



Guidelines for the Development of Curricula on Land Governance in Africa

June 2022



Guidelines for the Development of Curricula on Land Governance in Africa

June 2022

Contents

List of Abbreviations	vi
Acknowledgements	vii
Executive Summary	ix
Guidelines for the Development of Curricula on Land Governance in Africa.....	x
Way Forward.....	xiii
I. Introduction.....	1
1.1 Africa is building adequate human resource capacity to address land governance challenges	1
1.2 Process of Developing Guidelines.....	1
1.3 Purpose and Objectives of the Guidelines.....	2
1.4 Target Audience for the Guidelines.....	3
1.5 Principles Underpinning Guidelines	3
1.6 Structure of the Guidelines.....	5
2. Evolution of Land Governance in Africa	7
2.1 Pre-Colonial Context.....	7
2.2 Colonial Context	8
2.3 Post-Independence Context.....	9
3. Industry and Programmes	11
3.1 Land Governance Industry.....	11
3.2 Capacity Needs of the Industry	11
3.3 Existing Programmes.....	12
3.4 Capacity Gaps.....	13
3.5 Short courses	13
3.6 Curriculum review.....	13
4. Land Governance in Rural Areas.....	15
4.1 Changing Rural Setting.....	15
4.2 Securing tenure for marginalized groups in customary land governance.....	15
4.3 Land and Agriculture	16
4.4 Large Scale Land Based Investments.....	16
4.5 Youth and land tenure.....	17
4.6 Pastoral systems, livelihoods and land governance.....	17
4.7 Urbanization and Commercialization of Agriculture.....	18

5. Urban and Peri-Urban Areas.....	19
5.1 Rapid Urbanisation.....	19
5.2 Peri-urban area Dynamics.....	20
5.3 Informal Settlements and Slums	21
5.4 Land -Use Planning and Equitable Access.....	21
5.5 Financing Urban Development	22
6. Women’s Land Rights.....	23
6.1 Gender and Tenure Security	23
6.2 Interface between Women and Development.....	23
6.3 Securing Land Rights for Women.....	24
7. Environment, Climate Change and Land.....	27
7.1 Threats to the Capacity of the Environment.....	27
7.2 Climate Change Affects Agricultural Landscapes.....	27
7.3 Climate Change Impacts Coastal Lands and Islands Systems	28
7.4 Natural Disasters Affect Community Land Rights	28
8. Conflicts and Land Governance.....	31
8.1 Escalating Land Conflicts in Africa	31
8.2 Types of Land Conflicts	31
8.3 Causes of Conflicts.....	32
8.4 Stages in land conflicts	33
8.5 Violent Conflicts adversely affect Communities	33
8.6 Access to land can be used in the exercise of power	33
8.7 Taking Measures to Reduce Conflict.....	34
8.8 Encouraging Traditional and Alternative Dispute Resolution Mechanisms	34
8.9 Addressing Post-Conflict Land Issues.....	35
8.10 Efforts to deal with Land Conflicts	35
9. Land Tenure and Property Rights	37
9.1 Tenure arrangements.....	37
9.2 Land administration in context	38
9.3 Continuum of land rights	38
9.4 Land Information Management Systems	39
10. Research and Innovation	41
10.1 Introduction.....	41
10.2 Gaps	41

10.3 Opportunities	42
10.4 Approach and Principles	43
10.5 Innovation	44
10.6 Capacity.....	44
11. Operationalizing the Guidelines	45
11.1 Monitoring and Evaluation	45
11.2 Managing Change.....	45
11.3 Partnerships and Collaboration of Industry	46
11.4 Oversight and Policy Guidance	46
11.5 Sensitization and Lesson Learning	46
11.6 Pilots for Learning.....	46
11.7 Resourcing, sensitization, curricula development and application	46
11.8 Universities and Other Training Institutions	47
11.9 Information, Dissemination and Sensitization.....	47

List of Abbreviations

AfDB	African Development Bank
ALPC	African Land Policy Centre
APSA	African Peace and Security Architecture
AU	African Union
AUC	African Union Commission
AUBIS	African Union Boundary Information System
CAADP	Comprehensive Africa Agricultural Development Program
CEDAW	Convention on the Elimination of Discrimination against Women
CSOs	Civil Society Organisations
ECA	Economic Commission of Africa
F&G	Framework and Guidelines on Land Policy in Africa
FAO	Food and Agriculture Organisation
GIS	Geographic Information System
LIMS	Land Information Management Systems
LPI	Land Policy Initiative
LSLBI	Large scale land based investments
NELGA	Network of Excellence in Land Governance in Africa
NEPAD	New Partnership for Africa's Development
PPPs	Public, Private Partnerships
PSC	Peace and Security Council
PSC	Peace and Security Council
RECs	Regional Economic Communities
SDGs	Sustainable Development Goals
STC	Specialized Technical Committee
VGs	Voluntary Guidelines

Acknowledgements

The Guidelines for the Development of Curricula on Land Governance in Africa contribute to the implementation of the African Union (AU) Declaration on Land Issues and Challenges in Africa. In particular, they answer to the call for Member States to “Build adequate human, financial, technical capacities to support land policy development and implementation.” During its second phase (2012-2016), the African Land Policy Centre (formerly Land Policy Initiative) worked closely with regional economic communities (RECs), governments and relevant stakeholders to assess industry needs and technical capacity gaps in the land sector. This exercise succeeded in identifying core areas for capacity development, entry points for intervention and actors who will facilitate the desired change in training of land professionals. These Guidelines, developed through a collaborative and participatory process, seek to fill the needs of industry. They have been made possible through the support of the three institutions of the Land Policy Initiative Consortium: African Union Commission (AUC), United Nations Economic Commission of Africa (ECA) and the African Development Bank (AfDB).

The supervisory and strategic guidance in the preparation of the Guidelines were provided by Her Excellency *Rhoda Peace Tumusiime*, the *Commissioner* for Rural Economy and Agriculture at the African Union, Dr. Janet Edeme, Officer-in-Charge of the AUC; Dr. Stephen Karingi, Director of the Regional Integration and Trade Division; and Dr. Godfrey Bahiigwa, Director for Rural Economy and Agriculture. We are also grateful to Dr. Joan Kagwanja, Chief of Party of the African Land Policy Centre, for her leadership and guidance during the process of developing the Guidelines. Prof. Kimani Njogu assisted in the coordination of the development and presentation of the Guidelines during different

forums. We acknowledge and appreciate his professional input and support.

The Guidelines for the Development of Curricula on Land Governance in Africa have been informed by regional assessment reports, stakeholder needs assessment, the needs of industry and curricula gaps and capacity development framework. These studies undertaken over the years formed the basis for the drafting of the Guidelines. We are grateful to the assessment research teams and the many respondents who provided information from which these Guidelines are drawn.

The drafting was conducted in a facilitated Writeshop by a select team of African experts drawn mainly from universities and institutions of higher learning. The drafters included Mr Ibrahim Njiru Mwathane; Dr. Yashwaree Baguant Moonshiram; Dr. Uchendu Eugene Chigbu; Dr. Katetegeilwe Rwiza; Dr. Mohamed Timoulali; Dr. Agnes Mwasumbi; Prof. John Y. Dung-Gwom; Ms. Millicent Odeny; and Dr. Gaynor Paradza. The drafting team received technical support from Dr. Joan Kagwanja; Dr. Hubert Ouedraogo; Daniel Kefale; and Ms. Rebecca Ochong and Jean duPlessis. Discussions on industry needs and curricular gaps were led by Prof. Seth Opuni Asiama.

The September 21-27, 2016 Writeshop was officiated by the late Ms Mariam El Maawy, the then Principal Secretary, Ministry of Lands and Housing. Sadly, Ms El-Maawy later succumbed to injuries sustained after Al-Shabaab militants ambushed her convoy at Milihoi, Lamu County in July 2017.

Following the Writeshop, the Guidelines were subjected to external review by a team of experts and stakeholders. The reviewers included Ms. Catherine Gatundu; Prof.

Lusugga Kironde; Dr. Margaret Rugadya; Dr. John Njagi Muriuki; Jean duPlessis; Dr. Hirut Girma; Prof. Elisabeth Maria Cordula Groenendijk; and Dr. Hoseana Ghebru. We are grateful to the drafting and reviewing teams for their support.

In October 2017, the Guidelines were presented to the Specialized Technical Committee (STC) of the African Union and were endorsed for implementation. We are indebted to the STC for this action in support of land governance on the continent.

The development of these Guidelines would not have been possible without the collaboration of various partners who provided critical financial and technical support at all phases. We are grateful to the European Union, the German Cooperation and GIZ for their continued support. Furthermore, throughout the development of the Guidelines, ALPC has witnessed the enthusiasm shown by different stakeholders. We urge stakeholders to implement the Guidelines within their contexts in order to build the requisite capacity for land governance in Africa.

Executive Summary

The *Guidelines for the Development of Curricula on Land Governance in Africa* have been developed by the African Land Policy Centre (formerly the Land Policy Initiative) in order to “*Build adequate human, financial, technical capacities to support land policy development and implementation*” in accordance with the African Union (AU) Declaration on Land Issues and Challenges in Africa as well as associated decisions relating to the governance and management land on the continent.

In supporting Member States undertake land governance reforms, the ALPC (formerly LPI) has worked closely with regional economic communities (RECs), governments and relevant stakeholders. In 2007-2009, an assessment of key land issues in the five regions in Africa was undertaken and later a *Continental Stakeholder Needs Assessment* was done. These studies were then followed by *Capacity Needs Assessment, Capacity Development Framework* and an *Assessment on Industry Needs and Gaps of Curricula on Land Governance in Africa*. During these studies, core areas for capacity development, entry points for intervention

and actors who will facilitate the desired change in training of land professionals were identified. Throughout the studies, the ALPC engaged with key actors in Africa’s ‘land governance industry’; a term used in this document to mean all institutions and actors involved in land governance and which hire, employ, collaborate with or require in others ways the knowledge, skills and expertise of land professionals who have benefited from universities and other institutions of higher learning.

Decisions related to the Large Scale Land Based Investments (LSLBI) and the allocation of at least 30 per cent of documented land rights to women and the need to improve their land rights through legislative and other mechanism will benefit from the implementation of these Guidelines. They will be the basis for commitment, support and action by governments, universities and institutions of higher learning and other stakeholders to develop curricula, training and research programmes that better respond to Africa’s unique concerns.

Guidelines for the Development of Curricula on Land Governance in Africa

Evolution of Land Governance

Guideline 1: The curricula ought to take cognizance of the evolution of land governance, emergence of land tenure pluralism and how that relates to contemporary realities.

Industry and Programmes

Guideline 2: For good results, curriculum review should be preceded by an assessment of the prevailing needs of the industry. The assessment should be undertaken as a collaborative effort between universities and industry. A clear research agenda on land governance ought to be developed in universities.

Land Governance in Rural Areas

Guideline 3: Curriculum on land governance in the rural sector needs to ensure land professionals have deep understanding of the types of land tenure arrangements required to incentivize greater on-farm investments; how property rights affect vulnerable groups' ability to participate in and benefit from agricultural development projects; the type of complementary programming necessary to incentivize climate-smart agriculture practices; as well as linkages between secure property rights and agricultural production.

Guideline 4: Curricula on land governance ought to pay attention to the promotion and understanding of the legitimacy of marginalized groups and indigenous land rights in Africa, viewed through the prism of human rights, and how they relate to spirituality, cultural identity and food security.

Guideline 5: Research to generate data and options for viable investment models in order to yield equitable outcomes needs to be integrated in land governance curricula. In addition, curricula

ought to guide the training and skills development in the area of participatory land use planning and community development to ensure national food security and rural livelihoods as an integral part of responsible agricultural investments.

Guideline 6: It is essential that curricula on land governance ensures students and land professionals have an in-depth understanding of the dynamics of pastoralism and the prevailing ecology, including the implications of changes in land use on access to pasture and water and ultimately their livelihood.

Urban and Peri-Urban Areas

Guideline 7: Curriculum should expose learners to programs that acquaint them with the realities of urban and peri-urban settings in Africa and therefore stimulate innovative solutions (tenure security for land and housing rights, and access to services such as water and electricity)

Guideline 8: It is important that curricula in land governance address the different ways of financing urban development in a sustainable manner. Learners ought to be given the skills which are needed by public officers and government officials in order to apply innovative approaches involving wide ranging stakeholders in urban development projects.

Women's Land Rights

Guideline 9: Curricula on land governance in Africa should acknowledge women's contributions and ensure that all people, regardless of sex, benefit from, and are empowered by, development policies and practices

Guideline 10: Curricula should expand the set of options, approaches and potential solutions for strengthening women's rights to land by exploring

promising practices related to women's land rights. These best practices should reflect the diversity of the African continent by including practices from specific traditional systems which are favourable to women.

Environment, Climate Change and Land

Guideline 11: *Curricula on land governance need to incorporate knowledge on environmental challenges that led to resource degradation or depletion due to poor land governance and actions for restoring the integrity of natural resources and environmental management that are supported by governance and sustainable use principles. In addition, curricula ought to improve the knowledge (administrative, legal, planning and management, and behavioral) of both traditional and formal entities charged with the management and governance of natural resources under various land tenure regimes.*

Guideline 12: *Curricula on land governance in Africa need to focus on climate change knowledge in relation to land management practices that support adaptation efforts in agriculture, agro-ecological conservation actions and on policies that support the reduction of greenhouse gas emissions from agriculture systems.*

Guideline 13: *In order to serve industry better, land professionals need to understand the value add of mapping, demarcation and delimitation of lands that are vulnerable to the effects of climate change that flood, displace population and lead to loss of land for communities.*

Conflicts and Land Governance

Guideline 14: *Curricula ought to prepare land professionals so that they are able to analyse the nature of conflicts in their areas of operation and be able to come up with a proper typology for land management*

Guideline 15: *Curricula on land governance ought to emphasize the effects of conflicts on communities;*

the social and economic wellbeing of the people and how it undermines development; and should extract lessons from best practices.

