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## National Land Coalitions and the Preservation of Communities' Ancestral Land Heritage in Africa

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### ABSTRACT

National Land Coalitions (NLCs) work towards the recognition, defence, protection and redistribution of land rights at national level. They build upon frameworks on land tenure developed and agreed by different regional and intergovernmental institutions. Platforms are at the heart of protecting and preserving community and customary lands which constitute the major category of landholding in Africa.

### Goal and objectives:

The purpose of this paper is threefold: share the successes of National Land Coalitions in selected countries in securing the land heritage for communities and other vulnerable groups; identify the ingredients for such successes including enabling factors and methods used; identify the bottlenecks and threats faced by the actors involved in these coalitions; as well as possible opportunities and recommendations to better capacitate these platforms in achieving their mandate.

### Methodology:

The analytical framework is based on three components of the syntax namely the Attribute, aim, and Condition (AIC). The Attribute focuses on the organizational description, the aim puts emphasis on the coalition's goal, while the Condition highlights the means coalitions put at the service of their ambition. We undertook a literature review and three case studies serve as basis to analyse the contribution of National Land Coalitions to community land preservation. These include in Cameroon the Banen community in the Ebo Forest, and the land concessions in the Ntem Valley, and in Sierra Leone the palm oil investment by Socfin in the Malen Chiefdom. It is demonstrated that NLC actions and activities have contributed to increasing the preservation of community lands. These Coalitions emerge in a context of arable land scrambling, the adoption and implementation of new progressive land policies and laws that promote and protect community and customary land rights. Through intense policy dialogue, advocacy, and capacity strengthening, facilitated and supported by NLCs, more and more communities are in position to fight land dispossession by states and private actors. However, these Coalitions face challenges that hamper their action, including organizational structure, power asymmetries, financing and sustainability issues. In terms of opportunities, an increasing number of national legislative frameworks are being reviewed and land governance monitoring instruments like the LandMatrix and the LANDex are taken to scale. Spaces such as LandCollaborative put national platforms at the centre of people-centered land governance and facilitate horizontal learning between platform practitioners across countries in Africa.

### Keywords:

National Land Coalition, Land governance, Community Land heritage

## 1) Introduction

Multi-stakeholder partnering is firmly embedded in the implementation approach of the Sustainable Development Goals (SDGs). The UN General Assembly in 2015 defined partnerships as “voluntary and collaborative relationships between various parties, both public and non-public, in which all participants agree to work together to achieve a common purpose or undertake a specific task and, as mutually agreed, to share risks and responsibilities, resources and benefits”. These *relationships* have been called partnerships, platforms, coalitions, alliances or networks (Stern et al, 2015). Land Coalitions are very (pro)active when it comes to preserving the livelihoods of vulnerable land users, including women, youth, family and peasant farmers, indigenous peoples, pastoralists, forest dwellers, hunter-gatherers, fisherfolks, afro-descendants, and local community stakeholders depending on community lands.

Customary and community land includes all land areas used and managed by communities under customary law, including farms, forests, rangelands and wetlands. Customary law is the framework of rights, rules and responsibilities based on community customs and practices, governing ownership and management of a community's lands, territories and resources. Over the past decade, NLCs have significantly contributed to the recognition and securing of collective and community tenure rights. These rights include among other the right of community members to identify communal lands which may not be partitioned, allocated to individual members, or disposed of to non-members, for preservation as commons; the right to restitution of community properties wrongfully taken; and the right of communities to secure collective title to lands.

This paper discusses the conceptualisation of National Land Coalitions by analysing their context of emergence; identifying and categorising their interventions in the community land sector; and also describing their advantages as well as common challenges they face. The paper closes with some opportunities that might be beneficial to NLCs.

## 2) Methodology

### 2.1) Analytical framework

The analytical framework adopted to define the NLCs' contribution to the preservation of communities' ancestral land heritage in Africa is drawn from three components from the syntax presented in the “Grammar of Institutions” (Crawford & Ostrom, 1995), namely the *Attribute*, *alm*, and a *Condition* (AIC). In the context of National Land Coalitions, **Attribute** might include organizational descriptions, such as organizational context of emergence or power asymmetries. The **alm** describes the goal or action of the NLC. The **Condition** represents the operators “when” and “where” for which the alm is allowed, required, or forbidden. For example, the “when” might be temporal or in relation to a process, and the “where” might be geographical or jurisdictional.

