

FINAL TECHNICAL REPORT / RAPPORT TECHNIQUE FINAL

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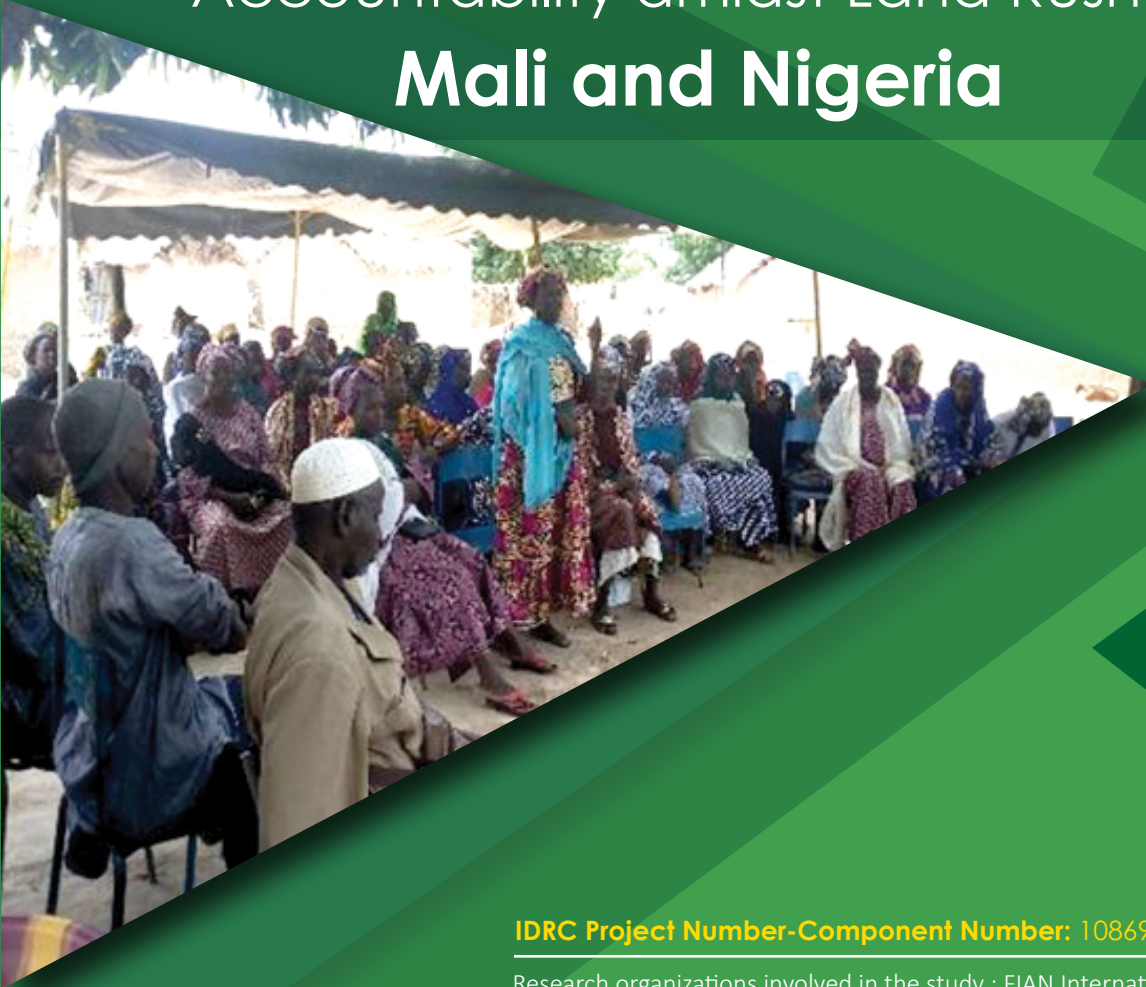


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Policy intersections: Strengthening bottom-up Accountability amidst Land Rush in **Mali and Nigeria**