Guideline 16: *Curricula ought to include learning about land policies that are inclusive and take into account the various interests over land that would contribute to the reduction of land based conflicts. This should go hand in hand with prioritization of investment in land management in national and sub-national development plans*

Guideline 17: *When land professionals are familiar with the various triggers of land based conflicts and how land disputes can be resolved, and in particular how alternative systems of land dispute resolution can be made part of the national conflict resolution regime, they are able to perform their duties more effectively.*

Land Tenure and Property Rights

Guideline 18: *Positive urbanization occurs when people feel secure. It is necessary for land professionals to recognize and understand all forms of legitimate tenure arrangements, such as formal rights, customary tenure and informal tenure.*

Guideline 19: *Context based land administration approaches can be implemented for individual land tenure regularization, customary tenure registration and informal settlement land recording. Curricula on land governance ought to pay particular attention to the uniqueness of contexts and the importance of adopting appropriate land administration approaches*

Guideline 20: *The concept of the continuum of land rights supports a flexible way of looking at land tenure rights and it allows the recordation of all types of people-to-land relations. When learners appreciate this flexibility of land tenure rights they are better prepared to serve communities.*

Land Information Management Systems

Guideline 21: *Curricula on land governance ought to include training on the development of affordable and accessible Land Information*

Management Systems (LIMS) responsive to Africa's unique circumstances.

Research and Innovation

Guideline 22: *Research and innovation on land aimed at improved understanding, problem solving and the promotion of responsible and effective land governance, should be recognised and incorporated in curricula.*

Guideline 23: *Governments, land training institutions and universities and Africa's development partners ought to prioritise and invest substantially in land research and innovation programmes.*

Guideline 24: *While research specialisation has an important place to achieve deeper understanding of particular focus areas, adopting a coordinated, multi-disciplinary approach, within an agreed research and innovation agenda on land, would be vital for curricula that bolster effective and sustainable land governance.*

Guideline 25: *Learning institutions ought to embrace, build upon and intensify these approaches and through research and innovation, come up with new ones so that they are successfully implemented, at scale, in local contexts*

Guideline 26: *Priority funding will need to be directed to centres and universities and training institutions committed to land governance research. Africa's multilateral and bilateral partners are also encouraged to pay special attention to this capacity gap in their resource mobilization plans.*

Implementation

Institutional monitoring and evaluation: Institutions will assess their curricula reform

in order to establish a well-coordinated, harmonized system that provides timely and accurate strategic information to support the implementation of the *Guidelines for Curricula Development on Land Governance in Africa*. These activities will form a critical part of tracking the performance of the guidelines in pursuing the land governance agenda in Africa.

Management of Change: The curricula reform agenda will support the building human capacities for land policy development and implementation. Universities and other institutions of higher learning have the opportunity to become the primary agents of change which will be driven by Africa's unique context, contemporary issues and technology for the sustainable development of the continent. The Guidelines and the new curricula will be taken through the required validation and/or approval processes at Member State level, be they statutory or administrative, within the respective Ministries and Universities.

Partnerships and collaboration of industry: The successful implementation of the guidelines calls for the goodwill and support of institutions charged with the training of land professionals and the development and implementation of land policies. While the training institutions will prepare curricula and use it to train students, it is the institutions charged with routine land governance in government, the private sector, civil society, traditional authorities and development partners that can provide feedback on the performance of the graduates once in industry.

Way Forward

Oversight and policy guidance: The African Union has endorsed the Guidelines for operationalization by Regional Economic Communities and Member States. The AU will play a continuous oversight role on implementation.

Sensitization, lesson learning and pilots: Regional Economic Communities (RECs) will disseminate and sensitize Member States on the importance of the Guidelines to land policy development and implementation.

Learning through Pilots: ALPC will work with the Network of Excellence in Land Governance in Africa (NELGA) pilot the guidelines on new and existing curricula..

Resourcing, sensitization, curricula development and application: Member States

will need demonstrate political goodwill through providing financial resources for implementation of the Guidelines. Key stakeholders in the private sector, the civil society, traditional authorities and development partners need to be sensitized to support the new curricula.

Universities and other training institutions: University organs responsible for oversight on the development and implementation of curricula will need to be sensitized.

Information, dissemination and sensitization: An elaborate information, dissemination and sensitization programme needs to be devised and implemented. Partner institutions with capacity to scale up the message about the Guidelines will need to be identified and involved.



I. Introduction

1.1 Africa is building adequate human resource capacity to address land governance challenges

The African Union recognizes the importance of land to the continent's socio-economic development, given that the majority of Africans rely on land and land-based resource sectors (agriculture, forestry, mining, tourism) for their livelihoods, individual wellbeing and economic opportunities. Land is also a source of social status, cultural identity and is often tied to spirituality and the essence of life. How land is governed and managed, therefore, is of critical relevance to efforts aimed at efficient, inclusive and sustainable utilization of land and related resources to achieve economic growth, prosperity and broad based sustainable development on one hand; and cultural expression, social cohesion, peace and security on the other.

In the *African Union Declaration on Land Issues and Challenges in Africa* adopted in 2009, African heads of state and government expressed great concern in the way Africa has governed and managed its land, especially post-independence. After all, the struggle for independence was as much a fight for political freedom and self-rule, as it was a fight to

regain control over land. It is for this reason that the African Union Assembly committed to “prioritise, initiate and lead land policy development and implementation processes.” They resolved to take note of principles and steps outlined in the *Framework and Guidelines on Land Policy in Africa* to review the land sector and develop comprehensive policies that address Africa's realities. In view of gaping capacity related challenges including skills and expertise, the AU Member States were urged to “build adequate human, financial, technical capacities to support land policy development and implementation.”

1.2 Process of Developing Guidelines

Between 2007 and 2008, assessments were conducted in all five regions of Africa to examine key land issues and challenges that should underpin land policy development and implementation. Gaps in human and technical capacity for policy development and implementation featured prominently as a key impediment to successful land and institutional reforms.

During its second phase (2012-2016), as part of its role to support Member States, the Land Policy Initiative worked closely with regional

economic communities (RECs), governments and relevant stakeholders to assess industry needs and technical capacity gaps in the land sector. This exercise was successful in identifying core areas for capacity development, entry points for intervention and actors who will facilitate the desired change in training of land professionals.

During the assessment, ALPC engaged key actors in Africa's 'land governance industry'; a term used in this document to mean all institutions and actors involved in land governance and which hire, employ, collaborate with or require in others ways the knowledge, skills and expertise of land professionals who have benefited from universities and other institutions of higher learning. Consequently, it includes government, traditional authorities, private sector, civil society, universities and other institutions of higher learning, and development partners. The industry confirmed that there was urgent need to increase the number and diversity of land governance professionals and enhance their skills and expertise in order to be more responsive to industry and societal needs. The assessment engaged universities and institutions of higher learning in examining existing curricula, research and training programs to determine if they are adequate to meet the needs of industry. Considerable gaps were identified in the content and nature of training and research programs on offer by African universities and other tertiary institutions. These gaps in training and research form a significant part of why Africa has not been successful in developing comprehensive policies and frameworks that respond to Africa's realities. The gaps may also contribute to ill-informed legislative frameworks that fall short of providing equitable access to land and secure land rights of all, especially women and minority groups.

The assessment report formed the basis for the drafting of *Guidelines for the Development*

of Curricula on Land Governance in Africa. The drafting was conducted in a facilitated writeshop by a select team of African experts drawn mainly from universities and institutions of higher learning. The guidelines were then subjected to external review by a team of experts and stakeholders. Later, the guidelines were presented to the relevant AU policy organ for endorsement and review and disseminated widely.

1.3 Purpose and Objectives of the Guidelines

The *Guidelines for the Development of Curricula on Land Governance in Africa* will facilitate the implementation of the AU Declaration on Land Issues and challenges in Africa as well as associated decisions relating to: the management of Large Scale Land Based Investments and the allocation of at least 30 percent of documented land rights to women and improving their land rights through legislative and other mechanism. In this regard, the Guidelines will be the basis for commitment, support and action by governments, universities and institutions of higher learning and other stakeholders to develop curricula, training and research programmes that better respond to Africa's peculiarities.

The Guidelines contribute to land governance in Africa which is defined in this document as the political and administrative structures and processes through which decisions concerning access to and use of land resources are made and implemented including the manner in which conflicts over land are resolved. By its nature, governance has formal and informal actors which include government, private sector, traditional institutions, civil society organizations, learning and research institutes and community networks. The actors have an interest in land. Development of curricula would need to pay attention to their needs.

The objectives of the Guidelines are to: i) inform leadership in universities and other tertiary institutions on the specificities, issues and challenges that should underpin training and research curricula on land governance ; ii) provide a basis for policy direction and support to guide frameworks, regulations and oversight of training and research programs; iii) serve as a basis for cooperation and collaboration between land governance industry on the one hand and training institutions on the other; and iv) inform strategies that guide development partner support in the areas of training and research on land governance.

1.4 Target Audience for the Guidelines

Guidelines for the Development of Curricula on Land Governance will be available for use by all universities and institutions of higher learning in Africa as well as other actors in the land governance industry. The Guidelines will also benefit ministries and departments responsible for development of policy and oversight in higher education. The targeted audience for the guidelines are universities as well as other higher learning institutions offering or contemplating to offer teaching or research programmes related to land governance to produce land professionals.

Also targeted are training institutions that teach land as part of other programmes in which land governance is treated as an important component within a broader thematic area. Such programmes include but are not limited to geography, sociology, anthropology, law, agriculture, natural resource management, rural development studies, spatial and regional planning, agricultural economics, tourism development, and environmental management. The land governance courses in these programmes are often targeted at the broader objective

of the programmes themselves and do not necessarily to produce land professionals.

1.5 Principles Underpinning Guidelines

These Guidelines are underpinned by a number of principles emanating from those underpinning the *Framework and Guidelines on Land Policy in Africa*. The guiding principles include the following:

- 1. Recognise that land issues in Africa are unique and complex.** Land issues in Africa are characterised by, among others, legal pluralism; state sovereignty over land; land, natural resources and environmental degradation; tenure insecurity for the majority of the population; escalating land conflicts, a rapidly growing population and the danger of food insecurity, and inter and intra-gender and generational equity issues. These factors have implications on land governance curricula reform.
- 2. Acknowledge the evolution of land tenure pluralism in Africa.** The evolution of land tenure has taken place from the pre-colonial, through the colonial and postcolonial periods. Recognizing this evolution would ensure that customary land tenure and practices are viewed as a way life for many communities. Equally important is the appreciation that land governance though informed by the past ought not to lean too heavily on it but rather to take a futurist paradigm in order to underpin core courses that embrace the needs of post-independence Africa;
- 3. Underscore the centrality of land to the continent's socio-economic development.** The majority of Africans rely on land and natural resources for their livelihoods, individual and communities' well-being, economic prosperity, social standing and stability, and cultural identity. Accountable,

inclusive and transparent land governance frameworks and practices are core to securing households.

4. **Secure land rights for women.** Gender is a determinant of tenure security. It is essential to understand the gender - based power dynamics that underpin land governance systems and practices to effectively address structural and normative barriers to women's land rights;
5. **Ensure equitable access and/or ownership of land and property rights for all.** It is critical that women, pastoralists, indigenous communities, minorities and secondary rights holders have equitable access to land as a human right;
6. **While taking into account local contexts, conform to continental and global principles, commitments and standards.** There are many national, regional, continental and global instruments that seek to enhance inclusive land governance practices and land professionals ought to draw on them in the performance of their duties while taking into account social and political circumstances of regions and individual countries;
7. **Consider current and emerging issues related to land and land resources.** Land issues are always evolving, hence, governance curricula should be responsive to changing dynamics. Emerging issues include, but are not limited to, responsible large-scale investment in land for economic prosperity and food security; global warming and climate change; and the sustainable management of the environment;
8. **Recognise the need for land professionals to have multiple skills.** In addition to being technologically competent, land professionals ought to have communication, project and financial management skills; basic negotiation and dispute resolution skills; ability to engage governments and development partners; and ability to appreciate processes such as policy formulation and approval, enactment of legislation and annual budgeting and accounting cycles without which they cannot effectively drive programmatic work.
9. **Appreciate the opportunities that come with urbanization.** Africa is urbanizing rapidly and there is need to consider the opportunities that typically accompany large population shifts including changes at peri-urban and peri-rural areas, rural-urban linkages, urban slum development and unregulated land development in both large and small towns.
10. **Understand the basis and nature of land conflicts.** Africa continues to experience violent conflicts due to struggles over land based resources. It is important to understand the linkages between land governance and violence conflicts, and to identify opportunities for preventing mitigating, , and addressing conflict..
11. **Take into consideration the principles of good land governance.** Land governance, the process of decision making and implementation of land matters, is best practiced in a manner that enhances transparency, accountability, community involvement, decentralization and consensus orientation. These characteristics provide a basis for coherent partnership to facilitate sustainable use of land based resources.
12. **Recognise that much of the land and natural resources is used as a common resource.** Because land is a common resource, it ought to be preserved from population and privatization pressure. Therefore, conservation of forests, water sources, wetlands and other fragile areas is crucial for Africa's survival. Many resources are trans-boundary with porous borders between countries; thus the need for regional convergence on the sustainable

management and utilization of land and associated resources.