### 2.2) Literature review

To fully grasp NLCs work in Africa, various publications including projects', organizations' and platforms' reports, case studies, and good practices from different sources have been assessed. On the one hand, FAO's and ILC's rich bibliography provides the basis to understand the context of the emergence of NLCs, their functioning, as well as the global and national land governance

environments. Web-based secondary literature searches allowed to identify relevant literature on NLC. Key words included multi-stakeholder platforms, partnerships, alliances, networks, coalitions. These searches identified literature from peer reviewed journals as well as publications from research organisations, NGOs, donors and consultancy companies. On the other hand, sources like LandMatrix Analytical Reports or LandMark, were used to understand the situation of community land rights in Africa. Reports from various organizations and institutions, such as the Rights and Resources Initiative (RRI) or the International Union for Conservation of Nature (IUCN), served the same purpose.

### *2.3) Identifying Case Studies*

For this paper, three case studies were selected because of their mediatisation, the critical impact on communities, and the significant contribution of NLCs in identifying suitable and inclusive solutions. These include the Ebo forest in Cameroon, the Ntem Valley land concessions in Cameroon, and the investment case of Socfin in Sierra Leone.

#### *2.3.1) The Banen community and the Ebo Forest*

Cameroon's primary forests have lost between 40,000 to 80,000 hectares per year between 2015 and 2018. Poaching, wildlife trafficking, as well as illegal deforestation, and the development of large palm oil plantations are major threats to the forests' biodiversity, forest-based livelihood systems, forests' contribution to mitigate climate change. The Ebo forest spans 200,000 hectares and is home to the indigenous Banen community who depends on the forest for food, water, medicines, as well as a source of cultural heritage and identity. In 2007, the government set out to classify the area as a national park; in March 2020 however, two government concessions were announced in order to classify the area as a forest management unit to ultimately allow for major logging operations. Finally, and thanks to the concerted action of the Cameroon multi-stakeholder platform and other partners that will be presented in the results section, the Prime Minister announced the halting of the concessions in August 2020.

#### *2.3.2) The land concessions in the Ntem Valley*

According to data from the Centre for Environment and Development (CED), a Cameroonian civil society organisation, it is estimated that in Cameroon the area of land affected by investments or sheltering conceded resources represents 80% of the national territory. In this context, the government created an over 66,000 hectares land reserve in the Ntem Valley, in Southern Cameroon out of which 26,000 hectares were provisionally leased by the Ministry of Land Tenure (MINDCAF) to Neo Industry for its project to develop an industrial cocoa plantation to supply its processing plant. This concession was depriving the local communities of their ancestral lands despite the job opportunities presented by the said project. Due to the protests and several other actions, the MINDCAF suspended on August 14, 2020, the lease agreement between the government and Neo Industry, before the Prime Minister definitely cancels the text establishing the land reserve in May 2021.

#### *2.3.3) Palm oil, Socfin and the Malen Chiefdom in Sierra Leone*

Socfin Agricultural Company (SAC) is a subsidiary of the Socfin Group located in Sahn Malen Chiefdom - Pujehun District, Southern province of Sierra Leone. Through three separate deeds executed in 2012 and 2013, SAC officially acquired 18,473.03 hectares. A report by a technical

committee, under the leadership of the Vice-President, which was urged for by CSOs and the NLC and set up by the Sierra Leonian government in 2019 to investigate several violent incidents around the concession area, concluded that the actual concession on the ground is 19,123.9879 hectares. The report estimates that around 97% of the land size of the Chiefdom is covered with SAC's palm oil plantations. A lease fee of 6 USD per hectare is the only direct compensation for the landowners, leaving them deprived and without access to land to plant crops, feed themselves, and sustain a living. CSOs have been confronted with intimidations and debarred from entering the Malen Chiefdom. The NLC keeps advocating for a resolution involving all relevant parties, which lead to the most recent endeavor where the issue was addressed in the national parliament.

### 3) Results

#### 3.1) *Categorising NLCs' interventions through the AIC*

As indicated under section 2, NLCs' **Attribute** in the context of this paper refer to NLCs context of emergence.

The setting up of a coalition for inclusive people-centred land governance has its primary origin in the strong recommendations expressed in normative frameworks on land tenure at regional, continental and international levels. These include the Framework and Guidelines on Land Policy in Africa (F&G), the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT), and the Sustainable Development Goals (SDGs). The F&G adopted by the Assembly of Heads of State and Government of the African Union in July 2009 recommend as part of the new land policy and implementation paradigm "*building partnerships*". As per the 6<sup>th</sup> Chapter of the F&G, these partnerships can include sectoral institutions, national statistics offices, Universities, CSOs, Centres of Excellence among others (AUC-ECA-AfDB Consortium, 2010). Adopted in 2012 by the Committee on World Food Security (CFS), the VGGT strongly promote a participatory and inclusive approach that guarantees consultation and endorsement by all stakeholders. In Guideline 26.2, the VGGT calls upon governments "*to set up multi-stakeholder platforms and frameworks at local, national and regional levels or use such existing platforms to collaborate on the implementation of these Guidelines; (...)*". The SDGs adopted in 2015, also promote the principle of inclusion through the « *Leave no one behind* » approach; Goal 17 acknowledges that a successful sustainable development agenda requires partnerships between governments, the private sector and civil society.