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ACRONYMS

AU: Africa Union

CFW: Community Forest Watches

CNOP: Coordination Nationale des Organisations Paysannes

COFOVs: Commissions Villageoises Foncières

CRS: Cross River State

CRSHA: Cross River State House of Assembly

CSR: Corporate Social Responsibility

ERA: Environmental Rights Action

ISS: International Institute of Social Studies

LFA: Loi Foncier Agricole

LGA: Local Government Area (LGA)

LSLD: Large Scale Land Deals

LUA: Land Use Act

LUAC: Land Use and Allocation Commissions

MLUB: Model Land use Bill

MoU: Memorandum of Understanding

PAR: Participatory Action Research

TGs: Tenure Guidelines

UACDDDD: l'Union des Associations et Coordinations d'Association pour le Développement et la Défense des Droits des Démunis

USJPB: l'Université des sciences Juridiques et Politiques de *Bamako*

VLC-Village Land Commission

1. EXECUTIVE SUMMARY

This report presents the three year project (01.12.2017- 30.11.2020)¹ titled; “Policy intersections: Strengthening bottom-up accountability amidst land rush in Mali and Nigeria”, funded by the IDRC and coordinated by FIAN International. The research was implemented in collaboration with; *CNOP-Mali*, *UACDDDD-Mali*, *USJPB-Mali*, ERA/FoE-Nigeria and ISS-The Hague, The Netherlands. The researchers sought to understand accountability strategies by local people in the context of attempts to address the challenge of intersecting resource grabs in intersecting legal and institutional contexts in Mali and Nigeria, as well as the convolutions surrounding women and youths’ land and associated resource tenure rights in patriarchal rural communities.

This conceptualization was anchored in another previous research, funded by the IDRC during which the researchers learned that, when developing accountability strategies from below, marginalized rural groups tended to focus their collective action only on one issue depending on what they perceived as being the most pressing, as well as on their history of interactions with certain institutions and social actors. This approach revealed that it leaves gaps in effective accountability in the democratic management of natural resources. This is due to the fact that it gives room for shifting of responsibilities and manipulation by some public authorities who tended to use and instrumentalize the ‘sectorial approach’ to governance of natural resources to refute responsibilities over certain corrupt and abusive decisions and actions that violated community land and associated natural resource tenure rights.

The current research took off on the premise that, on the one hand, communities impacted by Large Scale Land Deals (LSLD) are in reality often confronted with intersections of different resource grabs (land and forests, land and fisheries in lakes or marine areas, land and water pollution/environmental destruction, agriculture and environment/climate, land and people’s health, land and cultural heritage

¹ Due to the challenges of arising from COVID-19 containment measures like lock-downs, social distancing measures and more, this project had a no-cost extension until May 1- 2021.

and spiritual attachments). On the other hand however, statutory governance of natural resources in most countries where LSLD occur tend to be fragmented into different sets of legal and institutional frameworks. Taking into consideration the fact that the livelihoods of people, especially at the level of rural, indigenous and forest communities where most LSLDs happen are; complex, multi-layered and interconnected, focusing accountability action on one issue only present important limitations to any accountability strategy. This shortcoming is especially pertinent when the intricacies of gender and generational dynamics are also taken into consideration. The situation becomes even more complex in contexts where there are some forms of blurred coexistence of both customary and statutory tenure arrangements as well as their legal/legitimate recognitions within national legal frameworks. On this note, the overall objective of the research was to understand how accountability strategies of local people are changing to address the challenge of intersecting resource grabs in intersecting legal and institutional contexts in Mali and Nigeria taking especially into consideration the complexities surrounding women's and youth's land and associated resources' rights.