1.6 Structure of the Guidelines

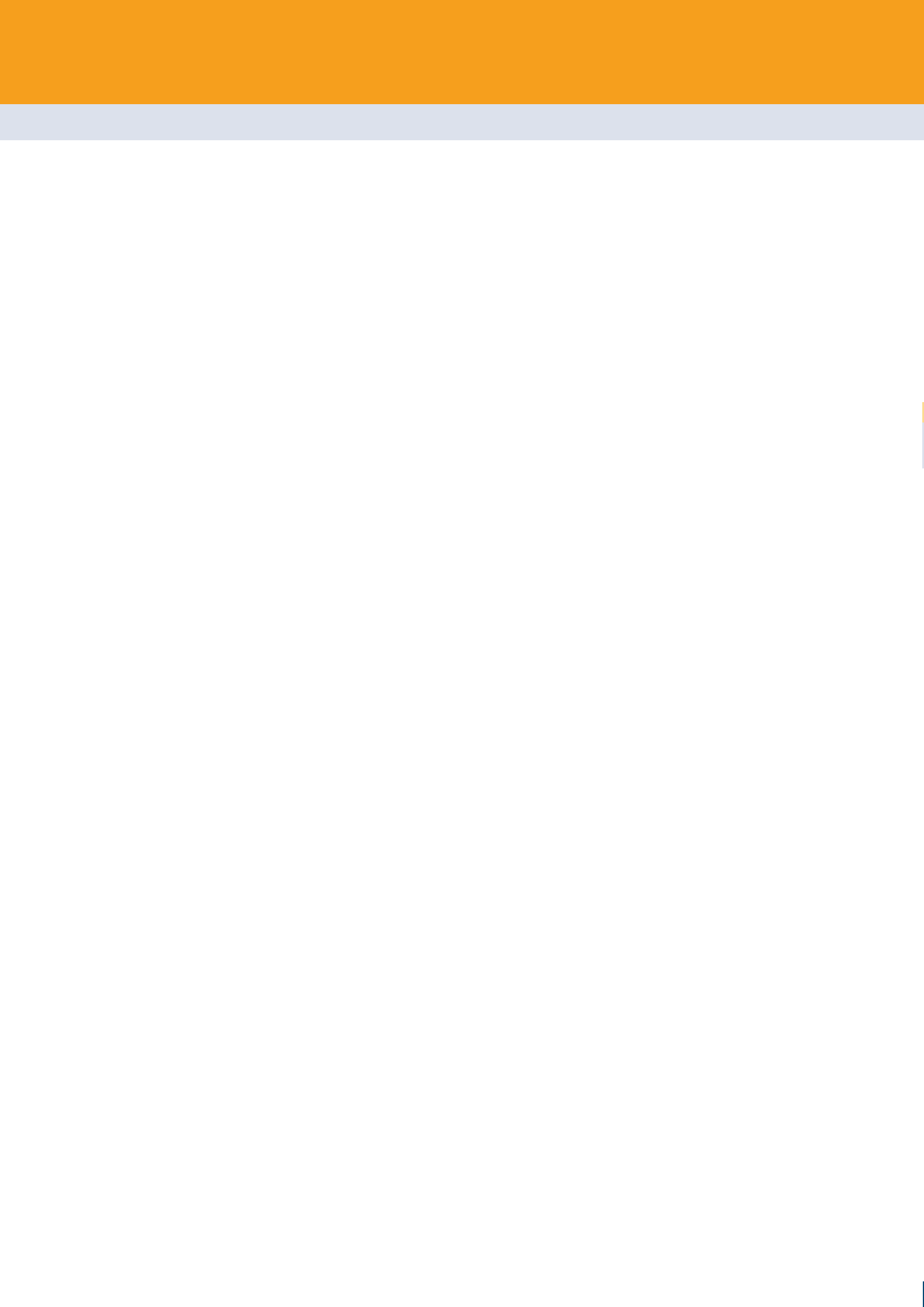
Guidelines are structured into eleven chapters as follows:

1. Introduction
2. Evolution of Land Governance in Africa
3. Industry and Programs
4. Land Governance in Rural Areas
5. Urban and Peri-Urban Areas
6. Women's Land Rights
7. Environment and Climate Change
8. Conflicts and Land Governance
9. Land Tenure and Property Rights

10. Research and Innovation

11. Operationalizing the Guidelines

Each chapter discusses a core theme related to land governance and provides guidelines on how curricula development on land governance could address that particular theme. After discussing the evolution of land governance in Africa, the Guidelines delve into the programs available in training institutions and the extent to which they meet or do not meet the needs of industry. Other chapters discuss how land is governed in rural, urban and peri-urban areas; how gender determines tenure rights and the effects of environment and climate change on land. Because peace and security are important concerns in Africa, there is discussion on how the type of land governance practiced can either enhance or undermine peace. Other topics covered in the Guidelines relate to land tenure and property rights, research and innovation as well as how the guidelines will be operationalized at different levels.



2. Evolution of Land Governance in Africa

2.1 Pre-Colonial Context

Contemporary complexities of land governance in Africa are neither new nor static. They are a consequence of societal power relations and processes that pre-date the colonial encounter. During the pre-colonial period customary land tenure, often viewed as unitary, was layered and contested. It was driven by internal and external socio-political and economic formations. Whereas certain communities were organized around centralized social and political states with hierarchical structures and bureaucracies which were maintained through rewards for loyalty, others were more communal in approach and organized in villages. In the process, social classes emerged especially in those societies that had feudal systems of governance and were building empires by conquering neighbouring communities. The centralized state apparatus often extracted surplus goods and services from the peasantry mainly composed of slaves captured in war and semi-free labour as well as households who paid tributes to leaders.

In feudal states, rulers assigned land to the political elite and bureaucrats who consequently raised revenue from their subjects and in other cases leaders of communities were required to collect and

provide tributes to the rulers. In the process, a class of the rulers with rights to administer and allocate land or extract resources from peasants and labourers emerged. On their part, the labourers and peasants gained access to land in exchange for work, produce and revenue. These types of customary land tenure regimes were common in West African states, the Great Lakes region of Eastern Africa, the Sudan and Ethiopia.

In the non-centralized communities, there was no distinct political class which controlled community structures. Instead, decisions related to land were made by family members, village level councils of elders, age-set groups, or earth priests (*chefs de terre* in Francophone Africa) with ritual powers related to land fertility and maintenance of moral order. The community structures had legitimacy and made decisions through consultations with village members or deities.

The earth priests were often descendants of original occupiers of the land. Although they had no political power, it was believed that they had the power of interceding with the earth gods for permission to exploit land based resources and offer spiritual protection. They had the right to undertake sowing and harvesting rituals, confer property rights, administer and allocate land to incoming

settlers and resolve land related disputes. With migrations, population growth and an increase in the number of people seeking land for settlement, the power of the earth priests grew. But in certain cases, the ritual powers were weakened as they were contested by in-coming groups. Networks of gift exchange for land started taking root. Controversies over settlement history emerged and were used to stake claims over land. The role of the earth priests changed and was substantially reduced to performing rituals and not the overall management and allocation of land.

Among pastoralists, land was owned communally and was easily accessed by all. In North Africa, the pre-Islamic *hema* system of rangelands management, governed the timing, frequency and intensity of grazing and was core to the maintenance of rangelands. As in other parts of the continent, land was collectively owned and easily accessed by all.

In addition to the dynamics of indigenous systems of land governance, the spread of Islam in Africa, from the seventh century, introduced other processes that further shaped the way land was accessed and managed on the continent. Islamic principles of land tenure permeated African societies and interacted with local, socio-economic, customary practices. But because Islam is itself a contested zone, there was no singular and uniform practice of land tenure introduced in the new predominantly Islamic nations. Rather, tenure was shaped by the practices of the relevant sects as well as *maddahib* (schools of jurisprudence). In principle, however, land was conceived as a sacred trust that promoted individual ownership with a redistributive spirit and shaped by political, secular and customary influences. Islam spread through territorial conquest and land that had been conquered was subjected to charges on farm produce and whichever land left to former holders was subjected to *kharaj*, the levy of

land tax. Therefore, the Islamic tenure regime introduced dualism of tenure in certain areas of Africa, notably Northern, Western and Eastern regions.

2.2 Colonial Context

Majority of African countries were colonized by Britain (through direct or indirect rule), France (through assimilation processes), Belgium, Portugal and Spain. German rule in Cameroon, Tanzania and Namibia was short lived, while Apartheid South Africa (initially colonized in the 17th century by Dutch settlers and later by Britain) also governed Namibia in the 20th century. The colonization of Africa created additional complexities in the management, allocation, control, and access to land. Under European colonial rule, for example, three distinct land frontiers took root: settler colonies (mainly in northern, eastern and southern Africa); concessionary colonies (Central Africa and the Congo basin); and zones of peasant production (especially in West Africa).

Colonial control over land was gained through 'agreements', conquests and appropriation. As the process of colonization was resisted by communities to varying degrees, this process was violent and slow. Upon taking control, land was appropriated and allocated to settlers for agricultural development. This was especially the case in those African areas with non-centralized political structures. In areas with more centralized governance structures, indirect rule was introduced. In other cases, Europeans migrated into the continent for extraction of minerals and Africans were pushed to less productive lands.

Peasant proprietor farming was dominant in West Africa which had manifested pre-colonial statehood that controlled trade, agricultural production and labour. With their emergent social hierarchies, markets and trading towns

these areas were easily transformed, through indirect rule, for export crop production to cater for European markets.

The concessionaire system took root in areas with less developed trade, but had potential for investment in agriculture, forestry and mining. The colonial governments gave large concessions to chartered trading companies to exploit all the resources in the areas allocated to them. Consequently, local populations were required to provide labour and other services under this system. The system was later transformed, paving the way for mineral extraction and large scale industrial plantations.

Under colonial administration, titling was reserved for Europeans and Africans could only have customary user rights which also subjected them to coercive measures such as forced labour, obligatory cultivation of certain crops and service provision in public works. Existing customary administration was retained and used to shape land practices and the market. Furthermore, customary land relations were adapted and reconfigured to fit into the colonial context, entrench export production and facilitate migrant labour. Whereas in pre-colonial Africa land was not under the control of the state or privately owned, under colonialism it became vested in the state and, in certain cases, traditional rulers. This was especially the case in West Africa. In southern and eastern Africa, however, European colonial rule expropriated African land and gave it to settler farmers on a leasehold or freehold basis.

The consolidation, control and regulation of acquired land was effected through passage of European laws and the establishment of political, administrative and economic management systems, which were superimposed onto diverse existing customary

and religious practices. This led to a pluralistic land tenure and land administration system.

It is through this colonial encounter that the land governance curricula in Africa became influenced by land tenure and land administration system introduced during this era. The curricula entrenched the colonial framework of individuated land and property rights and the statutory system and its accompanying processes leading to the issuance of individual title deeds. Further, training of land professionals was geared towards the production of individuals who would promote 'development' as viewed in Europe and to serve the state and the corporate sector. Little attention was paid to community land rights in the colonial curricula.

2.3 Post-Independence Context

Post-independence land tenure systems are the product of customary, colonial and post-colonial choices including the ideological path chosen by different countries on attainment of independence. For example, countries that chose a free market economy built into the regime individual property rights and laws with concomitant incentives for maximization of production. On the other hand, countries that took a socialist path tended to collectivize land holdings or vest all ownership rights to the state, with occupation and use protected. Furthermore, states whose legal systems were anchored in, or had elements of Islamic law, tended to honour the rights of family units more than anything else. Many countries chose to follow systems of land governance similar to those of their former colonial powers, at least in the earlier days of independence. Pluralist land tenure systems – customary, religious and statutory- were adopted in most African countries. The formal

laws of the former colonial powers typically discriminated against women. These imported laws often called for the registration of title in the name of male heads of households and conferred inheritance rights upon male family members.

Reforms to redress colonial imbalances in land ownership took different forms including nationalization of settler and corporate lands, land expropriation for redistribution, and land acquisitions through market based compensation. Although land was substantially Africanized, access to forms of land titling through which African smallholder producers could secure land rights was limited. There were also hurdles in land registration, making titling significantly easier for the new political and economic elite and less so for women and the economically disadvantaged. In the process, the land rights of the poor, women and other marginalized members of society were undermined. With population growth, land scarcity, rapid urbanization, political agitation and insecurity of customary land rights, many countries have experienced social conflicts, land speculation and land grabbing. These challenges have led to a push for more transparent and accountable land governance processes.

At the centre of the clamour for good land governance have been efforts to secure community land rights in order to ensure protection from appropriation by state agencies, economic and political elite, land speculators and foreign investors. A number of countries have developed legislative frameworks that accelerate titling, recognize land tenure pluralism, protect women's land

rights and secure the rights of smallholder producers and communities. Innovative approaches which are drawn from community experiences in order to buttress customary land rights while at the same time ensuring that the rights of women and other marginalized groups are respected have been adopted by some countries. These community based solutions include processes for registration of land rights and claims at the community level. This ensures that land rights are vested in the people other than the elite and international investors. In some countries, participatory tools have been evolving for community mapping of land and have influenced how community land is registered. By identifying existing customary land rights, governments have been able to undertake cost-effective demarcation and registration of land rights of customary tenure. But the process further shows the complexity of land governance as communities make claims and counter claims, sometimes leading to land based conflicts.

Over the decades, land governance curricula in Africa have not been reformed in order to be responsive to the post-independence realities. There has been little recognition of the dynamics inherent in the interaction between customary, religious and statutory systems. Further, curricula have paid little attention to how customary and statutory land management systems are being harmonized and the consequences of this process.

Guideline 1: The curricula ought to take cognizance of the evolution of land governance and the coming into being of land tenure pluralism and how that relates to contemporary realities.

3. Industry and Programmes

3.1 Land Governance Industry

The land governance industry includes governments, private sector institutions, traditional authorities (for land managed through traditional arrangements under chiefs or councils), civil society organisations (CSOs), development partners and other relevant groups and stakeholders which hire, employ, collaborate with or need the knowledge, skills and expertise of land professionals. Because universities and other institutions of higher learning also commission land professionals for research and teaching purposes, they are also part of this industry.

3.2 Capacity Needs of the Industry

The needs of the land governance industry in Africa are driven by current social-economic, political, technological and environmental contexts. These are at times highly varied, sometimes broad and general and other times highly specialized, depending on the need, context and circumstance. They are also shaped and informed by a wide spectrum of concerns including responsive policies and laws; technology and innovation; efficiency,

accessibility and affordability of services; human rights, justice, equity, gender-equity, and non-discrimination; institutional accountability; and sustainable land use and management. Whereas core competencies in the technical skills of planning, surveying, land management and law are fundamental, today's land governance industry in Africa also calls for diverse skills from a variety of professions and disciplines, including the social sciences. For instance, governments bear the responsibility of formulating and implementing inclusive policies and effective laws, undertaking land-related programmes to deal with complex challenges (for example, in situations of rapid urbanisation), providing routine services, and regulating professional practice. It would therefore help if land professionals seeking careers in government possessed knowledge and skills related to these various land governance functions.

Graduates headed for the much expanding private sector will constantly encounter a competitive business environment and will need to possess additional, business management and other skills to enable them to contribute effectively. Graduates keen on careers with traditional authorities, which control vast land in most parts of the continent, will spend time working with communities, civil society and investors with interests

in these areas. Such graduates will need to have a good understanding of community dynamics, gender dynamics, history, culture and tradition, as well as land tenure, and possess relevant knowledge and skills to effectively work in these environments.