Over the past decade, institutions like the International Land Coalition (ILC), the Food and Agriculture Organization of the United Nations (FAO), or the German NGO Welthungerhilfe have supported the establishment and functioning of NLCs/MSPs/MAPs. Since 2013, ILC has been supporting the formation and strengthening of around 30 National Land Coalitions in Africa, Asia, Latin America, Europe, and the Middle East. In Asia, the platform in Cambodia is among those that are very active; in Africa, 11 countries are benefiting from ILC's support, including Cameroon, Liberia, Madagascar, Malawi, Uganda, and Senegal. FAO has supported 30 multi-stakeholder platforms on tenure governance in 15 countries, among these in Liberia, Malawi, Senegal, and Sierra Leone (FAO, 2021). Welthungerhilfe initiated support to the formation and strengthening of multi-actor dialogue and collaboration in the land sector in 2017/18, through the Land for Life Initiative. In Burkina Faso, Ethiopia, Liberia, and Sierra Leone national-level MAP, as well as multi-actor dialogue at a decentralized level, are supported, bringing together representatives from the private sectors, government, and civil society.



NLCs emerge also in a context of a new scramble for Africa's land resources, for investments in timber, tourism, commercial development, and food production for consumption abroad. However, international guidelines and standards as well as relevant national frameworks are not always observed and the land rights of communities are marginalized, if not violated. The *Third Analytical Report* from the Land Matrix Initiative [Jann et al., 2021] reveals that 1.865 transnational agricultural deals were cumulatively captured globally over the past ten years, of which 1.560 are concluded. This corresponds to a total targeted size of more than 33 million hectares (ha), of which 30 million ha are concluded. The 10 most important target countries according to contract size are, in descending order, Indonesia, Ukraine, Russia, Brazil, Papua New Guinea, Argentina, Philippines, Ethiopia, Myanmar, South Sudan, and Ghana. Africa thus represents more than 30% of these deals. For the specific case of community lands, RRI's report in page 9 *Who Owns the World's Land?* indicates that globally, 18 percent of land in the 64 countries studies is formally recognized as either owned by or designated for Indigenous Peoples and local communities and within the 18 percent, 10 percent is owned by Indigenous Peoples and local communities, and 8 percent is designated for (or "controlled by") Indigenous Peoples and local communities (RRI, 2015). Even though there is an increased number of initiatives to collect and avail reliable data in the land sector, there is still a lack of transparency and openness in land information systems, together with the presence of overlapping and sometimes conflicting tenure systems (e.g. customary versus official tenure regimes) in many countries all over the world (de Maria et al., 2021). Based on the findings from the global database, the LMI recommends that: *"Governments should utilise national and local multi-stakeholder engagement platforms to ensure policy compliance with regard to land management and investment"* (Land Matrix Analytical Report III p.16). These platforms, which include CSOs and other actors, will lead the way in following up on implementation, tracking compliance, and demanding rectifying actions and change, as exemplified in the case studies above.

NLCs also emerge in the context of land policy and land governance institutions reform processes. Over the past two decades, many African countries have put in place a wide range of new policies, laws and institutions especially in the field of environmental governance – in many instances without proper rationalization or harmonization with existing legal and institutional structures governing other aspects of the land system. Among others, we can cite:

- the adoption in April 2021 by the National Assembly of the law on the rights of Indigenous Peoples in the Democratic Republic of Congo;
- the launch in August 2019 of the roadmap for the development of the law on the specific status of community lands in Madagascar;
- the development and validation of regulations on customary land rights for the implementation of the 2018 Land Rights Act in Liberia;
- the enactment in October 2019 of the Rural Land Law in Ivory Coast;
- the adoption of a new Land Code in Togo in 2018;
- the adoption of 10 land related laws between 2016 and 2017 in Malawi;
- the adoption of the Community Land Act (CLA) in 2016 and its regulations in 2018 in Kenya;
- the upcoming validation in November 2021 of a new National Land Policy in the Democratic Republic of Congo (DRC);
- the ongoing efforts to elaborate a Customary Land Rights Act in Sierra Leone, since late-2020.

Several other countries are in the phase of reviewing their existing land legislation, including Cameroon or Tanzania. Both the VGGTs and the F&G strongly recommend using spaces like NLCs to engage in inclusive land policy reforms and implementation.