More specifically, the research sought to;

- 1) Find out how rural women and youths perceive the challenges of intersecting resource grabs in intersecting legal and institutional contexts; as well as how they organize to address them and to ensure that their voices and issues are taken into account in such processes at local, national and sub-regional levels.
- 2) Better understand the political dynamics of intersecting resource grabs, the trajectories of convergence or conflict of different actors, as well as the requirements to develop effective accountability strategies in this evolving setting;
- 3) Inform national and regional policy making and implementation with an intersectional gendered approach as well as to contribute to broader scientific debates on the issue by publishing peer reviewed articles from this action research project – in addition

to popular format of written outputs such as policy briefs targeted at policymakers at both national and sub-regional levels, as well as for social movement activists.

To achieve these research objectives, the research adopted Participatory Action Research (PAR) methodologies during which; communities, inclusive of women and youths in Mali and Nigeria together with collaborating national CSOs were able to successfully map different land and associated resources, land uses and land user categories, as well as regulatory frameworks and institutions governing land access and control. In Mali for example, the mapping exercise by CNOP/UADDDDD/USJPB resulted in an inventory of existing customary laws and norms governing land and associated resources which indicated that there are complex customary tenure arrangements. In this regard, the mapping showed that, in different communities in Mali, there are varying degrees to which women participate in decision-making on issues of land and associated natural resources governance as well as can access land independently from their husbands.

The mapping further indicated some historical precedents of tenure arrangements that grant women usage rights of a part of community lands. In the commune of Mandé for example, work with the communities resulted in women's groupings/associations being allowed to take part in discussions and decision-making. Building on this learning, the project focused on organizing community forums and training on customary land rights and the pertinence of effectively including women and youth. The mappings mentioned above also revealed complex customary tenure arrangements which have evolved over time. The research findings show that, customary institutions and arrangements have not only evolved, but are also under pressure, as part of changes in the social fabric of Malian communities and society (changing family relationships, rural-urban migration, urban expansion, pressure on natural resources and livelihoods, etc.). The mapping as well revealed the existence of inter-community conflicts that are linked to access to, control over and use of land and related resources. More so, desk and secondary research pointed to the fact that, despite the existence of important work of convergence between agrarian

and environmental struggles in West Africa, there is a continued separation between much of the debates and advocacy on land politics and climate change in Mali.

The participatory approach chosen by our action research team has shown concrete results. Creating spaces where young people and women can discuss among themselves while putting a strong focus on encouraging them to actively participate in community meetings, which have traditionally been dominated by older men, has changed dynamics and triggered changes in attitude. Our research findings further point to the fact that, women and youth are not only taking the word more frequently, but that men, including customary leaders, explicitly ask them about their opinions on given issues. These changes have been formalized in local conventions² and are reflected in the fact that women and representatives of youth are members of the established COFOV. In a similar vein, as will be discussed later, the Model Land-Use Bill (MLUB)³ in the Nigerian context establishes Lands Use and Allocation Commission (LUACs) with an emphasis on significant representation and participation of at least six women in its 13 member committee as stated in section 4.(1)⁴ of the model bill.

It is also important to highlight that; most villages now have designated lands specifically for women. One take home from these is that, women and youths, even in extremely patriarchal communities have an agency and are able to effectively and successfully collaborate with CSOs in demanding for effective inclusion towards participating in informed manner in standard setting processes (in this case the Village Land Commissions -VLC).

Another lesson from our research relates to the rebuilding of social cohesion and mutual trust within rural communities which was achieved in the process of our project implementation as will be elaborated upon further in the sub-section on outcomes. In effect, prior to the start of our project, traditional ties and internal solidarity were largely destroyed by the violence of land grabs, either triggered by external actors, or by community members who engaged in wanton land transactions. In some cases,

2 See Appendix 12 Convention Locale de Gestion Fonciere et Equitable : village, Kéniéma. An example of a formalized local convention on customary land governance which- indicates the historical exclusion of women from decision making around customary land governance from a cultural perspective- but creates a pathway on how women can own land in their own rights. Most importantly, their formalized village land commission have one women and one youth representative.

