapping, for empowering communities to claim their rights, and to facilitate dialogue and negotiation with governments
- h. Support CFEs to certify their production processes in order to increase their access to markets

3. Communities

- a. Organize and network to effectively participate in reform processes and to express their opinions and claims of rights to forest tenure
- b. Seek out links with government services and organizations that can assist to document their tenure rights

4. ITTO and other International Organizations

- a. Collaborate on the development of guidelines for forest tenure reform
- b. Undertake the necessary efforts to implement the ITTO Thematic Program on Community Forest Management and Enterprises
- c. Develop an agenda to promote gender equity within tenure and forest enterprises
- d. Support the organization of a workshop on the same themes as the Yaoundé Conference for a group of Asian countries to share experiences and learn from each other.

5. Donors

- a. Provide funding to support appropriate land and forest tenure reform processes and their implementation
- b. Finance the ITTO Thematic Program on Community Forest Management and Enterprises
- c. In cooperation programs for the forest and social sectors, support partner countries in the implementation of forest tenure reforms and CFEs at the community level

6. Regional African Institutions

- a. In its convergence plan COMIFAC should sufficiently take into account community rights to forest tenure
- b. Include community forest tenure rights in the ECOWAS Land Charter and the AU, AfDB and ECA Land Policy Initiative.

The Way Forward: Objective 2015

The participants recommend the following actions by governments and social actors to catalyze reforms in Central and West Africa:

1. Prioritize forest tenure reform as a national development issue in all African countries by 2015; based on the necessity to ensure respect of human and historical rights of ownership and access to land and resources, by strengthening political will, and engaging parliamentarians and land, and other relevant ministries and agencies in the reform processes;
2. Reverse the assumption that all lands are state owned and perform an inventory of the lands that are actually under state ownership and management;
3. Fully recognize the human rights of all ethnic and minority peoples by 2015, including their rights to land and access to resources;
4. Empower communities to claim their rights by expanding participatory mapping of community land rights, and only then develop land use plans and zoning;
5. Through multi-stakeholder processes, set ambitious targets for community ownership of forest lands (e.g. a percentage to be reached by 2015) and develop strategies and plans to achieve those targets. In countries where no forest lands are under community ownership, establish an

ambitious target for 2015 for the legal recognition of community owned forest lands. In countries where communities already own some percentage of forest land set a target of at least doubling areas under community ownership by 2015;

6. Address constraints to community and small-scale enterprises, markets and trade, and increase percentage of benefits shared from all commercial activities on their lands; towards at least quadrupling community incomes from all forest operations by 2015;
7. Strengthen political will and action to advance forest tenure reforms by regional forest, land and governance institutions, the ITTO and donors, by encouraging their adoption and support for these recommendations and this Objective 2015;
8. Set up mechanisms to monitor and ensure the follow-up of the Yaoundé recommendations and this Objective 2015;
9. The participants thank the Government and the People of Cameroon for the warm hospitality and facilities that made the conference a success. They also thank the Ministry of Forest and Wildlife, RRI, ITTO for their initiative to convene this conference, the co-organizers FAO, CIFOR, IUCN, ICRAF, Intercooperation, GACF, and the donors SDC, SECO, DFID, the Netherlands, Norad, Sida, US Department of State, and Ford Foundation. The African participants wish to thank those who came from other continents, Asia, Latin America and North America to share their experiences.

Yaoundé, 29 May 2009
The Participants.

DECLARATION ON LAND ISSUES AND CHALLENGES IN AFRICA,

Adopted by the Thirteenth Ordinary Session of the Assembly in Sirte, Great Socialist People's Libyan Arab Jamahiriya on 3 July 2009

WE, the Heads of States and Government of the African Union, meeting at our Thirteenth Ordinary Session in Sirte, Libya, from 1 to 3 July 2009;

REAFFIRMING the commitments we have made to poverty eradication with the view to raising the living standards of our peoples and the wellbeing of our future generations;

RECOGNISING the centrality of land to sustainable socio-economic growth, development and the security of the social, economic and cultural livelihoods of our people;

AWARE of the rich heritage of Africa's land and related resources especially its unique natural ecosystems;

FURTHER AWARE of the diversity and complexity of the systems under which land and related resources are held, managed and used;

NOTING the diversity of issues and challenges facing access to, use and management of land resources; and the threat relating to land and related resources including those arising from changes in the global, political and economic environment;

CONSCIOUS of the need for strong systems of land governance rooted in principles of sustainability in an effort to ensure preservation, protection and renewability of Africa's land and related resources;

FURTHER NOTING the steady progress which our countries have made in the initiation, review, revision or comprehensive development of land policies and their implementation in order to ensure that their various land sectors play an important role in development;