Land professionals who wish to serve in civil society organizations will spend part of their time undertaking social surveys and thematic research. They will also work with a diverse range of communities and land sector stakeholders. Consequently, they need to possess extra skills in, for example, research, community engagement and social networking. Professionals keen on careers with development partners, a category of the industry which is slowly growing, will find themselves managing development projects in the land sector. They will need to understand how such projects are designed, managed and reported. They ought to possess good skills in project design, implementation, monitoring and evaluation. Universities and other training institutions, mainly involved in teaching and research, will need graduates with excellence in the core technical areas and competence in research methods and essential soft skills

Besides, all land professionals in contemporary Africa will work in a highly technological and rapidly evolving environments and will need to communicate and network effectively, adapt to new situations, and manage people, time and financial resources. Therefore, possession of skills in information technology, communication, project and financial management will be advantageous. They ought to also understand how to effectively assess and apply the principles of equity, non-discrimination and sustainable management in their institutional tasks. Furthermore, since they will encounter numerous instances of contested land rights within their routine work, they need exposure to negotiation and dispute resolution skills.

3.3 Existing Programmes

In much of Africa, curricula governing the teaching of land governance professionals in universities and other institutions of higher learning do not respond to the full spectrum of skills needed as detailed above. Notably, curricula that drive today's teaching have been largely informed by the out-dated view that land is primarily a commodity and a tradable asset and fail to recognise that land serves cultural, social, spiritual and economic functions. Save for some minor variations, teaching land governance remains largely limited to producing experts with competencies to define land, through measurements into entities of known dimensions and size for allocation and recording, quantifying its value for exchange or mortgage and managing it once uniquely defined and recorded.

Present curricula mainly focus on programmes aimed at producing graduates with strong numerical and measurement skills to work as surveyors for government at national and local level, traditional authorities, private sector and universities. Emphasis has also been placed on programmes to produce land governance professionals to serve as valuers as well as land administration and land management officers. Planning programmes also produce experts with competencies to support the planning of urban and rural spaces in Africa.

Some of the courses that inform the programmes used to prepare students in surveying (geomatics) include cadastral, geodetic and topographic surveying, geographic information system (GIS), mathematics, cartography and land law. Students in land administration, land management and land economics programmes take courses which include land tenure, land economics, valuation, property law, facility management, surveying/GIS, property development, building construction and estate

management. Planning programmes provide courses such as spatial planning, land use planning and urban and rural planning, among others. In some of the universities, certain components of land governance are taught within broader thematic programmes such as law, geography, sociology, anthropology, agriculture and natural resource management, among others.

3.4 Capacity Gaps

Land governance has become highly complex and challenging, requiring a range of skill sets, mechanisms and tools that are, under present circumstances, not readily available. This means that, while a number of the skill sets described above remain relevant and necessary for good land governance, there are glaring gaps in the teaching of land governance professionals in Africa. Whereas some universities have or are making good efforts to bridge the gap by including innovative new approaches, methodologies and tools in their teaching, and also reaching beyond the conventional disciplines to include inputs also from the social sciences (history, anthropology, sociology, economics and others), other universities are yet to do so.

These guidelines are aimed at helping curriculum developers to address current and future challenges more comprehensively. While reading through the various chapters provides a good understanding of Africa's contemporary concerns that can help with content to some of the core courses, we would like to underscore the need for students to be provided with a good understanding of land policies and laws within a jurisdiction, and cultural and traditional forms of land tenure and management. Teaching should also effectively mainstream adaptability to technology, innovation, inclusion, gender equity, non-discrimination, conservation, sustainable land management and the need

for flexibility with changing jurisdictions. Skills on research, government procedures, effective communication, land tenure, women's land rights, community engagement, dispute resolution, marketing, project and financial management may be offered as service courses from the respective core faculties and departments. Through on-going research, both teachers and students should be updated on new insights, methods and tools in land governance, and be encouraged to be innovative through field projects and problem-based learning. Curriculum developers will need to look through this set of skills to determine which ones best suit their courses.

3.5 Short courses

To bridge advances in technology and development of innovative tools and methods, curriculum developers should consider designing short courses for lecturers and practitioners in the public and private sectors. To identify and determine areas suitable for research at Masters and Ph.D. level, curriculum developers in universities ought to establish mechanisms for collaboration with industry within their jurisdiction. Such collaboration would inform the identification of short courses suitable for policy drivers and managers in line ministries, land commissions, parliamentary committees on land, statutory boards at various levels, traditional authority leaders, CSOs, and private sector practitioners.

3.6 Curriculum review

To remain dynamic and responsive to changing needs, land governance curriculum will need to be reviewed at reasonable intervals. Curriculum developers should bear in mind that such intervals should not be too short to allow for adequate lesson learning nor too long to ensure curriculum accounts for advances in technology, innovation and developments within a particular context.

Guideline 2: For good results, curriculum review should be preceded by an assessment of the prevailing needs of the industry. The assessment should be undertaken as a collaborative multidisciplinary effort between universities and industry. A clear research agenda on land governance ought to be developed in universities.

4. Land Governance in Rural Areas

4.1 Changing Rural Setting

Africa's ecology offers opportunities for a diverse set of livelihoods due to its abundant land, water, forests, wildlife, minerals and other resources, but it also poses risks associated with fragile landscapes and climatic conditions. This is especially so given the high demand on Africa's rural land from external forces but mostly from its population. Over the past few decades, significant changes that affect land tenure systems have been witnessed in many parts of Africa. These include demographic changes, commercialization of agriculture, urbanization, growing demand of land for investment. Changes in land tenure relations that follow from developments in local and international socio-economic and political order have important implications for the livelihoods and households in rural Africa as land continues to play a crucial role in people's lives and agriculture remains the main economic activity.

Prosperity and development of rural and urban areas in Africa will largely depend on the success of the process of harmonizing the customary and statutory land management systems to respond to the changing demands for safeguarding land rights and enhance agricultural investment, productivity, and overall production in a more equitable and

sustainable manner. This is an issue that land governance curricula would need to address.

4.2 Securing tenure for marginalized groups in customary land governance

Different marginalized groups including women, persons with disability, indigenous peoples, fishing communities, peasants and rural landless often suffer from insecure land and natural resources tenure. They do not enjoy full equality of opportunities and rights to land and natural resources and are not recognized as major decision makers in land matters under customary tenure. Collective rights and tenure over land and natural resources for women pastoralists and farmers ought to be legally recognized and protected. Furthermore, indigenous groups operate under customary tenure and often lack recognition and effective protection of the rights to own, control and manage their ancestral lands, waters and resources collectively. Land reform would need to protect men and women operating under customary land governance system, recognize the role of traditional authorities and customary systems of land allocation and transfer, and appreciate the material, cultural

and spiritual land use practices. Where customary law is recognized by law, it should be subject to compatibility with constitutional and statutory safeguards for women's land rights.

Guideline 3: Curricula on land governance ought to pay attention to the promotion and understanding of the legitimacy of marginalized groups and indigenous land rights in Africa, viewed through the prism of human rights, and how they relate to spirituality, cultural identity and food security.

4.3 Land and Agriculture

Africa's socio-economic development is largely dependent on agriculture which is primarily practiced by smallholder farmers in mixed crop-livestock systems and pastoralists. Agriculture is crucial for food security, livelihoods, employment and income, particularly in rural areas. Yet poverty in rural areas is widespread, more so among women headed households and pastoral communities, mainly due to a history of inappropriate agricultural policies, manifested by minimal government support for farmers, and resulting in low technological inputs, irrigation infrastructure and market access. It is important to examine options for increasing agricultural production on the continent.

Land governance curricula ought to facilitate training towards innovations in mapping and zoning of agricultural land, and rural land use planning with the aim of identifying and securing agricultural land for sustainable expansion. There is also need to ensure urgency in policy oriented research, essential for identifying models that include male and female smallholder farmers and pastoralists, to ensure that they benefit from land allocation programs and inclusive agricultural investment ventures.

4.4 Large Scale Land Based Investments

If responsibly conceived and managed, large scale agricultural enterprises can offer an opportunity for sustainable expansion of agriculture to create employment and bring much needed investments in African agriculture. This can happen if these investments indeed facilitate spill over benefits such as access to productivity enhancing technologies, mechanization, irrigation, agro-processing and market access. But investment programs that lead to land sales and long-term leases of large swathes of communal land, especially where land claims and rights are not documented, risk dispossessing entire communities of their land and livelihoods. Fortunately, African governments and stakeholders now have a tool, the *Guiding Principles on Large Scale Land Based Investments* to provide guidance towards responsible, viable and inclusive LSLBIs outlining clear guidelines that identify the varying responsibilities of investors and institutions. These include recognition of land rights, transparency and meaningful participation of male and female land users in the process of domestic and foreign/international land acquisition/investment; well-defined compensation definitions including terms for transferring land, timing of land redistribution; contractual obligations with regard to the employment of local men and women and the nature and quality of infrastructure provision.

Land governance curricula ought to promote the application of the fundamental and supportive principles now endorsed by the African Union, as a means of developing value chains to transform agriculture and rural lives in a viable farming system that integrates small, medium and large scale farming. Furthermore, land practitioners ought to have the skills needed for informed negotiations, preparation of investment related contracts,

as well as monitoring and assessment of LSLBIs.

Guideline 4: Research to generate data and options for viable investment models in order to yield equitable outcomes needs to be integrated in land governance curricula. In addition, curricula ought to guide the training and skills development in the area of participatory land use planning and community development to ensure national food security and rural livelihoods as an integral part of responsible agricultural investments.

4.5 Youth and land tenure

In Africa, people aged 30 years and under comprise about 70% of the total population and many are unemployed. But access to land provides tremendous opportunities for youth employment. Constraints to youth accessing land of their own on a more secure manner has been a recurrent problem and contributes as a 'push' factor preventing youth from benefiting from the agrarian sector in a more equitable and sustainable way. In addition to landlessness, limited access to credit and erosion of assets (for example, land subdivisions at inheritance) are identified as other major 'push' factors. Hence, many rural youth who do not own agricultural land on a secure manner miss out on the benefits that result from the land markets.

Yet, despite the recognition of this challenge and the growing policy attention and aspiration of development policies and agricultural strategies to involve the youth, there is a knowledge gap to link youth livelihood choices and land tenure.

Land governance curricula needs to probe at least five knowledge gaps. First, what are the mechanisms by which youth male and female's access land and how secure are the resulting forms of land tenure? Second, what percentage of male and female

youth have access to agricultural land for their own cultivation? Third, how do tenure arrangements affect incentives of male and female youth to engage in agriculture – such as the possibility of using land as collateral? Fourth, what other assets (including human and social capital) do male and female youth in agriculture have, and what do they need to engage productively? Fifth, which policies and mechanisms (e.g., land lease markets, credit schemes) can enable male and female youth to acquire secure land tenure? The answers to these questions would be vital for the development of inclusive land governance processes.

4.6 Pastoral systems, livelihoods and land governance

Pastoral ecosystems support significant livestock and wildlife resources, contributing significantly to agricultural and tourism sectors of many African economies. Yet policies are often biased against pastoralists in favour of ranching operations and other commercial enterprises. Pastoral areas, which dominate desert and dry land zones, are characterized by a low population density which is sparsely distributed. Nomadic and semi-nomadic lifestyles are driven by periodic scarcity of water and pasture during long dry spells. Water and pasture is managed and used communally with occasional conflicts among communities and some have evolved into deep rooted historic communal rivalries, characterized by violent cattle rustling

Generally, pastoralist's land tenure is based on customary traditions as these groups hold their land under communal tenure. This communal property regime is important because it creates pastoral rights of access, providing the best framework for pastoralists to exploit the available resources across various agro-ecological conditions and

thereby reducing their vulnerability. Therefore, mobility between seasonal resources is a key element in pastoral production systems. During seasonal movements, pastoralists manage access to required resources through their customary systems. Pastoralists' rights-of-access to dry season resources are based on reciprocal arrangements on the use of property rights between agriculturalists and pastoralists, and these depend on factors like climatic conditions and social relations between the communities among others. These customary rights to sharing seasonal resources, even between different communities, came to existence because they were recognized by those communities. However, pastoralists' right to pasture and water is continuously challenged as the customary tenure system is under threat due to growing trends of commercialization of agriculture and the growing demand for mechanized farming in Africa. Moreover, pastoral areas are under immense threat from land degradation, desertification, agriculture and urbanization and this is occurring in a situation where pastoralists do not have their land rights and claims documented.

Land governance curricula needs to promote the development of progressive policies that recognize the contribution of pastoralists to the conservation of fragile ecosystems as well as their contribution to the economy. This includes securing the land rights of men and women in pastoral communities before land pressures lead to dispossession of entire communities.

Guideline 6: It is essential that curricula on land governance ensures students and land professionals have an in-depth understanding of the dynamics of pastoralism and the prevailing ecology, including the implications of changes in land use on access to pasture, water, firewood, and ultimately their livelihood.

4.7 Urbanization and Commercialization of Agriculture

Urbanization has a number of implications for land tenure system in Africa. One common phenomenon that follows from urbanization is the conversion of land use from agriculture to residential and commercial use. This usually involves change from customary system to more individualized forms of tenure and to informal transactions on land (where formal transaction on land is legally restricted). Similarly, urbanization also creates demand for food products in towns and this in turn encourages the process of agricultural intensification and commercialization of urban areas. Furthermore, it leads to widespread emergence of informal land markets within the customary land tenure systems. Alongside the changes in the demand for land, farmers may be forced or tempted to sell their land as land values increases. In areas where land is under customary tenure system, the elite and local leaders could sell unoccupied communal lands, pastoral lands and even offer land being farmed by community members for housing and other purposes without having the proper consent of the community.

Curriculum on land governance in the rural sector needs to ensure land professionals have deep understanding of the types of land tenure arrangements required to incentivize greater on-farm investments; how land and property rights affect women and other vulnerable groups' ability to participate in and benefit from agricultural development projects; the type of complementary programming necessary to incentivize climate-smart agriculture practices; as well as linkages between secure property rights of men and women and agricultural production.

5. Urban and Peri-Urban Areas

5.1 Rapid Urbanisation

Urbanisation in most African countries provides an opportunity as well as a challenge. It is characterized by expansive growth of informal settlements and slums which goes hand in hand with an increase in growth of the city central districts in terms of commercial and government buildings. The pace of urbanisation is so rapid that governments and administrations are not capable of controlling or supporting their development in a regulated manner. The key drivers of urbanisation in Africa are economic development and livelihood opportunities. However, conflicts and war situations have also made people move from the rural areas to the cities to find safety and shelter, and they have often stayed there.

One of the consequence of this rapid urbanization and increase of population is unregulated spatial growth. People living in inner cities have to move to peri-urban areas in order to pave way for commercial firms or new offices. Land prices are rising as land near urban areas becomes scarce. Green spaces are getting lost, traffic in the major cities is congested and air pollution is of great concern.