3 Appendix 1: The Model Land Use Bill (MLUB), 2019

4 Ibid (2019:5)

even customary authorities (traditionally responsible for the protection of customary land) were involved. As such, the process of establishing and defining commonly agreed rules to govern lands was a delicate but crucial process for rebuilding trust for collective forms of decision-making. This also implied that, the establishment of Village Land Commissions (VLC) required time and meticulousness. Constant dialogue and accompaniment were key in the early phases, but also, after the commissions were established. In a similar vein, our research found out that, to ensure robust and effective functioning of the commissions, there was need to work closely with both customary and state authorities. This close work took the form of capacity building and constant dialogue to ensure a full understanding of VLC and their role vis-à-vis state authorities.

In Nigeria, after analyzing how large-scale land acquisitions influence and are shaped by state representatives and institutions governing land access, the ERA/FoE team proposed a MLUB. This model bill could potentially address the challenges associated with the country's Land Use Act of 1978 – which concentrates much of the decision making power over land governance at state level on one man-the Governors- a vulnerability that is argued to have facilitated large-scale land and resource grabs by various actors. Currently (August 2021), the bill is being reviewed at the Cross River House of Assembly (CRSHA) or simply put, CRS Parliament. It is pertinent to highlight here that, the model bill learns from the Mali case with village land commissions and takes cognizance of customary tenure when it is inclusive and just. To use their words, “MLUB proposes the establishment of the Lands Use and Allocation Commission (LUAC) with gender inclusiveness as a policy thrust” (ERA national policy brief 2020:6). In effect, the MLUB sets out to:

- Establish Lands Use and Allocation Commission (LUAC) with community representation in the membership with gender inclusiveness as a policy thrust;
- Review the power of the Governor to acquire land for public purposes that should be in conjunction with the recommendations of the Lands Use and Allocation Commission (LUAC) to reduce the risk of misappropriation;

- Provide for human rights protection, and access to justice including freedom of information, and freedom of information should be part of the land use management systems to allow citizens participation and protection of community land rights.

More so, the MLUB proposes “a Land Tribunal which should handle every dispute arising from land transactions and acquisitions [so that] the High Court would then be a court of appellate jurisdiction to the tribunal. This will facilitate quicker dispensation of cases and the land tribunal will do away with unnecessary technicalities.”⁵

Beyond the key findings above are a few key outcomes that are worth highlighting.

Firstly, the engagement of women and youths in grass root natural resource governance and accountability processes has strengthened the feelings of entitlement to informed participation in the governance of community affairs beyond the governance of natural resources. In Mali for example, the intense participatory and community driven process of inclusive formation of VLCs has resulted in; conflict resolution between communities that had boundary crises, the creation of a climate of trust and confidence in the inclusive use of natural resources, re-visitation of customary tenure governance arrangements to make it more inclusive of women and youths among others. Our partners in the field have captured these very clearly when they say that;

- *Le projet CRDI FIAN dans son exécution a créé un climat de dialogue entre les communautés qui exerce différents travaux dans le même village et les villages qui auparavant avaient de la tension autour de la gestion des ressources naturelles et des limites de terroir.*
- *L'élaboration de conventions locales de gestion de ressources naturelles dans tous les villages de la zone de projet a créé un climat de confiance et de viel citoyen à l'utilisation inclusive des ressources naturelles,*
- *Les échanges intercommunautaires des groupements des femmes et jeunes a été en premier un espace de résolution des conflits, ces réunions des groupes a donné beaucoup d'engagement aux femmes sur le plan organisation et défendre l'intérêt commun. Des liens forts sont créés et des initiatives futures sont discutées*

⁵ Godwin Ojo, Executive Director of ERA/FoE Nigeria speaking during one of the MLUB validation meeting. The Guardian Nigeria (October 01, 2018) “Group to test-run new land use law in Cross River”. Available at: <https://guardian.ng/property/group-to-test-run-new-land-use-law-in-cross-river/>