WELCOMING the joint initiative which has been taken up by the consortium of the African Union Commission, the United Nations Economic Commission for Africa (UNECA) and the African Development Bank (AfDB) with support from development partner organizations, in drafting a continental framework and guidelines on land policy development and implementation for use as a resource by AU member states in their efforts to improve the performance of their various land sectors;

ACKNOWLEDGING the comprehensive consultations and discussions that have been conducted and the experts' inputs made in the course of the preparation of the continental Framework and Guidelines on land policy in all the five regions of Africa;

CONSIDERING the Report of the African Union Joint Conference of Ministers responsible for Agriculture, Land and Livestock held in (city, town) from 22 to 24 April 2009, and the recommendations therein endorsed by the Executive Council;

UNDERTAKE TO:

1. Prioritize, initiate and lead land policy development and implementation processes in our countries, notwithstanding the extent of multi-stakeholder contribution to such processes involving civil society, private sector and other stakeholders;
2. Support the emergence of the institutional framework required for the effective development and implementation of land policy and implementation;
3. Allocate adequate budgetary resources for land policy development and implementation processes, including the monitoring of progress.

RESOLVE TO:

1. Ensure that land laws provide for equitable access to land and related resources among all land users including the youth and other landless and vulnerable groups such as displaced persons;
2. Strengthen security of land tenure for women which merits special attention.

REQUESTS the Commission in collaboration with the Regional Economic Communities, UNECA, AfDB and other partners to:

1. Endeavour to work towards establishment of an appropriate institutional framework to provide coordination of follow up activities and facilitate mutual learning by member states as they develop/review their land policies in accordance with the Framework and Guidelines;
2. Take measures for the establishment of a fund to support follow up activities to promote land policy development and implementation;
3. Undertake measures for the establishment of mechanisms for progress tracking and periodic member states reporting on progress achieved.

INVITES the Regional Economic Communities to:

1. Convene periodic regional platforms to facilitate experiences sharing, lessons learning and dissemination of best practices in land policy formulation, implementation and monitoring based on members states experiences;
2. Appropriately capture and address issues of land policies within their respective common agricultural policy framework.

URGES Member States to:

1. Review their land sectors with a view to developing comprehensive policies which take into account their peculiar needs;
2. Build adequate human, financial, technical capacities to support land policy development and implementation;
3. Take note of the iterative steps outlined in the Framework and Guidelines on Land Policy in Africa for their land policy development and implementation strategies.

REQUESTS the Commission, in collaboration with UNECA and AfDB, to carry out studies on the establishment of an appropriate institutional framework that can support Member States in their efforts towards reviewing, developing and implementing land policies including mechanisms for progress tracking and reporting, as well as for the establishment of an African Fund for Land Policy, and report thereon to the ordinary session of the Assembly in June/July 2010.

DECLARATION ON LAND POLICY REFORM MADE DURING THE AFRICAN PRESIDENTIAL ROUNDTABLE 2010: LEADERSHIP SOLUTIONS TO LAND REFORM IN AFRICA

Dar es Salaam, August 30 – 31, 2010

This Forum was attended by six former African Heads of state, two former prime ministers, public and private sector leaders, and Students.

The leaders highlighted the following issues that current African leaders need to consider when drafting their land reform policies.

1. The land reform issue needs to take into consideration a census of both people and land.
2. "The value and use of land must be established."
3. The reform should be defined by leveraging political will. This should encompass clarifying the role of politicians, technocrats, researchers and students in the land reform process.
4. When undertaking land reform, attention should be given to the various needs of different countries as well as the capital value of land.
5. "Ownership must be determined and defined as freehold, leasehold, titled, given right of occupancy, customary or personal or private." Such a definition will help to clear a misconception that land is just dirt or the top soil while in fact the term 'Land' encompasses even forest, water and minerals.
6. Formalize land ownership through a legal property system. The legal system will help to spell out the size of land owned, terms of tenure, reasons for repossession or dispossession, process of land dispute resolution, succession and terms of compensation.
7. Land reform agenda should also put into consideration, issues pertaining to infrastructure needs for Africa's growing urban populations: "*the next generation of cities must be planned and developed with formal means to own properties and assign property value*".
8. An individual country should also be able to make its own decision on proper land use. This should involve how a particular country defines land use in accordance with its needs and value systems.
9. There should also be a land use concept. In this aspect, an individual country should consider land use for human beings, animals and livestock and agriculture in both rural and urban areas.
10. No one should be discriminated basing on gender and disabilities in the land reform process.
11. Land reform is a pressing imperative for African leadership and for it to be effective, it must be consultative, participatory, interactive, inclusive, consensus building, transparent, gender sensitive, innovative and cost-effective.
12. Land reform agenda is pressed by the impending food security crisis. This crisis means that Africa will not only have to feed itself in the future but also it will have to feed the world.