The unplanned expansion of peri-urban areas has resulted in loss of agricultural land and rangelands vital for rural livelihoods and beneficial to urban life and sustenance. The complexities of urbanization are compounded by displacement of populations from their land, poor coordination between authorities charged with land delivery, urban spaces continually eating into peri-urban areas, and lack of land to provide opportunities for livelihood earning activities for urban dwellers.

Due to historical and ecological factors, many African metropolitans are located in coastal areas which can be affected by a changing climate with associated challenges of flooding or drought. However, risk prone areas in the cities are being occupied by slum dwellers and developed into informal settlements, making them most vulnerable in the event of climate change disasters.

A typical aspect of most urban and peri-urban Africa is the element of maintaining rural life styles into the city. The rearing and grazing of livestock in urban areas and the practicing of micro-agriculture within areas otherwise zoned for exclusive residential or commercial purposes are other practices that continue to be practiced in some of the urban areas of Africa. In others, rural people have moved into town attracted by prospects of improved

livelihood only to find that they are unable to find meaningful employment and shelter, forcing them to identify and informally settle on any available urban land.

However, urbanization is important for Africa as it provides immense opportunities for economic growth and development. As the pace of urbanization accelerates, effective land governance and natural resource management will be a pre-requisite for sustainable growth and development. First, it is more cost-effective to provide infrastructure and social services to people located in densely populated areas in cities and towns, than to reach rural dwellers in sparsely populated areas. Moreover, the linkages between rural and urban areas allow for the benefits of urbanization to reach rural dwellers due to market access for their produce as well as off-farm income and rising land values for peri-urban residents. Additionally, remittances from urban dwellers to family members in the rural areas contribute to their improved livelihoods.

Curricula on land governance ought to recognize the opportunities provided by urbanization and the resultant challenges. It should pay attention to the management of informal settlements and the effects of climate change especially in coastal towns.

5.2 Peri-urban area Dynamics

Communities that live in peri-urban areas face risks whose context is hardly understood in order to effectively identify and weigh the benefits against risks and costs of urbanization. This often leads to poorly conceived plans with tragic outcomes for communities. The conventional assumption is that peri-urban landowners benefit from increasing land values buoyed by market pressure for land. This may be true for private landowners, especially if there is a functional land market

where landowners and buyers have access to standard information. However, land tenure security is at risk in emerging peri-urban area. The impact of land market mechanisms and individual land ownership are often a threat to land tenure security of the people traditionally living under customary tenure. The livelihood, culture and way of life of pastoralists who own, use and manage land resources such as pasture and water communally and rely on pastoral routes for survival are threatened by unplanned and unregulated urbanisation. This is especially so in view of the fact that land claims, interests and rights for men and women of these communities are often not documented. As a consequence, the majority of legitimate beneficiaries are not recognized or consulted during decision making. In addition, land use change related to urbanisation leads to land subdivision and fencing of land parcels. For pastoral communities, expansive tracts of land are intricately linked to livelihoods and survival.

The peri-urban areas are particularly impacted by land speculation and land conversion. Urban expansion into agricultural estates where owners have no incentive to sell the land until prices escalate to their desired levels make it difficult for urban planners to facilitate the provision of middle to low income housing. Often, elites capture peri-urban tracts of land for speculation, making it difficult to acquire land for urban planning and development. Another crucial issue related to unplanned urban development is the issuing of construction permits and the corresponding land-use inspections. Urban expansion is often uncontrolled; people construct without permits, others bribe to receive them, and inspections rarely take place. This urban sprawl leads to major problems for the provision of infrastructure and services. It causes environmental risks and leads to declining living conditions in urban and peri-urban areas. Curricula reform ought to appreciate the dynamics and context of land

in peri-urban areas. Doing so will contribute to better urban and peri-urban planning.

5.3 Informal Settlements and Slums

Most people in urban areas in Africa live in informal settlements and slums contributing to one of the main characteristics of African cities. Inadequate supply of low income housing, along with the limited supply of suitable land to accommodate urbanization needs, including public physical and social infrastructure, are leading to the growth of unplanned areas.

Slums are characterized by lack of open spaces, poor drainage and sanitation, poor housing, poverty, insecurity and unemployment. Due to limited tenure security, forced evictions occur often. Poor men and women in slums and informal settlements often lack tenure security because their rights are not formally recognized. People living in informal settlements have organized an informal economy and built networks and relationships that allow them to live and bring up their families. They too have a right to decent living in urban areas.

Guideline 7: Curriculum should expose learners to programs that acquaint them with the realities of urban and peri-urban settings in Africa, the typical problems, and therefore stimulate innovative solutions (tenure security for land and housing rights, and access to services such as water and electricity). Furthermore the land governance curricula ought to consider sustainability and ensure inclusive outputs for the interventions to be owned by the beneficiaries.

5.4 Land -Use Planning and Equitable Access

Land use planning allows for a balance in the different needs and interests of urban dwellers to enhance the quality of life as well as to provide a safe, sustainable and resilient environment. It allows better usage of land as a shared resource; between a variety of stakeholders in a complex land tenure and rights context.

Few cities in developing countries have a comprehensive land-use plan for the entire urban and peri-urban area, including the periphery where most city development takes place. Some cities and metropolitan areas have experienced rapid growth, often extending over several administrative entities, and with weak institutional capacity and collaboration. Even where land-use plans do exist, they are often not known or are not respected. This can be due to insufficient information or lack of respect for state institutions. As a consequence, there are many semi-legal developments which erected on agricultural land, green areas or open spaces. A clear understanding among graduates and practicing land professionals of the different urban planning strategies would ensure that land use planning in urban and per-urban areas is comprehensive and equitable. Equally, when information on land is easily accessible, the loopholes that perpetuate corruption are substantially sealed.

Other actions which increase transparency include specific administrative procedures in land use planning such as clarity on the role of the local, regional, national and international stakeholders in urban land management; and effective public participation mechanisms.

5.5 Financing Urban Development

The potential to leverage land as a financing tool for the development of sustainable and equitable cities and properly financed communities is not often fully realised. The attraction to use land as a source of revenue is premised on the fact that land is a key factor of production and since it is immobile, taxes or fees tied to land cannot be avoided by relocating to another place. Land professionals can draw on a range of land based financing options to finance infrastructure, social housing and other basic services. An example is land value sharing options which provide opportunities for the public to share in the increased value of land as a result of public investments; for example, through infrastructure provision or simply decisions taken by government. Other financing options based on land include taxation on property; public land lease; public land sales; developer exactions; betterment

charges and special assessments; transfer of development rights; and capital gains sharing. The utilization of these options is crucially important in increasing resources for the development of urban and peri-urban areas.

The need to finance urban development and to monetize underused assets has led to public, private partnerships (PPPs) which are considered “creative alliances” formed between a government entity and private developers to achieve a common purpose. The PPP model has the potential to promote sustainable housing and urban development.

Guideline 8: It is important that curricula in land governance address the different ways of financing urban development in a sustainable manner. Students and practitioners ought to be equipped with requisite skills to generate and apply innovative approaches involving wide ranging of stakeholders in urban development projects.

6. Women's Land Rights

6.1 Gender and Tenure Security

Gender is a key social characteristic that shapes the experience, opportunities, constraints, rights, and obligations of men and women. As such, gender is a determinant of tenure security. It is essential to understand the gender - based power dynamics that underpin land governance systems and practices to effectively address structural and normative barriers to women's land rights. A two-pronged approach that both accounts for the gender dimensions of all land issues and specifically addresses land issues that affect women uniquely or disproportionately will help ensure land policies and programs deliver benefits equally to men and women according to their different needs. While gender is a crosscutting issue across all sections of the Guideline, the primary focus of this section is women's land rights.

Curricula development presents a strategic opportunity to address gender disparities in land tenure through gender-responsive training and research. It can facilitate systematic accounting of existing gender inequalities by explicitly integrating the significance of gender in land governance and accounting for the specific needs of women.

Failing to do so is likely to reinforce existing gender inequalities i around land rights. It would also be important to integrate gender and women's land rights issues from the outset and provide students with subsequent opportunities to apply acquired gender-related skills as a key competence during degree programs.

6.2 Interface between Women and Development

While women's contribution to household livelihood and the local economy is not fully recognised, women play a critical role in Africa's socio-economic development. Rural women contribute significantly to agriculture production, and perform the majority of tasks in food marketing and processing within cottage industries. In addition to their productive roles, women are also the primary caretakers within the home. Yet, women face considerable challenges with regard to their rights to access, control or own land.

This greatly hampers their ability to benefit equitably from their contributions and to fully contribute to the local economy, affecting overall agricultural productivity. Achieving gender equity in land rights is critical for

agricultural transformation and economic growth of the continent.

In addition, women's land-related vulnerabilities are often exacerbated by increased demand for land. Broader dynamics such as rapid population growth, degradation of agricultural lands, urbanization and competing demands from different users, including investors often threaten women's relationship to land. For instance, women are not likely to participate or benefit from investment negotiations where their rights to land are not secure prior to the investment. In a climate of heightened land scarcity, particular attention must be paid to women's rights or interests in land.

Women's right to land and property is central to women's socio-economic empowerment and key to addressing equity gaps. Land is a base for food production and income generation, serves as collateral for credit under certain circumstances and is a source of investment. Moreover, it is often the source of multiple forms of identity and/or status: cultural, social, and political. Therefore, women's tenure security can extend their capabilities, expand their negotiating power and enhance their ability to address vulnerability.

Related commitment of African leadership in the AU Declaration on Land Issues and Challenges, the AU declaration of 2010 – 2020 as the African Women's Decade, the AU 30 per cent target for documented land rights in women's names, as well as the global Sustainable Development Goals (SDGs) all convey the same message: empowering women through tenure security is an equity issue and a prerequisite for agricultural transformation of Africa.

Guideline 9: Curricula on land governance in Africa should acknowledge women's contributions and ensure that all people, regardless of sex, benefit from, and are empowered by, development policies and practices.

6.3 Securing Land Rights for Women

Women's land rights are defined by multiple intersecting systems and practices. These include formal laws, customary laws and practices, religious law, socioeconomic factors (e.g., poverty, education, production systems) and intra-household dynamics. Consequently, tackling gender inequality in land relations requires identifying political, legal, cultural and socio-economic gender-specific constraints to women's land rights and understanding the interplay between the various dimensions. The analysis must not only account for external threats, but also capture intra-community threats to women's land rights in order to call attention to land related issues affecting women uniquely or disproportionately. Similarly, it must reflect on the intra-gender dimensions as women's experiences are also defined by other social characteristics such as ethnicity, religion and marital status. Recognizing the heterogeneity of women will account for the variables effecting women's rights to land and highlight the particular land-related vulnerabilities of some categories of women (e.g. widows).

The pluralistic legal framework governing women's land rights typically contains inconsistencies within and across the various sources of law, which inadvertently undermine women's rights to land and property. Secure land rights for women require a gender-responsive property rights framework beyond land laws. Therefore, harmonizing inconsistencies across and within these systems and practices is critical for strengthening women's land rights. For many rural women, inheriting from their birth families is not an option due to the prevailing patrilineal inheritance and patrilocal residence practices prevalent across many, but not all African contexts. For this and other equity reasons, women's rights to land within a marital context takes on added importance.

Regrettably, marital property regimes often fail to provide equal rights for spouses making women vulnerable in the event of a divorce, death of a spouse or other such changes in the household. Legislations that govern marital property, succession and land should be consistent with and reinforce gender equitable provisions enshrined in many African constitutions.

Some inequalities in women's rights to land stem from or are related to customary norms and practices. Although customary tenure norms and practices vary across systems and time, some commonalities exist across systems in regard to women's rights to land. Women's land rights are generally temporary and secondary to the land rights of men. For instance, men often have a birthright to ancestral lands, while women's rights to land are typically derived from and contingent on their relationship with men: fathers, husbands, uncles, or brothers. This is in part due to the patrilocal residence where a wife moves to a husband's land upon marriage. As a result, women are considered as temporary residents in their natal villages and outsiders in their husbands' village. It should be noted that some customs or family norms, which may have at one time protected women, may no longer do so because the underlying social structures that protected women have been significantly weakened through various events including the introduction of the principle of individual ownership of land. It should also be noted that some matrilineal customs and practices afford women secure rights to land, while others recognize women's right to inherit land, but men are the primary decision makers over land.

Exercisability and enforcement of women's rights to land is a significant challenge in many African countries. This is due to a diverse set of factors including inappropriate mechanisms for implementing legislations, institutional constraints, women's limited awareness of their rights, and women's limited

ability to invoke their rights. Sensitization and awareness raising is vital to overcoming social constraints impeding women land rights, but catalyzing attitude and behavioural change in favour of gender equitable land governance takes time. Effective implementation calls for a continuum of actions including targeted communication campaigns (e.g. targeting women, men and traditional leaders), legal literacy programs and capacity development (e.g., implementing agencies, parliamentarians). In addition, women need physically, socially, and financially accessible forums to present their claims.

On the procedure end, women are generally not adequately represented in land related processes. Women representation and participation in all land governance processes is critical as decisions are influenced by the interests of those involved in decision making. Procedural safeguards should provide women with opportunities to actively engage at the institutional and community level. Participation of women can be facilitated by accommodating their needs, providing information in a format that is accessible to women and supporting opportunities for women to discuss land governance issues.

Curricula on land governance in Africa ought to be sufficiently nuanced to capture the nature and scope of barriers to women's rights to land. To this end, curriculum should be designed to equip students with the necessary knowledge and skills to identify, analyse and address gender-specific land related constraints. In addition, curricula on land governance ought to pay specific attention to the opportunities provided by the variety of policy and legal instruments and institutional frameworks, analyse the extent to which they produce the intended impact on the rights of women and assess challenges related to their implementation.

Guideline 10: Curricula should expand the set of options, approaches and potential solutions for strengthening women's rights to land by exploring promising practices related to women's land rights. These best practices should reflect the diversity of the African continent by including practices from specific traditional systems which are favourable to women.

7. Environment, Climate Change and Land

7.1 Threats to the Capacity of the Environment

Human livelihoods have a very high dependency on environment as a source of resources and a driver of associated ecosystem services. The environment is critical for maintaining food security, access to fresh water and energy; all which are necessary for sustenance of livelihoods. However, when land governance is poor the capacity of the environment to provide goods and services is threatened, especially by human activities that undermine ecological safeguards. In Africa, environmental challenges including the depletion or degradation of natural resources, through indiscriminate excisions, unregulated harvesting, and encroachment hinder sustainable use. Policies and legislation that exist to address these challenges are difficult to implement due to cross-sector mandates and bureaucracies that impede efficient decision-making on land governance that supports the vitality and functionality of land-based resources.