This action research engagement demonstrates that, establishing new accountability strategies that can be used to address the challenge of intersecting resource grabs in overlapping legal and institutional contexts require a meticulous multi-sectorial mapping and understanding of the dynamics around natural resource governance actors, institutions, processes, and instruments. From the experience gathered in this research, effectively navigating the plethora of actors, instruments, processes and institutions that this whole dynamic tends to involve- can prove challenging for local communities and civil society groups in targeting and strategizing accountability claims and actions. **Nonetheless, our most important finding is that, mixed local level monitoring commissions, selected by communities themselves and who reflect the different constituencies of land and associated natural resource uses within the broader context of community territories allow for a robust critical mass and voice to demand for accountability from overlapping legal and institutional contexts.**

In effect, we learned that, when traditional authorities (mostly men), women and youth representatives sit on the same table with local authorities to discuss about community common concerns within the broader context of legitimate tenure rights, different uses as well as management challenges that they respectively face, it creates an opportunity for a holistic perspective and appreciation of the value of the resources. This leads to the creation of a favorable environment towards a collective visioning on how to sustainably manage the resources in ways that respect each constituent's rights while providing space for ingenuity towards conservation for future generations. Such a process clarifies expectations from concerned parties and at community level, it contributes toward easing of social tensions, as well as trust and peace building processes. The process provides an opportunity for the creation of a platform for a collective front to resist/negotiate in an informed manner. This reduces avenues for “fraudulent community consultations”/ ‘elitist’ negotiations (whereby a handful of ‘elites’-mostly men- negotiate on behalf of communities), both phenomena which on the most parts have confronted LSLD affected communities, public authorities and corporations in Mali and Nigeria.

In both Nigeria and Mali, we learned that, local people's active involvement in co-production of knowledge enables the effective use of information generated from the research for advocacy, policy engagement as well as for accountability purposes. In the context of this research for example, communities used laws they negotiated for to hold both Corporations and states accountable. Corporations using the 2016 CSR-law to renegotiate fresh Community-Company Memorandums of Understanding (MoU) in Nigeria and States implementing parts of the 2017- Malian Agricultural land law through the setting up and formalizing of inclusive VLC and local conventions. In effect, in Nigeria, our national partner together with local community organizing platforms (community forest watches) worked towards the passing of the CSR law (during the first phase of our project 2014-2017). This law had provisions of informed consultations and conflict resolution mechanisms.

During the current phase of our project, the communities using a PAR approach anchored on the provisions of the CRS law to demand for the MoU that was negotiated between the TNC and the communities. Important is the fact that, across most parts of Africa, powerful TNCs have often made CSR as a voluntary process, which could not be effectively monitored. In Mali, our national partners together with communities were influential in the passing of the agricultural land law in Mali (during the first phase of our project 2014-2017). This law had a provision for community involvement in land governance with setting up of village lands commissions, as well as the recognition of some customary lands tenure provisions. Our current project as already discussed successfully implemented some sections of the law by setting up inclusive (of women and youths) village land commissions and developing local conventions that are formalized at the administrative levels.

Finally, analyzing the potentials of, and the limitations of the Tenure Guidelines (TGs) and the African Union (AU) Framework and Guidelines on Land Policy in Africa to understand and facilitate the process of making accountability strategies responsive to intersecting resource grabbing at a multi-scalar level (local, national and regional)

our research found that, although there are some potentials, there is still need for more interactive research to fully grasp the intricacies involved. The research showed that, the avid involvement of local community representatives and CSOs in the negotiations of the TGs inspired their contributions during the negotiations of the Agricultural land law and the subsequent implementation of the village land commissions, facilitates the domestication of provisions of global guidelines. In return, studies from the implementation and formalization process inclusive of (with a focus on women and youth) village land commissions in Mali is informing West African CSO negotiations on a “joint advocacy document for accountable, inclusive and equitable land governance in West Africa securing the rights of communities including women and youth”⁶.