In the context of NLCs, one of the main **aim** is to preserve the communities' land rights and heritage. Community lands constitute the major category of landholding in Africa. According to Liz Alden Wily (2018), community lands cover an estimated 80% or more of the country area of 24 of 54 African countries (44%). An estimated 90% of rural dwellers acquire, hold, and transfer lands as members of communities, in accordance with community norms. Despite the prevalence of customary law, the land and resource rights of most communities are not adequately recognised or protected by national laws – they lack security of tenure, according to Pritchard (2013) and as evidenced by the findings of Overseas Development Institute's and the Global Land Alliance's Perception of Tenure Insecurity Index (Prindex 2020). However, what may be considered to be "customary law" today is a blend of customary African laws and western/colonial laws, coloured by the forces of globalization, technology, capitalism and socialism, local, regional and international political economics, decades of development work, and multiple other factors. Yet debate concerning the "authenticity" of customary land law is to some degree irrelevant, in that custom changes (and should change, just as in common law systems, legal precepts are continually evolving). What matters, rather, is that complex systems of laws, rules and principles govern land relations and land use in communities throughout Africa, and that these local customary systems continue to function and thrive alongside the formal legal systems established by national governments (FAO, 2010). Cousins (2007) lays out various constructs that he suggests are generally true of customary land management as practiced today. These constructs include: land and resource rights are directly embedded in a range of social relationships and units, including households and kinship networks; rights are derived primarily from accepted membership of a social unit, and can be acquired via birth, affiliation or allegiance to a group and its political authority, or transactions of various kinds; land and resource rights include both strong individual and family rights to residential and arable land and access to a range of common property resources such as grazing, forests and water; social, political and resource boundaries, while often relatively stable, are also flexible and negotiable to an important extent.

Liz Alden (2018) identifies community land rights as per below:

- ★ A right to legal designation of their lands as property and due the same protection laws grant to individual/ private and corporate property;
- ★ A right to the above whether or not community property is formally surveyed and registered;
- ★ A right to define the membership of the community for purposes of registering collective ownership;
- ★ A right as collective owners to make their own rules of use and allocation of the property;
- ★ A right to be provided prompt and free or very low cost adjudication, survey and registration services;
- ★ A right of direct entitlement ; for the community to be registered directly as the landowner in common, and without need to create a legal entity in which to vest title on the community's behalf, or for community property to be vested in the State or any agency of state as trustee;
- ★ A right of community members to participate equally in land decision-making, especially in how the community's property is zoned, exclusive parcels allocated, and if and how certain or all lands may be transferred, leased, or sold;

- ★ A right of community members to identify communal lands which may not be partitioned, allocated to individual members, or disposed of to non-members, for preservation as commons in perpetuity;
- ★ A right of community members to be allocated secure & inheritable usufruct rights for their exclusive occupation and use of a parcel within the community property, without fear of this being reallocated by the community;
- ★ A right of community members to differentiate between voting rights of resident and non-resident members, in light of different levels of vested interest and responsibility for the property;
- ★ A right of community members to establish their own quorums to ensure genuinely majority decision-making, especially on matters of allocation and disposal of lands or resources on the land;
- ★ A right of the community to decide itself if all or part of the property may be lent, accessed, leased or sold;
- ★ A right, at proposals for compulsory acquisition of community property, to the community to receive full and prior information on the proposal, to be consulted and permitted time to consider the proposal, guarantee that opinions will be fairly considered, and the right to negotiate conditions to minimize loss of lands from the proposal, and evidence that the State has seriously considered leasing the required land from the community rather than acquiring the land absolutely;
- ★ A right of communities to negotiate directly with investors or other third parties for lease or use of all or part of the property;
- ★ A right to retain community ownership over lands designated for local public use or for public use in the general locality, under conditions to be agreed with State agencies, and a duty of the law to ensure that public property may be in the custodianship of communities as well as local and national government agencies;
- ★ A right to equitable compensation for deprivation of so-called 'undeveloped' off-farm lands at compulsory acquisition due to their contribution to livelihoods in the community, and inherent values;
- ★ A right to restitution of community properties wrongfully taken where these are classified as public property and therefore more cheaply transferable than privately purchased properties; and a right to other reparation including cash compensation where private properties are involved and cannot easily be retrieved by Government;
- ★ A right of communities to have valuable forest, wildlife, and wet land areas returned to community ownership subject to rigorous conservation orders;
- ★ A right of communities to secure collective title to lands, without a history of customary possession, and for this right to extend to urban communities;
- ★ A right of land-dependent marginalized and vulnerable groups to positive discrimination in respect of land rights affecting ancestral lands;
- ★ A right of all communities to direct representation in national and local government forums on matters of land rights;



- ★ A right of communities to establish forest, rangeland, wet land/ marsh and other protected areas on their lands and for these protected areas to be registered as community owned and managed protected areas.