Guideline 11: Curricula on land governance need to incorporate knowledge on environmental challenges that led to resource degradation or depletion due to poor land governance and actions for restoring the integrity of natural

resources and environmental management that are supported by governance and sustainable use principles. In addition, curricula ought to improve the knowledge (administrative, legal, planning and management, and behavioural) of both traditional and formal entities charged with the management and governance of natural resources under various land tenure regimes.

7.2 Climate Change Affects Agricultural Landscapes

In Africa variability in climate assume greater importance as majority of vulnerable populations especially women who are the major producers are in subsistence crop farming or are pastoralists depending on natural rainfall for their productivity. Climate change affects agriculture in a number of ways, including through changes in average temperatures, rainfall, climate extremes (e.g. frosts, heat waves or windy conditions), pests and disease outbreaks; changes in atmospheric carbon dioxide and ground-level ozone concentrations. Similarly, agriculture itself also contributes to climate change in various ways including emissions of greenhouse gases from various agricultural practices; conversion of vegetated non-agricultural lands such as forests or grasslands into cultivated agricultural lands; overstocking and overgrazing leading to loss of land carbon

sequestration capacities. Global commitments including the Climate Change Agreement reached in Paris 2015, require collective domestic, regional and international action to stabilize greenhouse gas emissions to levels which would allow ecosystems to adapt naturally to climate change. This requires building on resilient land management practices and governance that clearly delimits tenure rights and/or stewardship to enhance the resilience of agro-ecosystems.

Guideline 12: Curricula on land governance in Africa need to focus on climate change knowledge in relation to land management practices that support adaptation efforts in agriculture, agro-ecological conservation actions and on policies that support the reduction of greenhouse gas emissions from agriculture systems.

7.3 Climate Change Impacts Coastal Lands and Islands Systems

Low lying coastal areas and islands form significant land masses and experience direct impacts of climatic change at very great intensities on very short-time scales. These areas are inhabited by communities who are largely dependent on marine ecosystems for their livelihoods, with tourism and fishing industries as the main activities. They are much more prone to excesses of climate change threats occasioned by typhoons, hurricanes, cyclones, storm surges or even oceanic tectonic movements that may give rise to tsunamis. Vulnerabilities resulting directly from sea level rise affect their dwellings, infrastructure and often lead to coastal erosion and changes in salinity thus affecting fisheries, their main socio-economic base.

Curricula on land governance should consider nature's strategies (e.g. how nature cycles carbon, harnesses the sun's power,

and creates electricity) for professionals developing coastal and islands resiliency plans as a way to protect communities from increasing climate change impacts.

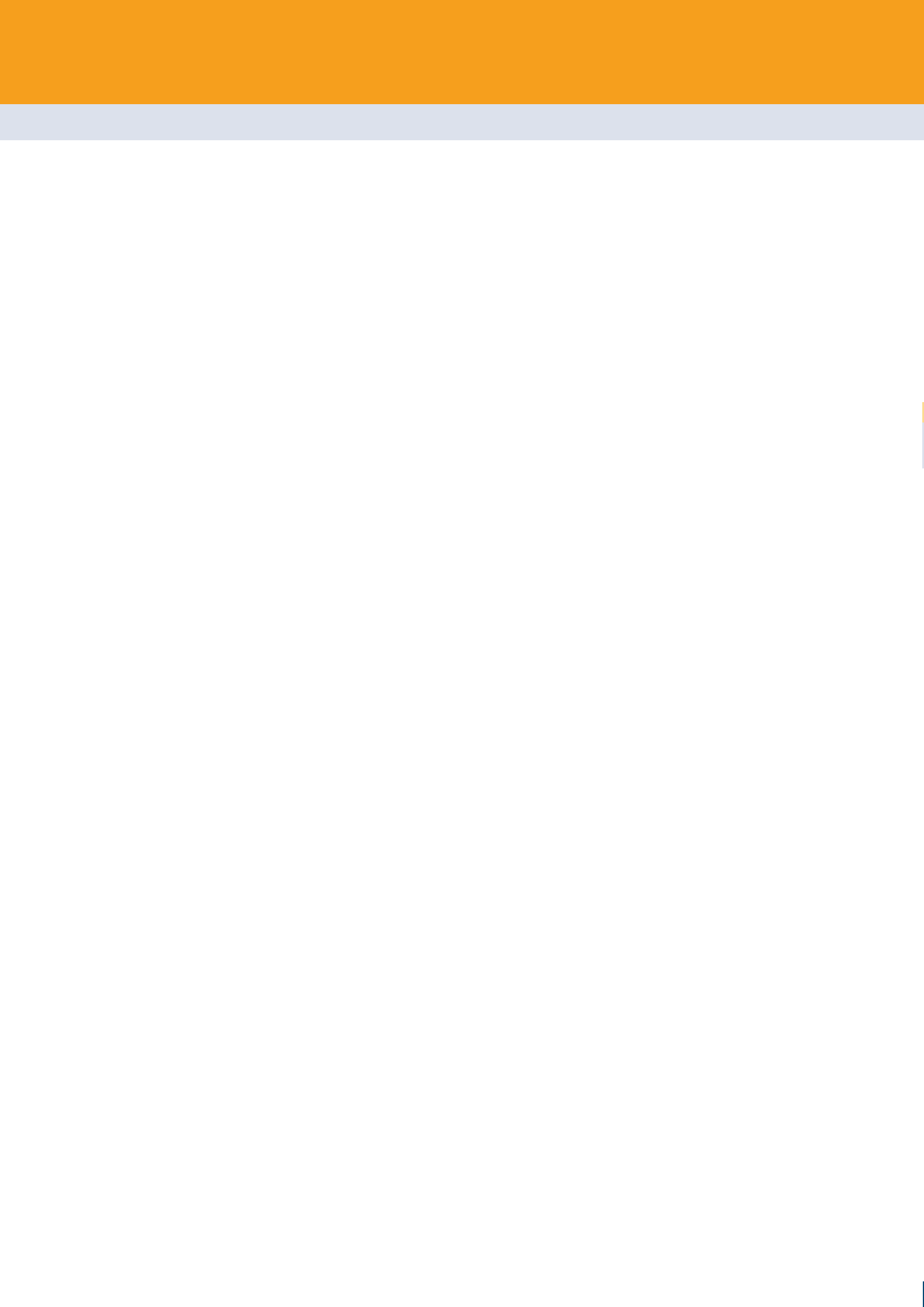
7.4 Natural Disasters Affect Community Land Rights

Climate change is currently associated with an increase in the number and intensity of severe weather events making communities more vulnerable to displacement, loss of land, intensified human migration, conflict, and interfering with land rights of other host communities. . Climate change is presently making fertile lands scarce, as formerly productive areas become ravaged by drought, or land becomes infertile due to massive erosion in instances where rainfall is intense. These changes initiate adjustments in the value of land and other natural resources, have the potential to destabilize governance and property rights regimes, and spur the evolution of both statutory and customary tenure arrangements. Common property resources are often situated on land owned privately by individuals and communities. They are usually managed through institutional arrangements, customs, and social conventions, designed to induce co-operative solutions to issues of access and benefit-sharing within territories. Climate change further strains the stewardship responsibilities of common property resources and territories, making them susceptible to grabbing, illegal sales or individualization by some members of the local communities, opening avenues for powerful actors to expand their claims on land and other natural resources.

Curricula reform should pay attention to skills that enable land professionals to jointly generate mitigation measures with communities in areas prone to disasters or events associated with climate change. In addition, curricula should capture ways of reducing vulnerability among communities

and support actions or practices to make communities eligible for climate financing through established environmental and natural resource management standards. Furthermore, land policy curricula should combine aspects of tenure and land regulatory interventions as a way of balancing their conservation roles, climate change mitigation and for sustainable utilization

Guideline 13: In order to serve industry better, land professionals need to understand the value add of mapping, demarcation and delimitation of lands vulnerable to the effects of climate change -flood, displacement and loss of land for communities.



8. Conflicts and Land Governance

8.1 Escalating Land Conflicts in Africa

Conflicts over land and natural resources are on the increase throughout Africa, creating social, political and economic disruption. The colonial legacy is in part to blame for current conflicts but with widespread private ownership of land and its titling, declining arable land, population growth, urbanization, and the shrinking of land available for pastoral and indigenous communities, the tensions over land have consistently erupted into violent clashes between communities or even nations.

Land professionals often find themselves at the centre of these conflicts and must have appropriate understanding of the types and causes of conflicts, stages in the progression of conflicts, as well as in appropriate measures to put in place to minimize the occurrence of conflicts; manage and resolve them when they occur and deal with post-conflict outcomes. In all cases, it is necessary for land professionals to understand that way land is governed can lead to, or prevent conflicts. It is also important to understand the gender dimensions of the conflict and stakeholder analysis.

8.2 Types of Land Conflicts

A land conflict can be seen as a social dispute in which at least two parties are involved, the roots of which are different interests over the property rights to land, including the right to use the land, to manage the land, to generate income from the land, to exclude others from the land, to transfer it and the right to compensation for it. Many conflicts that are seen as ethnic or religious often are related to contestation over the control of land.

Land conflicts can occur in any country at any time but they are more frequent and serious in developing countries such as those of Africa partly due to the state of social, political and economic transitions in these countries, and partly due to weak institutions and enforcement of regulations.

All types of land can experience conflicts emanating from boundary, inheritance, ownership, multi-allocation or sale disputes. In addition, there are disputes that can be seen as being predominantly rural and those that are predominantly urban; and there are special problems at the rural-urban interface. Furthermore, there are conflicts that occur on all types of land and those that involve mainly private property, common and collective

resources and those related to state land. Let us isolate four types of land related conflicts.

First, ownership conflicts may be due to legal pluralism; weak land management and administration; discrimination; informal, illegal or violent occupation and eviction; and conflicts between human/cultural and natural use. Second, conflicts over private property include expropriation by the state with inadequate or no compensation; illegal sale or transfer of private property; inappropriately carried out land reforms; intra-family conflicts and competing claims in post-conflict situations. Third, conflicts over common and collective property include competing uses or rights over such land; illegal or improper use or transfer of common property; disagreement on sharing benefits, including revenue, realized from such land and disputes between the state and customary authorities over the nature of land in question. Fourth, special conflicts over state land include illegal or improper uses, illegal sales or leases, competing uses/rights, informal and sometimes politicized occupation, private appropriation of such land especially by those who are politically or economically powerful and improper privatization.

Guideline 14: Curricula ought to prepare land professionals so that they are able to analyse the nature of conflicts in their areas of operation and be able to generate a proper typology for land management.

8.3 Causes of Conflicts

Causes of land conflicts are many and could be political, economic, socio-economic, socio-cultural, demographic, legal and judicial, administrative, technical, ecological, and psychological or a combination of the above.

Land and conflict are closely linked because land is a highly desired resource by communities and individuals. In combination

with inequitable access to resources, resource degradation, lack of alternative livelihood sources and demographic pressures, land has been a key driver in violent conflicts. A further problem is the mismatch between customary land tenure systems, which are undergoing changes related to modernization and globalization, and state systems based on imported models which may operate without the necessary checks and balances and in non-transparent manners. Lack of appropriate policy and weak land institutions and conflict resolution mechanisms contribute to the continued existence and escalation of land conflicts.

All these can be reflected in at least nine triggers of land related conflicts in Africa: (i) increased pressure on land and natural resources; (ii) drought, floods and landslides which force people to move to other areas; (iii) land and natural resources degradation from a multiple of causes; (iv) demarcation/reservation of land for national parks, game reserves, conservation and environmental protection without considering the livelihood and social interests of affected communities; (v) vague understanding/definition in existing laws of customary rights of access to land and natural resources as a result of legal pluralism; (vi) poor land governance systems which ought to be consultative, participatory, interactive, inclusive, consensus-based, timely and professional, transparent, gender responsive, innovative, and, cost effective but are not (vii) armed conflict and political instability which characterizes most of Africa and which creates internally displaced persons and refugees and facilitates many illegal and antisocial activities. (viii) large-scale land acquisition for commercial enterprises where a number of common issues have been identified including loopholes in customary laws, national land policies, legislation, international investment laws and institutions that are exploited to facilitate large-scale land acquisition.

A proper understanding of the underlying causes of land conflicts, going beyond what meets the eye, is important for effective land governance and curricula ought to be responsive to these causes and others that may emerge.

8.4 Stages in land conflicts

Land professionals dealing with land conflicts need to be aware that conflicts have various phases, each presenting a different opportunity for intervention. In the pre-conflict phase, the conflict is hidden from general view, but there are tell-tale signs which may be addressed to avoid open confrontation. In confrontation stage, polarization between parties increases and there may be low levels of violence. At crisis phase, the level of conflict is at its peak and open fighting may occur. The fourth phase is outcome, where tension and violence decreases, but the causes of conflict may still remain unsettled. The fifth phase is post-conflict in which relations return to normal, but root causes of the conflict must be addressed to avoid recurrence. When land professionals are able to identify the conflict stage, they can identify the appropriate intervention..

8.5 Violent Conflicts adversely affect Communities

Conflicts over land and natural resources destabilize African communities by increasing their vulnerability and reducing their social and economic safety net. They fuel poverty and hunger by destroying land based livelihoods and rights. Affected populations fail to use and benefit from the land and natural resources because of insecurity. Women and children often suffer the most from violent conflicts and are subjected to indignities. Displaced people relocate to other areas often creating

new problems for themselves and for host communities.

Guideline 15: Curricula on land governance ought to emphasize the effects of conflicts on communities; the social and economic wellbeing of the people and how they undermine development; and should extract lessons from best practices.

8.6 Access to land can be used in the exercise of power

Land can be used as a reward for patronage, loyalty and political identity in the pursuit of power. In addition, land rights are often invoked for the retention or acquisition of political power, because using access to land as bait, those who wield political power can incite and manipulate their communities to use violence against other communities with whom they differ politically.

At another level, land is a natural and political resource because it confers power and influence through control and management of land based resources. This power is sometimes exercised through the formulation of policies, legislation and regulations which govern land ownership and its use, transfer, distribution and management in a manner that undermines community rights and advances private interests. In certain cases, land can be acquired through corrupt means and used for the advancement of political interests.