In the Nigerian context, the resultant Model Land Use Bill introduced by ERA asserts customary land systems while also requiring that these systems be in accordance with equity, natural justice and good conscience with a heavy focus on the representation and effective participation of women and youths as can be read in the constitution of Land Use Allocation Committees (Art. 4 of the MLUB). These are lessons from some provisions of part three (on the Legal recognition and allocation of tenure rights and duties: chapters 9 and 10) of the TGs. However, in order to understand how accountability strategies can be responsive to intersecting resource grabbing at a multi-scalar level (local, national and regional), more iterative research is needed.

6 Appendix 8 Rapport final 2017- 2020 : « *Croisement sur les politiques de sécurisation foncière* »

2. THE RESEARCH PROBLEM

One of the most immediate and important implications of the recent convergence of multiple crises around food, feed, energy, financial, climate and the environment is the revaluation of land as a crucial scarce resource. This, in turn, led to the recasting of current land issues as a highly contested governance issue. Currently, land and natural resources governance are undergoing a process of far-reaching transformation. Responding to the converging crises and ensuing transformations in governance, communities and grassroots groups have been framing and developing new accountability strategies related to resource politics. However, when developing accountability strategies from the grassroots level, marginalized rural groups tend to focus their collective action on one field/issue only depending on what they perceive as being the most pressing issue, based on their experience as well as on their history of interactions with certain institutions and social actors. Impacted communities are, in reality, confronted with intersections of different resource grabs such as land and forest, land and fisheries in lakes or marine areas, land and water pollution/environmental destruction, agriculture and environment/climate, land and urbanization, and land and people's health. Moreover, different resources are governed by different but intertwining sets of legal frameworks, institutions, and various social actors. The challenges of having to deal with multiple sectors, institutions (customary and statutory) and actors are daunting. As livelihoods are complex, multi-layered and interconnected, focusing accountability action on only one field/issue presents limitations to any accountability strategy. This shortcoming is even more so when the intricacies of gender and generational dynamics are also taken into consideration.

Anchored by FIAN-International and with the participation of researchers and civil society groups from Mali and Nigeria, this project sought to understand how accountability strategies are changing to address the challenge of intersecting resource grabs in the context of intersecting legal and institutional frameworks in Mali and Nigeria as well as the convolutions surrounding women and youths' land and

associated resource tenure rights in patriarchal rural communities. More specifically, the research project aimed to answer the following questions:

1. What are the political dynamics of intersecting resource grabs in Mali and Nigeria?
2. How are local communities in Mali and Nigeria responding to the challenge of intersecting resource grabbing?
3. How do rural women and youth perceive and address the challenges of intersecting resource (e.g. land, water, forest, fisheries) grabs in intersecting legal and institutional contexts?
4. What are the potentials of, as well as the limitations of the TGs and the African Union (AU) Framework and Guidelines on Land Policy in Africa to understand and facilitate the process of making accountability strategies responsive to intersecting resource grabbing at a multi-scalar level (local, national and regional)?

3. PROGRESS TOWARDS MILESTONES

This project has achieved most of its milestones. In Nigeria where the two major milestones were; 1) using the 2016-CSR law to hold a corporation accountable and, 2) engaging in bottom-up engagements towards developing a blue print for an inclusive land use bill that could replace the 1978 LUA passed under a military regime. Our project was able to deliver even though the challenges of COVID-19 have delayed the review of the MLUB at the level of the CRSHA. In Mali where the formation of VLC was a key indicator, we are happy to report that, beyond setting up and formalizing the VLCs in the municipalities where our research was being implemented, our collaborators focused on additional trainings, assessment of operationalization gaps, and follow-up of the VLC's to support effective operationalization. Our collaborators also sought to ensure that these VLCs do not only respond to their land governance statutory provision as outlined in the 2017 agricultural land law, but also that these VLCs properly understood, identified and engage in rebuilding community solidarity and co-existence which had been torn apart partly because of other socio economic and political pressures that tended to shape customary land tenure arrangements

and institutions to become skewed against some segments of the communities. The lessons learned from this community engagement and actions through the VLCs is currently being shared with other communities that were not part of our project. The studies from our project have largely inspired discussions and knowledge sharing between traditional authorities and women from the municipality where our project was being implemented in Mali and traditional authorities as well as women in other West African countries. A more detailed assessment of our progress towards achieving our milestones is presented in Table 1 below.