The outcome of the three cases analysed in the paper was positive in the sense the impacted communities managed, at least for a short period, to halt the dispossession and have their land back. In response to the Ebo Forest classification, NLC's members in Cameroon joined a group of civil society actors, environmentalists, researchers, the International Union for Conservation of Nature (IUCN) and other actors working to reverse the concession. In April 2020, the group addressed a letter to the Prime Minister of Cameroon calling for the suspension of the concessions, along with the recommendation that all stakeholders, including local communities, be involved in the development of an inclusive land use plan. The NLC also capitalised on the individual efforts of its member organisations, including Community Assistance in Development (COMAID) and Centre for Environment and Development (CED) that supported the STOP destruction of EBO forest campaign led by Greenpeace; COMAID's collaboration with the IUCN-led project "promotion of participatory and inclusive management of the Ebo Proposed National Park"; and Community Initiative for Sustainable Development (COMINSUD)'s sensitisation activities on customary land management and rights. In August 11, 2020, the Prime Minister announced the halting of the concessions by cancelling the decree by which the government had authorised the project to exploit 68,385 ha of forest. This was a relief to the local Banen communities that depend on Ebo Forest to gather food and traditional medicines, and view Ebo Forest as their ancestral land. However, the future of the forest still hangs in the balance and current efforts seek to ensure that the Government adheres to this commitment, as well as to encourage participatory mapping and land use planning.

In the Ntem Valley, the Government suspended in March 2020, the land leasing contract signed with Neo-industry Ltd, following protests by traditional chiefs in Ntounou and Mvae that called for the Ministry of State Property, Surveys and Land Tenure (MINDCAF). The residents were denouncing the non-transparent and unilateral manner in which the land reserve was created by the government. They were also seeing the Neo Industry's cocoa plantation project as a way to deprive them of their ancestral lands despite the job opportunities presented by the said project. The protests and land rights assertions of local communities were supported by one of the National Land Coalition's member organisation CED by reviewing the legality of the constitution of the land reserve allocated to the company to identify legal deficiencies. On May 5th, 2021, the government cancelled all land titles issued in the locality.

### *3.2) Means of action of National Land Coalitions*

Policy processes are complex and rarely linear and thus require particular approaches and methods, including advocacy and policy dialogue. National Land Coalitions achieve their objectives mainly through policy dialogue, advocacy, and capacity strengthening of key stakeholders and communities.

#### *♠ Policy dialogue*

Policy dialogue is part and parcel of the policy and decision-making processes, where they are intended to contribute to developing or implementing a policy change following a round of evidence-based discussions/workshops/consultations on a particular subject (WHO, 2015). Policy dialogue should be seen as an integrated part of the policy-making process rather than just a simple tool for

ensuring a high-quality, inclusive and comprehensive policy document. It is worth noting that policy dialogue often also includes informal consultations (e.g. through electronic correspondence, corridor meetings, etc.); or any communication or contact between actors who are ultimately contributing in some way, who shape or participate in a process which culminates in a policy decision. There is no single, ideal model for a policy dialogue. In the ideal case, the group is relatively small and there is little emphasis on formal protocol. It's important to clarify that policy dialogue is not a mass meeting, an event controlled by only one interest group or dominated by formalities and protocols, a seminar or lecture or an occasion to present preprepared resolutions or deliver an ultimatum.

Since platforms target policy change, policy dialogue has become an inherent part of their interventions. Factors of success of policy dialogue include (i) relevance of the subject for the partner institution or government and political will to implement change; (ii) shared interests and common goals of the partner institution or government and change agents and (iii) a relation of trust. Credibility as well as the absence of hidden agendas is also part of the key element before engaging in policy dialogue. Demonstrating evidence, having profound context insight and competencies are crucial for a successful dialogue.

In case that dialogical formats do not bring about the expected progress, other advocacy tools are used in order to achieve the desired and agreed-upon outcomes. In all three cases referenced in this document, protests and other forms of more confrontational advocacy were used to complement the pathway of dialogic change. In the case of the Banen community and the Ntem valley in Cameroon, the advocacy activities eventually led to a resolution of the land issue with the involvement and support of the NLC. In the case of the Socfin investment in Sierra Leone, the NLC keeps supporting the communities in the Malen district and recently brought the matter up to the parliament.

#### ♠ *Advocacy action and campaign*

Advocacy is any plan that attempts to influence policymakers and stakeholders through activities designed to increase public attention. Advocacy includes many different types of activities, sometimes it means researching new solutions and even creating coalitions of like-minded people. The aim of advocacy is to educate, engage, and ultimately, create change. An advocacy campaign is an organized effort to raise awareness and mobilize people to support (or oppose) a specific cause, policy, issue, or position. Tim Forbes<sup>1</sup> identifies three main categories of advocacy campaigns that are often used by NLCs.