Where no effective land governance structures exist and the boundaries between politicians, land administrators, and other authorities are unclear, the potential for conflict increases. The link between land and power including the gendered power dynamics is hardly addressed in conventional programs concerned with land due to the strong focus on imparting technical skills. While it is crucially important to have high caliber land professionals, it is equally vital that

they be exposed to the effects of colonialism, the misuse of political power, corruption and political ethnicity and how these factors complicate land governance in contemporary Africa.

It is urgent that higher education curricula equip students and land professionals with knowledge on the historical changes that have occurred in Africa and the relationship between land, power and ethnic polarization. They should also be given the skills to manage the complexities that exist in African land tenure systems and the dynamics of power including gendered power dynamics and how these relate to the control of land and natural resources.

8.7 Taking Measures to Reduce Conflict

Despite the several efforts made to reduce the struggles for land and natural resources, land still remains the key factor fuelling political and social instability in Africa. The failure to resolve historical claims arising from colonial and post-colonial expropriations of land - compounded by unequal redistribution and access - remains a major source of conflict. Contestations arising from colonial impositions and inappropriate land policies in certain contexts have caused wars between countries, eviction and all forms of disturbances in African communities. Low investment in land infrastructure, e.g. land use planning, surveying, registration and regulation, and improving the quality of range lands have created fertile grounds for conflicts.

Guideline 16: *Curricula ought to include learning about land policies that are inclusive and account for the various interests over land that contribute to the reduction of land based conflicts. This should go hand in hand with prioritization of investment in land management in national and sub-national development plans.*

8.8 Encouraging Traditional and Alternative Dispute Resolution Mechanisms

Various dispute resolution mechanisms exist in Africa and are used to mediate or resolve conflicts over land and natural resources. Whereas some are formal and legal, others are informal, extra-legal, religious, traditional, and community based. In most of Africa, the judiciary is burdened by land cases related to ownership, control and use. Yet traditional and alternative dispute mechanisms – supported by the legal system – could resolve some of those issues.

Traditional and alternative land dispute resolution mechanisms are active in rural areas and are employed mainly by traditional institutions and local leaders to resolve many disputes that arise over land and natural resources. They are legitimate, inexpensive accessible, speedy and normally based on consensus. However, in some contexts, they are not inclusive of women or responsive to their specific needs. On the other hand, formal dispute resolution mechanisms tend to be legalistic, bureaucratic, time consuming and costly. Effective alternative dispute resolution mechanisms of moderation, consultation, conciliation, mediation, arbitration and adjudication need to be mainstreamed as well.

Guideline 17: *When land professionals are familiar with the various triggers of land based conflicts and how land disputes can be resolved, and in particular how alternative systems of land dispute resolution can be made part of the national conflict resolution regime, they are able to perform their duties more effectively.*

8.9 Addressing Post-Conflict Land Issues

As countries or communities emerge from conflict, they face multiple land-related challenges associated with post-conflict reconstruction, rehabilitation, reintegration, resettlement and peace consolidation. Relevant land issues must be clearly understood and given appropriate priority because successful management of these issues can be critical to stabilization efforts. Sex-disaggregated information about land issues must be collected as early as possible through reconnaissance missions, conflict assessments, or other appropriate studies.

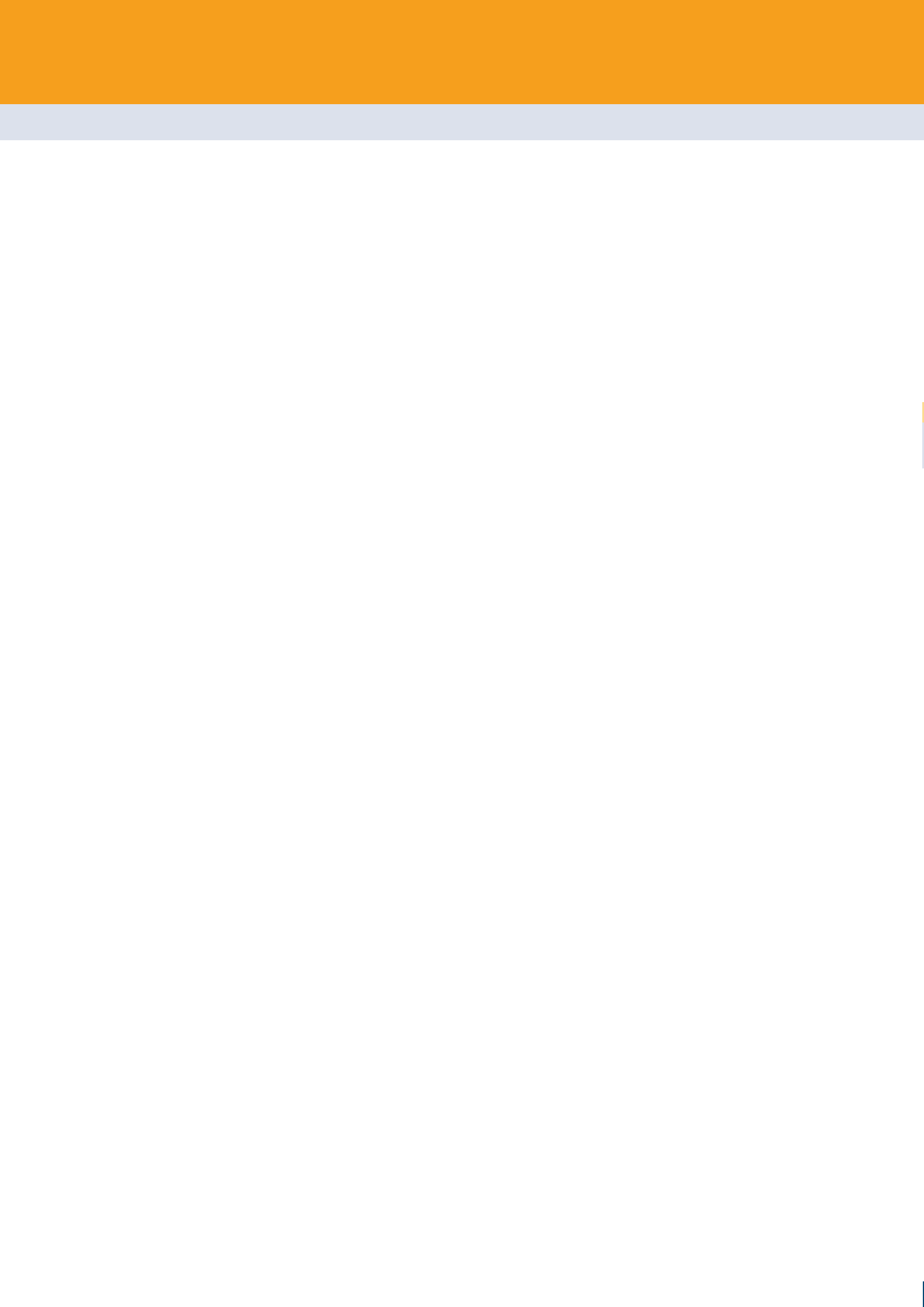
Property or claims commissions can play a key role in post-conflict situations where processes of reconciliation and property restitution need to be addressed in significant numbers. Local community-based and customary conflict-resolution mechanisms can offer effective and acceptable means of managing many kinds of land conflicts.

Role of governments, public agencies, local and international agencies in post conflict situations is important in providing information and humanitarian support. For example, the African Union Boundary Information System (AUBIS) has developed a comprehensive set of tools that provide reference information about borders in Africa. Tools and skills to manage post-conflict situations are important ingredients in training land professionals.

8.10 Efforts to deal with Land Conflicts

Over the years, measures have been put in place by the AU to address incidences of land conflicts on the Continent. In terms of progress made, the AU has developed frameworks and mechanisms to address land governance and reduce conflicts arising from land based resources. For example, the AU set up the Peace and Security Council (PSC), an organ for the prevention, management and resolution of conflicts. The PSC is a key element of the African Peace and Security Architecture (APSA) whose aim is to promote peace, security and stability in Africa. The Council was established to be a collective security and early warning mechanism with the ability to facilitate timely and efficient responses to conflict and crisis situations. Since its formation, the Council has conducted early warning and preventive diplomacy, facilitated peace-making, established peace-support operations and, in certain circumstances, recommended intervention in Member States to promote peace, security and stability. It has also worked in support of peace-building and post-conflict reconstruction as well as humanitarian action and disaster management.

Individual Member States have also put in place mechanisms for the promotion of peace and prevention of violent land related conflict, including the use of technology to report early warning signs and to deal with post-conflict situations. It is necessary for graduates of land related disciplines to get a good understanding of the efforts undertaken by African states and national governments to prevent land based violent conflict.



9. Land Tenure and Property Rights

9.1 Tenure arrangements

Some of the greatest challenges in providing secure land rights are in urban and peri-urban areas and the most productive rural areas. If incomes and food production are to be safeguarded and the growing pressure on urban areas is to be mitigated, the land rights of urban and rural poor people must be made secure. Research shows that strengthening land and property rights goes hand in hand with the realization of development objectives related to poverty alleviation, food security, environmental sustainability and advancing women's empowerment.

Urban and peri-urban areas in Africa are marked by multiple legal systems, where statutory tenure and customary tenure overlap and supersede each other. This often results in different actors controlling, managing and transferring the same land parcels multiple times. Customary rights are often not recognized in the formal land registration or cadaster. The formal land registry and/or cadasteris are often not complete or up-to-date. People-to-land relations in peri-urban areas, in particular, are therefore very unclear and difficult to understand, leading to tenure insecurity and conflicts over land.

Tenure security is an important condition for human development. However, tenure insecurity is a global phenomenon affecting billions of people. It is estimated that 70% of the world's people-to-land relationships are not documented and fall outside the formal land administration domain.

There is a correlation between security of tenure and economic development. If too many urban dwellers do not have security of tenure, then the city is not getting the economic (tax and business), social and cultural benefits that come from having a secure place to live; these become prime risks for political and social turmoil.

Security of tenure goes beyond having formal land rights. Important in measuring the tenure security is also the perceived tenure security, the enforcement of land laws and cultural norms regarding ownership of land. Long-term rental, community titles and recognition of use rights are also forms of people-to-land relationships that provide a level of tenure security. Recognizing other forms of legitimate tenure enables people with the weakest tenures to have a more secure framework from which they can improve their homes and livelihood situations.

Guideline 18: *Positive urbanization occurs when people feel secure. It is necessary for land professionals to recognize and understand all forms of legitimate tenure arrangements, such as formal rights, customary tenure and informal tenure.*

9.2 Land administration in context

Good land administration is a prerequisite for good land governance. However, formal land registration and cadastral systems in many African countries were designed to serve the needs of colonial powers. These systems cover only a small proportion of the land and properties in a country and contain only certain types of information. In many countries out-dated technologies are used and records are not well maintained. They may be out of date and fail to reflect reality on the ground, which is changing rapidly as countries develop, population increases and cities grow.

Updating existing formal systems will be slow, might take a long time to complete and will involve high costs. In addition, the conventional land registration processes are less appropriate in certain circumstances: after a natural disasters or violent conflict, for areas dominated by customary systems or during slum-upgrading projects in rapidly growing cities. In such situations, alternative forms of land recording may be more appropriate.

Undertaking land administration while bearing in mind the context is key to providing security of tenure and controlling use of land. In this context based approach, the solution is directly aligned with country specific needs, is affordable, is flexible to accommodate different types of land tenure, and can be upgraded with emerging economic or social opportunities. The approach is highly participatory, can be implemented quickly and will provide security of tenure for all. Of

equal importance is the fact that the context based approach to land administration can be initiated easily by using a low-risk entry point that requires minimal preparatory work.

Guideline 19: *Context based land administration approaches can be implemented for individual land tenure regularization, customary tenure registration and informal settlement land recording. Curricula on land governance ought to pay particular attention to the uniqueness of contexts and the importance of adopting appropriate land administration approaches.*

9.3 Continuum of land rights

Context based land administration approaches are based on the concept of the continuum of land rights. People's rights to land can be viewed as lying on a continuum. At one end, there are formal rights where the owner is an individual/s (e.g. land held solely or jointly between husband and wife), who holds a set of registered rights to a parcel of land that are enshrined in law. The particular parcel is delineated on a map and held in a record office. The owner/s has the right to occupy the land, build on it (subject to relevant approvals), sell it, rent it out, transfer it to his or her heirs, and prevent other people from coming on to it. At the informal end of the continuum are informal rights. In this case, a group of individuals (such as a clan) may have traditional rights to use a piece of land. The boundaries of the land may not be clearly marked on the ground or on a map, and there may be no official paper work certifying who owns or has what rights to the land. In between these two extremes are a wide range of rights.

Tenure can take a variety of forms and "registered freehold" at the formal end of the continuum should not be seen as the preferred or ultimate form of land rights, but as one of a number of appropriate and legitimate forms. Registered freehold, for example, requires

a sophisticated and costly administration system, a reliable survey of the land parcels and good land governance. The most appropriate form depends on the particular situation: customary rights, for example may be superior and give more tenure security to registered freehold in certain situations.

Guideline 20: The concept of the continuum of land rights supports a flexible way at looking at land tenure rights and allows recordation of all types of people-to-land relations. When students and practitioners appreciate this flexibility of land tenure rights, they are better prepared to serve communities.

9.4 Land Information Management Systems

Good land information management is integral to good land governance. The collection, processing, dissemination, storage and retrieval of land information on location, ownership, use, and value, among other attributes, is fundamental to efficient land administration and planning. As noted in the Framework and Guidelines, in many African

countries, record systems are in various conditions of disuse and mismanagement and are largely paper-based and manually operated. Furthermore, many are generally inaccessible and expensive to the ordinary user public.

Curricula should address this matter progressively to enable students to understand the need to improve the existing land information management systems to ensure efficiency, affordability and accessibility. The use of modern technology to establish computerized land information management systems (LIMS) should be encouraged. In doing so, students should be encouraged to be innovative when designing, piloting and installing systems that are particularly suited for the respective African jurisdictions in regard to context, content, affordability, accessibility (limited e-infrastructure in rural spaces) and vulnerability to rapid technological changes.

Guideline 21: Curricula on land governance ought to include training on the development of affordable and accessible land information management systems (LIMS) responsive to Africa's unique circumstances.