Table 1: An assessment of progress made toward milestones

Milestone	Achievement	Evidence/Indicator	Comments
(1). Action research to set up pilot projects on the implementation of parts of the agricultural land law in selected communities in Manden with a focus on agricultural land registration through the establishment of attestations of land possession based on customary tenure as provided for in the 2017 agricultural land law	12 women and youth inclusive village land commissions have been established with local land governance conventions established and validated by local communities and communicated to relevant administrative authorities as provided for by the 2017 law. <i>“A ce jour les règlements intérieurs des 12 villages de la commune du Mandé ont été adoptés par la mairie qui a mis son cachet dessus. Aujourd’hui les conventions locales sont finalisées et notifiées dans les 17 sur les 18 villages des deux communes” (Mali country report-2020:35,46)</i>	See appended to this report the following; information kit on the agricultural land law, report on the training of local teams on the Land Law and the establishment of Village Land Commissions, January 2019, Training module on the functioning of village land commissions: Focus on rapporteurs, and a sample of formalized local convention	The interactive 10-step process of setting up village land commissions in the Mali country research report-(section 4) provides a more detailed explanation of the process.

<p>(2).Regional advocacy at the level of ECOWAS in collaboration with the project partners in Mali;</p>	<p>Due to the disruptions caused by the COVID-19 pandemic, physical meetings were interrupted and we agreed to reprogram this and re-canalize it into the work of the West African Convergence. Even so, there are ongoing engagements towards advocacy for more inclusive land governance policies at the regional level</p>	<p>Project partners in Mali are coordinating the process of validation of the land advocacy document within the framework of the global convergence in different West African countries</p>	<p>Meanwhile our project partners are coordinating this process, it is important to clarify that, although the content of the advocacy has some inspiration from our project learnings, the process of developing the advocacy document and its validation is not funded by our project funds</p>
<p>(3).Community Forest watchers engage in action research through key actor analysis, social capital analysis (power analysis, social maps, strategy flow diagrams and institutional analysis), inquiring about the MoU that was signed between the government of Nigeria and the TNC and build support for reform (through a communication strategy, building allies etc.)</p>	<p>Community forest watches in the different communities affected by LSLD engaged their local governments and the company concerned to see a copy of the community-company MoU and in the process discovered that there were fraudulent consultations so, engaged into action to rectify this(also galvanizing some support from some state level policy makers).</p>	<p>Community forest watches discovered in the process that, in some communities, Community-Company MoUs were either signed with elites pretending to represent the communities or with people who are not from the community. There is an ongoing consultation process towards developing new MoUs that respond to the binding nature of the 2016-CSR law passed in the context of our previous project.</p>	<p>Unlike before when CSR was more of a corporate self-regulation tool without any binding responsibilities(so the company was hardly responsive), the company in question is now responsive to some of the demands of the community forest watches</p>