*Peer Advocacy:* it is when individuals advocate for someone else, usually in a one-on-one context. One of the most common types of peer advocacy is when the advocates have shared experiences with the people for whom they are advocating, making it easier for them to communicate on behalf of the community. This is what happens often when land and environmental rights defenders are threatened and need emergency support for their cases. Some institutions like the International Land Coalition have established mechanisms (the Emergency fund) to be activated when land rights defenders lives are at risk. In 2016, the land governance multistakeholder platform of Cameroon has set up a common mechanism to provide financial assistance and legal support to individuals, families, Indigenous peoples, and refugees facing land-related emergencies. Between 2017 and 2020, the mechanism supported more than 5,000 Mbororo refugees and families expelled from their lands and

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<sup>1</sup> In *4 Easy Steps to Planning An Effective Advocacy Campaign*, accessible here <https://www.soapboxengage.com/blog/1849-4-easy-steps-to-planning-an-effective-advocacy-campaign>

internally displaced women, as well as judicial assistance was provided to land and environmental defenders.

**Cause Advocacy:** Cause advocacy campaigns champion a specific cause or issue that an organization (and its supporters) are passionate about. This type of advocacy campaign might be spearheaded by a nonprofit, a group of people, or even individuals who are committed to raising awareness and finding a solution. In the case of Cameroon, promoting women and youth access to and ownership over land is one of the NLC's top strategic priorities. The platform expects change in order to ensure gender and intergenerational justice in land management and governance. In March 2020, the platform developed a *Code of conduct for equitable customary land management for youth and women* resulting from several community consultations. The Code has been distributed in several localities, and has reached over 50 traditional authorities and 300 community members, including in the localities where the two case studies from Cameroon have been identified.

**Systems Advocacy:** Systems advocacy is a type of cause advocacy on a much larger scale. A systems advocacy campaign has a goal of effecting change within a social, economic, or political system. This type of advocacy campaign can include everything from lobbying and fundraising to awareness campaigns and efforts to educate the broader population. In Sierra Leone for example, there are efforts underway to codify the guidelines on the Agribusiness Investment Approval Process (AIAP), bringing it in line with international standards and making it mandatory for investments to abide by those principles.

The four steps to plan a successful advocacy campaign includes (i) set a specific goal: What exactly do you want to accomplish with your advocacy campaign? The more specific you can be, the better; (ii) Clarify your message: with a SMART goal, it's important to write a clear, compelling message that unifies the supporters and attracts people to the advocacy campaign; (iii) Create a timeline for the campaign: an advocacy campaign needs a timeline that outlines the end goal and the major events, challenges, and opportunities along the way that will need to either be capitalize on or overcome; and (iv) get organized and mobilize which require often some customized resources. Social media provide both campaigns with a platform where people could be heard, vent, rally with people, and get a response. The three cases presented in this paper have involved online and media campaigns. These actions led to the international mediatization of the cases and probably influenced the final outcome i.e. the halting and return of lands to affected communities.

#### ♠ *Capacity strengthening*

Capacity strengthening, capacity building or capacity development, is a process that improves the ability of an individual, group, organization, network, or system to enhance or develop new knowledge, skills, attitudes, systems, and structures with the end goal of enhancing its ability to function effectively, work towards sustainability, realize its mission, serve its constituency and have greater ownership over the development process. Capacity strengthening efforts towards NLCs members and communities enable them to gain the knowledge, skills and abilities needed to reach a particular aim; also the process of joint learning can contribute to enhancing communication and building trust among the different NLC constituencies. However, it is important to highlight that CSOs and other constituencies already have the knowledge, skills and abilities they need to drive national action on any number of issues. Capacities may be present to varying degrees, knowledge may need to be packaged in professional formats, and skills and abilities may need to be honed – but it is always

there. Internal capacities that are often strengthened within land governance NLCs include gender justice, network facilitation, platform governance and sustainability, resource mobilization, communication and visibility, etc. Some platforms in countries like Sierra Leone and Cameroon have trained and equipped paralegals to support communities in dealing with land issues either internally or with the administration and land users/investors. In the case of Ntem Valley land concession, the community lack of legal capacity was backed up by platform's members who reviewed and challenged the legality of the administrative acts conceding the land to the investor. In the Ebo Forest, Banen communities are being trained on participatory mapping as a way to sustainably manage their resources. In the case of the Socfin investment in Sierra Leone, the NLC collaborates with a legal empowerment network to understand the legalities of the concluded concession agreements.