10. Research and Innovation

10.1 Introduction

African research and training institutions face both a pressing need and a valuable opportunity for developing a vibrant African research and innovation agenda on land. Achieving this is an important precondition for appropriate and effective land governance curricula that can seize opportunities and enhance society's ability to address the many land challenges confronting most African countries.

Quality research on land from a variety of academic disciplines is essential for contextualizing, analysing and understanding key land issues. It is important for capturing achievements and shortcomings of existing land administration policies, systems and programmes; and generating as well as enhancing capacity and innovative mechanisms and tools needed to improve, supplement and develop those policies, systems and programmes. This can bolster the quality of existing teaching courses and training programmes, while contributing to the requisite paradigm shift to address the complexity of land challenges facing governments, other stakeholders and the holders and users of land in a particular context. It can provide content for improved and new curricula and more effective teaching

approaches in land governance. Moreover, it can provide a foundation for the development and application of innovative approaches, tools and mechanisms to adequately respond to the land challenges faced by men and women.. Research and innovation on land aimed at improved understanding, problem solving and the promotion of responsible and effective land governance, should be recognised and incorporated in curricula.

10.2 Gaps

African scholars produce a relatively small percentage of the world's research. Fortunately, a report by the World Bank (2014) confirmed that the quality and quantity of this research is improving. Between 2003 and 2012, African researchers more than doubled their outputs, producing papers on a variety of subjects ranging from HIV to cancer to climate change to ageing. A significant number of peer-reviewed articles received international citations. Yet, this is against a backdrop of a chronic lack of investment in facilities and funding for research, innovation and improved teaching, a deficit which urgently needs to be remedied. In particular, there is inadequate research in the field of land governance and related land matters. In addition, research undertaken is often not sufficiently nuanced to capture the gender dimensions of the

issue under study. A study undertaken in 2016 by the Land Policy Initiative reveals that research output for many departments is poor and undertaken primarily to achieve career objectives. In addition, funding for research is often externally sourced and not linked to Africa's prevailing challenges. Therefore, research outputs are often not internalised nor taken up to inform policy action and practice in Africa. It is important for governments, land training institutions and universities and development partners to prioritise and substantially invest in land research and innovation programmes.

10.3 Opportunities

Potential benefits of addressing the above gaps through coordinated and concerted research on multiple fronts are substantial. Through careful investigation or inquiry, using inter-disciplinary approaches where relevant, vital new knowledge and information on land matters and instances of good practice can be obtained. As a basis for designing and modelling appropriate solutions for local land problems, there is great value in conducting research that seeks to understand land issues in practical terms and reflect the perspectives of key stakeholders. Quality research can also feed into refresher courses and reskilling programmes for mid-career professionals, to help them better respond to new developments and demands. Proposed focus areas include existing land governance systems and practices, priority land problems being encountered in the context of highly complex political and economic and gendered environments, and a range of good practices and success stories on how these can or have been successfully addressed.

The effectiveness of land governance is deeply influenced not only by policies, laws, regulations and customs, but also by other emerging norms and practices regarding access, ownership and use of land, particularly

in situations of rapid urbanisation expansion of peri-urban areas. Furthermore, the way land is governed needs to be responsive to what is happening in regional, national and local contexts. Various regional and international frameworks and initiatives related to land need to be observed. Land governance curriculum will need to draw from relevant regional and global instruments in addition to appreciating their implications on the land profession. Such development frameworks and guides for member states play a vital role in influencing the way land is governed. Key among these are the *AU Agenda 2063*, *AU Declaration on Land Issues and Challenges in Africa*, the *Sustainable Development Goals (SDGs)* and the *New Urban Agenda*. The curriculum also needs to draw on lessons from regional or global instruments that complement such initiatives. These include the *Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests (VGGT)*, the *Framework and Guidelines (F&G) on Land Policy in Africa and Guiding Principles on Large Scale Land Based Investments (LSLBI)*. This is in addition to various human rights declarations and conventions such as the *Universal Declaration of Human Rights*, the *Convention of Elimination of Discrimination against Women (CEDAW, 1979)*, the *Convention on the Protection of World Cultural and Natural Heritage (UNESCO, 1972)*, and the *United Nations Declaration on the Rights of Indigenous Peoples and the African Charter on Human and Peoples' Rights*.

While research specialisation has an important role to play in achieving deeper understanding of particular areas, adopting a coordinated, multi-disciplinary approach, within an agreed research and innovation agenda on land, would be vital for curricula that bolster effective and sustainable land governance.

10.4 Approach and Principles

10.4.1 Solution oriented – Research in support of good land governance should be solution oriented. When conducting research it is important to define what the opportunity, challenge or problem is for men and women; formulate hypotheses around identified causes and solutions; collect, organise and evaluate sex- disaggregated data where relevant, including information on good practice or newly developed, innovative tools and mechanisms; analyse and make deductions; and reach conclusions and recommendations for all relevant stakeholders. In preparation, it is also important to understand and clearly describe the context and terrain to be studied; and where possible to return to that context over time to practically test and verify the results.

10.4.2 People sensitive – While undertaking research on land governance issues, one should be cognizant of the multiple values assigned to land. Land users and owners attach specific significance to land rights and are often reluctant to disclose information related to their land. Therefore, trust is essential to the success of land-related research. This can be achieved through clear protocols, meaningful participation and investing sufficient time. The conceptual framework should also be sensitive and responsive to the gender elements to help expose the differences and highlight potential gender issues that a conventional approach is not likely to reveal.

10.4.3 Participatory – Participatory research methodologies can considerably enhance solution-oriented land research projects. Working in collaboration with a community (male and female members) or a special interest group in identifying stakeholder and issues that pose specific challenges to them can contribute to relevance, to formulation

of workable solutions and the to the success and sustainability of future land governance processes. Research and teaching institutions are encouraged to explore good practice cases of such projects and to incorporate them into their own programmes and curricula.

10.4.4 Open dissemination – Once the research is completed, the findings should highlight the gender dimensions of the research issue where relevant and be openly and freely disseminated through appropriate channels, for example, open access journals, conferences, newsletters, land information networks, and where applicable, respondent and community briefings. This will encourage awareness and improved practice, especially when the findings are communicated back in the classrooms and to practitioners, policy makers and affected stakeholders.

10.4.5 Responsible reporting – At the same time, reporting and dissemination should be done with due consideration of issues of confidentiality and also the highly sensitive nature of land tenure in many contexts, in particular for vulnerable groups and communities, in particular women. In cases where processes studied are likely to have negative and potentially unjust effects on stakeholders, this should be reported in a responsible manner to affected stakeholders.

10.4.6 Ethical – Research ethics is critical due to the potential sensitivity of land information, and clear ethical standards should be put in place and observed to promote pursuit of knowledge in the field of land governance. Need exists for common protocols, standards and mechanisms for the ethical conduct of research on land, including the protection of essential personal and community information, as well as human rights, compliance with the law, conflict of interest and privacy. It is important that these protocols, standards and mechanisms encourage and enable, rather than inhibit, well-intended efforts for research in land governance. Researchers and

students should be trained in awareness of both the opportunities and the risks inherent in land research. They should be seen to adhere to such standards throughout the research process, to ensure the credibility of the research both in the academia and in the wider public.

10.4.7 Risk aware – Research on land can have major implications for tenure rights and security. It can be used to serve public interest objectives. However, there is also potential for research data to be used for -unintended purposes. For instance, while comprehensive topographical, land ownership and user typology data over a large zone remains extremely helpful for planning and responsible land administration, the same data can be selectively analysed and abused either for personal gain or against national interest. In addition, in areas where land administration systems are weak, land ownership data for urban or rural land could be used to reveal pockets of available public land within a zone and used to drive the privatization of such land against collective public interest.

10.5 Innovation

Research and innovation go hand in hand, and should form the basis of land governance curriculum development and teaching. This is particularly true for the complex subject of land governance. The knowledge, competencies and expertise required to successfully address land challenges, both world-wide and in Africa, needs to move rapidly beyond conventional approaches. This calls for new approaches and tools that build on established disciplines and practices

and extend beyond through innovative, and multidisciplinary approaches.

Making this commitment to innovation will unleash new opportunities for both theoretical analysis and practical problem solving through research, design and development. It will require on-going monitoring and evaluation of the effectiveness of new approaches and tools, as a basis for their further improvement. And lastly, if incorporated into curricula, it will boost both teaching and learning methodologies, which will need to be adapted to suit various stages of the innovation process.

It is important for learning institutions to embrace, build upon and intensify existing approaches and generate new and locally appropriate approaches through research and innovation.

10.6 Capacity

There is need for more capacity to undertake land governance research around Africa. Curricula can build skills through diverse research modules and methods, and research assignments.. Establishing more land research programmes and dedicated institutions and centres is also essential.

Priority funding will need to be directed at such centres, universities and training institutions committed to land governance research. Africa's multilateral and bilateral partners are also encouraged to pay special attention to this capacity gap in their resource mobilization plans.

11. Operationalizing the Guidelines

11.1 Monitoring and Evaluation

The goal of monitoring and evaluation is to establish a well-coordinated, harmonized system that provides timely and accurate strategic information to support the implementation of the *Guidelines for Curricula Development on Land Governance in Africa*. The effective and efficient implementation of the Guidelines requires a continuous participatory and rigorous self-monitoring and evaluation process. Monitoring and evaluation activities form a critical part of tracking the performance of the Guidelines in pursuing the land governance agenda in Africa. It is an important process for African universities, ALPC and its development partners.

The main objective is to enable ALPC and universities to perform a number of functions. First, monitoring will support the making of timely re-adjustments to curricula development processes. Second, it will help the implementer take appropriate measures to ensure the effectiveness and efficiency of land governance curricula. Third, the implementer will learn from past successes and failures because they will have requisite information. Fourth, it will improve the quality of knowledge and building capacities

for further monitoring and evaluation. Fifth, the process will secure and consolidate the participation and commitment of all stakeholders and development partners. Sixth, it will enable universities to incorporate emerging issues in the curricula and enable governments to address land governance issues in an organic and systematic way. The regional consultations conducted during the process of developing these Guidelines revealed limited attempts to track progress in development of curricula by universities.

11.2 Managing Change

The *Framework and Guidelines on Land Policy in Africa* (F&G) underscores the need for African institutions of land governance to have the capacity to manage change and contemporary land reform programmes in Africa. The African Union Declaration on Land Issues and Challenges subsequently urges Member States to build adequate human, financial and technical capacities to support land policy development and implementation. Therefore, the Guidelines will provide Member States with a useful tool to guide the training of the human capacity required for land reform programmes around the continent. If successfully implemented, the guidelines have the potential to act as a powerful tool for positive change in land

governance in Africa. Universities and other institutions of higher learning will have the noble opportunity to become the primary agents of change which will be driven by Africa's unique context, contemporary issues and technology for the sustainable development of the continent. It is assumed that the Guidelines and the new curricula to be developed or reviewed therefrom will be taken through the required validation and/or approval processes at Member State level, be they statutory or administrative, within the respective Ministries and Universities.

11.3 Partnerships and Collaboration of Industry

The implementation of the Guidelines calls for the goodwill and support of institutions charged with the training of land professionals and the development and implementation of land policies. While the training institutions will prepare curricula and use it to train students, it is the institutions charged with routine land governance in government, the private sector, civil society, traditional authorities and development partners that can provide feedback on the performance of the graduates once in industry. The operationalization of the guidelines will therefore require the respective inputs and collaboration of all these actors at different levels.

11.4 Oversight and Policy Guidance

These Guidelines were adopted at the October 2017 Specialized Technical Committee of the African Union. It is expected that the African Union will play a continuous oversight role on implementation, receive periodic feedback and use the feedback to provide any required further policy guidance.

11.5 Sensitization and Lesson Learning

At the regional level, regional economic Communities (RECs) will disseminate and sensitize their Member States on the importance of the Guidelines to land policy development and implementation. RECs are well placed to act as platforms for collaboration and sharing of lessons. Existing regional learning institutions could play a useful role in both sensitization and training on the new curricula.

11.6 Pilots for Learning

The African Land Policy Centre will work with with the Network of Excellence in Land Governance in Africa (NELGA) to test as well to pilot the Guidelines on new and existing curricula. The regional institutions will be subsequently used to train other trainers (acting as Training of Trainers) within the region.

11.7 Resourcing, sensitization, curricula development and application

It is hoped that Member States will provide political goodwill, financial resources and sensitization. The line ministries driving the portfolios of education and land and natural resources will play a central role. Due to the pertinent financial and policy implications and the required high level approvals, the respective parliamentary committees on education and land will need to be sensitized. Such committees will also be helpful in providing oversight to implementation at country level. At the devolved level, similar local authority or county assembly committees will need to play a similar role.

Key players in the private sector, civil society, traditional authorities and development

partners should be informed about the new curricula so that they play their requisite role during curricula development or review, and when providing feedback to universities and training institutions on the performance of the newly trained graduates or practicing professionals benefitting from short term courses shaped out of the new curricula.

11.8 Universities and Other Training Institutions

In addition, resourcing and sensitization of the organs charged with the approval of curricula in universities and other institutions of higher learning would be required. University organs responsible for oversight on the development and implementation of curricula at the teaching level will need to be sensitized. Faculties and departments may wish to consider, where these do not exist, the establishment of committees which can specifically initiate and follow up on the development and implementation of curricula based on the Guidelines.

11.9 Information, Dissemination and Sensitization

For the above to be effectively realized, an elaborate information, dissemination and

sensitization programme must be devised and implemented. This will call for a comprehensive mapping to identify institutions to be targeted for supply of the Guidelines. This will be complemented by the posting of the Guidelines on strategic websites such as those of the ALPC Consortium members - the African Union Commission, the United Nations Economic Commission for Africa and the African Development Bank. Other institutions with capacity to scale up the message about the Guidelines through their sites will also be identified and requested to enhance accessibility of the Guidelines by linking their web traffic to the consortium web links on the Guidelines as well as sharing the links through their social media platforms.

The information, dissemination and awareness-raising plan will also provide for mechanisms for ALPC to sensitize suitable regional and national actors through strategic forums at regional and continental levels. Such actors will then undertake structured sensitization programmes, targeted at the actors identified above, at regional and national level.

Africa Land Policy Center
UNECA
Menelik II Ave.
P.O. Box 3001, Addis Ababa, Ethiopia
Tel: 251-11-544-5000
Fax: 251-11-551 4416 (Addis Ababa)
Email: eca-landpolicy@un.org