#### **4) Discussion**

NLCs are usually initially introduced on the national level, bringing all relevant actors together to one table (Faysee, 2006). This approach reckons very promisingly in solving complex issues, however, despite all advantages, it also poses some challenges. Based on the AIC approach, in the following, some common challenges will be discussed.

##### *4.1) Organisational structure*

The mandate of NLCs depends on their setup, vision, and strategy (Brouwer et al., 2016). This means representatives of the different constituencies, such as the private sector, the government, academia, civil society, community leaders, and farmers, jointly agree on the goals of the NLC. Throughout the years and changes which come, it is of high importance to continue working on the goals (Faysee, 2006). Goals can also be adapted. Nevertheless, an adaptation has to be agreed upon by all parties. As can be seen in the case studies of the Ntem Valley in Cameroon and with the investment of Socfin in Sierra Leone, a confrontational relationship between private sector actors and governments on the one hand and local communities, supported by CSOs, on the other prevails in many contexts. Though the "opposing parties" are not homogeneous (in many instances, individuals at the community level collaborate with the investor and selected governmental representatives at national or decentralized levels empathize with and defend communities' interests and rights), such a set-up constitutes a major challenge to dialogue and collaboration with the ambition of identifying a solution that works for all. In the above presented cases in Cameroon and Sierra Leone, the international investment companies were not part of the respective NLC. A representative of the private sector in Sierra Leone who wants to stay anonymous mentioned, that it is quite tough for an enterprise to stay motivated within an NLC. Fulfilling all requests by the government, civil society organizations, and local communities comes as a challenge for companies. The climate within NLCs can move sometimes against certain actors, if the vision or the common understanding is changing for some and not all actors. Actually, the overall forms of engagement and the contributions of private sector actors within NLCs are often not clear, when they are considered to be trying to polish their reputations via their engagements in these platforms.

In the land sector, it has been witnessed that so-called multi-stakeholder platforms have been created and financed by private sector investment entities, not really with the ambition of providing an inclusive and participatory space for addressing issues relating to the investment (including its fundamentals, such as the investment model, its compliance with international standards, the

distribution of benefits from the investments, etc.), but rather as a means for protecting the investment and its profitability.

#### *4.2) Power asymmetries*

The different actors of the NLC hold different types power (Brouwer et al., 2016). For example, civil society organizations continuously struggle to find new funding opportunities, allowing them to remain engaged and to support communities in their socio-legal empowerment, making them weaker. Similarly, small-scale farmers are confronted with the lack of funds to self-organize and to participate in meetings when they are held in different places.

Power asymmetries are likewise seen in different levels of capacities. As discussed by MacDonald, Clarke, and Huang (2019), the capacity of partners in an NLC is conditional on the way decisions are made. It is therefore important to consider capacities and facilitate opportunities to bring all actors onto the same level. NLCs face the challenge of dealing with more powerful actors and weaker actors within. All actors have their legitimate interests and roles to play. Specific support needs to be provided to create a dialogue on eye level. NLCs aim to contribute to a more leveled playing field by providing training opportunities in relevant technical and legal matters, dialogue culture, and empowerment.

Another asymmetry NLCs are confronted with, is that often there are too many or too few actors from one constituency, especially the civil society or the private sector<sup>2</sup> (Hermans, et al., 2017). Particularly partnerships with more powerful categories of actors are seen to be potentially reproducing patterns of domination, exclusion, and geographical asymmetry (Pattberg and Widerberg, 2014). This unbalanced representation can lead to unbalanced discussions and outcomes. Different power relations between some actors as a consequence of socio, economic, regional, or religious attributes of a person or organisation can additionally lead to unbalanced power distribution among participants of the NLC.

The core principle of NLCs is to bring together all actors that have an interest and influence in the land sector. In theory, by means of facilitating dialogue between those actors, a way forward is identified to which all involved parties can agree (Hermans et.al., 2017). In practice, this is sometimes challenging to achieve. NLCs have the option to escalate a problem that occurs from one level to the other. Through the extended network and the multiple actors involved on all levels (national, regional, community) forms of dialogue can happen on horizontal and vertical levels. It is key that the different groups of the NLC accept their interdependency to reach conclusions and solve a challenge together. In the Socfin investment case in Sierra Leone, there were instances where some relevant participants canceled last minute and did not attend meetings (Gbandia, 2016). Maintaining everybody involved requires a commitment by the leadership of the different constituencies that form part of the NLC.

#### *4.3) Decentralization and formalization*

The “problem-solving capacity” of an NLC depends to a large extent on its level of engagement. In the presented case studies, most efforts were undertaken by the NLC at the national level. However, in the case of the Coalition in Sierra Leone, efforts have been made to not only strengthen multi-actor

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<sup>2</sup> Despite its heterogeneity, scholars and practitioners often relate to “the private sector” or “the business sector” in general terms without specifying the kind of for-profit actor they are referring to. In this paper, private sector refers to small and medium-sized enterprises, multinational corporations, state-owned enterprises, as well as business-related private foundations operating on a non-profit basis who are important partners in sustainable development partnerships.



engagements at a national level but to form multi-actor structures also at the district, chiefdom, and community levels. Through this approach, matters which cannot be resolved at one level can be escalated to the next. This is relevant to address investment-related land conflicts, such as the Socfin investment in the Malen chiefdom, as challenges can be brought to the attention of national actors, who were involved in the decision-making and granting of the concession and experiences directly from the communities can be brought up to the national level in order to have a strong foothold and legitimization on the matter brought forward. Nonetheless, a process of decentralisation is quite costly, as more human resources, transport, and meeting costs are required. Furthermore, it is of high relevance to have a clear setup of roles and responsibilities.

When it comes to formalization, there might be a problem of legal and institutional recognition of the platform. Indeed, the platforms are most of the time networks, alliances or more or less formalized spaces of exchange and sharing without legal personality at national or regional level. This situation has the advantage of leaving more room and flexibility to the actors, but presents the major risk of making them fragile and vulnerable to political, organizational, and financial hazards. In particular in context where land governance is highly politicized, non-formalized networks may feel they do not have sufficient legitimacy to speak up openly.

## **5) Conclusion**

The participatory processes adopted by the National Land Coalitions contribute to improving land governance at country level as they allow a clearer analysis of the real picture of land governance, as they open up spaces to make land governance more transparent and to hold duty-bearers to account. NLCs can also serve as a platform to assess progress on land governance. Beyond that, they are fundamental to foster multi-stakeholder and inter-sectoral coordination around land tenure processes; build buy-in from the government and other key actors to improve governance of tenure; influence the national land agenda and foster participatory tenure reform processes; facilitate continuous learning and strengthen capacities of those most affected by food insecurity to engage in tenure dialogues; develop innovative approaches, tools and mechanisms at regional, national and local level to improve governance of tenure. NLCs also participate in the implementation of land policies by identifying bottlenecks and helping to find consensual solutions to land issues. More importantly, they constitute a permanent visibility space on key themes, thus demonstrating the strong mobilization capacity of civil society actors and the various stakeholders involved in land governance.

However, these platforms face a number of structural challenges that can impact or hamper their ability to act. Among other things, there is the question of their sustainability and the construction of cohesion between a plurality of different actors by their nature, their various and sometimes contradictory centers of interest, their resources and their means and methods of intervention. It may therefore be difficult to ensure the inclusion of all stakeholders, including the State, at the central level or through its branches; vulnerable groups including women, young people, indigenous populations, or people with disabilities so that their point of view is taken into account.

New countries have embarked in revising their existing land legislation, including Cameroon, Sierra Leone, Tanzania, and the Democratic Republic of Congo. These processes are participatory and National Land Coalitions are facilitating inclusive consultations on the reform proposals for example

in Sierra Leone, and are called to playing a role in their finalisation. Also, these NLCs are involved in the rollout of land governance monitoring tools such as the Global Land Governance Index. This is the case of platforms in Liberia, Cameroon, Uganda, South Africa, etc. Such involvement of platforms as a whole enables accountability at all levels, as the findings from the monitoring are shared and validated among all relevant actors in the respective country. Since end-2019, the International Land Coalition, in collaboration with Welthungerhilfe (WHH), FAO and Collaborating for Resilience (CoRe), has supported cross-country exchange and horizontal learning between NLCs: connecting land governance practitioners, supporters, promoters, funders and change makers to learn from good practices and evidenced-based solutions coming out of the ILC network and beyond. This initiative, called LandCollaborative, stimulates innovation and aims to equip multi-stakeholder practitioners working on land governance with the tools, capacities and right processes they need to deliver real system change in land governance. LandCollaborative targets national land coalitions ecosystems and its supporting actors that together constitute, shape and influence national land governance policy and processes, with high degree of interconnectedness.

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## **10) Key terms and definitions**

**National Land Coalitions (NLCs)**, also known as Multi-stakeholder Platforms (MSPs) or Multi-actor Partnerships (MAPs) are spaces that bring together actors who are committed to contribute to improving land governance, protecting civic space, shifting power imbalances, they are at the centre of accelerating the recognition, defence, protection, and redistribution at country level.

**Land governance:** Land governance concerns the rules, processes and structures through which decisions are made about access to land and its use, the manner in which those decisions are implemented and enforced, and the way in which competing interests in land are managed.

**Community Land heritage:** All land areas including farms, forests, rangelands and wetlands belonging, used and managed by communities under customary law, and inherited from their ancestors.