<p>(4).Review of the 1978 land use act to propose a model land use bill with inspiration from the tenure guidelines and the AU framework and guidelines on land policy in Africa. <i>It is important to highlight that this 1978 LUA was passed by a military regime with no consultations and at State levels, the act vested all powers on one man-the governors –who are almost always exclusively men.</i></p>	<p>Module land use bill (MLUB) inspired by some provisions from the TGs and AU framework on land policy in Africa has been developed in a very participatory manner involving community forest watches, women, youths, legal experts, academics, CSOs working on land and natural resources. The model bill was presented to and validated by representatives from over 40 different CSO working on land, forests, fisheries, and other natural resources.</p>	<p>MLUB adopted for sponsorship by some state level parliamentarians at the Cross River House of Assembly (CRHA). The bill is currently under review at the parliament towards adoption for pilot at the State level. The bill seeks to “guarantee the continued existence of communal and family land in accordance with the culture and tradition of the people of Cross River State/ Nigeria in so far as the culture and tradition are in accordance with equity, natural justice and good conscience” (MLUB, 2019-Art. 1) MLUB appended to this report.</p>	<p>The MLUB “makes the strong case for Land Allocation and Management Committee (LUAC) comprising of women to address issues of women exclusion in natural resource governance and land matters. It is hoped that the MLUB currently before the Cross River State House of Assembly for consideration will be replicated in other states and scaled up to address national land issues that will address the increasing land conflicts in Nigeria” (Preface-MLUB, 2019)</p>
<p>(5).Writing of a national policy brief around the model land-use act;</p>	<p>National policy brief around MLUB written in 2019 and used to engaged policy makers towards hearings on the bill.</p>	<p>Policy brief is appended to this report. Through the engagements, policy makers went down to communities to participate in community hearings</p>	<p>Due to the heavy engagement of women in the PAR process, women were very engaged in the various policy maker-community hearings as well as during presentation of the bill (which makes deliberate provision for increased number of women representatives in the LUAC) at the state parliament.</p>

<p>(6).Two field trips by staff from FIAN and ISS to provide technical support to the research process.</p>	<p>The project scientific advisor and project leader went to the field and provided technical support to the research process in Nigeria and Mali respectively. The project advisor also gave a keynote lecture on bottom-up accountability in the context of intersecting resource grabs to over 100 graduate students at the University of Calabar</p>	<p>See one of the field reports⁷ appended.</p>	<p>The engagements and learnings from these field visits required even more visits-however due to the travel constraints imposed by COVID-19, these were no longer possible.</p>
<p>(7) Capitalizing on the newly voted agricultural land law in Mali to advance customary land rights at the sub-regional (ECOWAS) level,</p>	<p>In the course of this research, FIAN and our collaborators in Mali (CNOP/UACDDD) played pivotal roles in organizing a 2019 African Forum on the role and responsibility of women and youth in land governance that brought together over 300 participants from 13 African countries including Mauritania, Niger, Gambia, Nigeria, Cote d'Ivoire and Mali.</p>	<p>The forum⁸ sought to contribute to the improvement of land governance by bringing about a reconciliation of good customary practices with progressive land policies and laws. Among other specific objectives, the forum focused on; Assessing the state of play of customs and practices in land governance, with a focus on the roles and responsibilities of women and youth; Assess the level of progress of land texts and laws at the country level; Exchange on mechanisms for secure access to land for women and young people; Strengthen synergies of action with customary authorities in West Africa;</p>	<p>Early lessons from our PAR towards setting up and formalizing village land commissions as provided for in the 2017 Agricultural land law were shared to inspire the discussions during the forum.</p>

7 Compte-rendu d'une visite de recherche au Mali dans le cadre du projet de recherche-action « Intersections de politiques : renforcer la responsabilisation/redevabilité du bas vers le haut face à l'accaparement des terres au Mali et au Nigeria» Retrieved on 25.08.2021 from https://www.fian.org/fileadmin/media/publications_2018/Letters_and_statements/report_Visite_Mali_IDRC_Juin_2018.pdf

8 Forum Africain sur le rôle et responsabilité des femmes et des jeunes dans la gouvernance foncière. Retrieved on 25.08.2021 from <https://africaconvergence.net/Forum-Africain-sur-le-role-et-responsabilite-des-femmes-et-des-jeunes-dans-la>

<p>(8) Strengthening strategic alliances through the West African Convergence of Land and Water Struggles so as to secure community land rights in West Africa.</p>	<p>To further strengthen the dissemination of learnings from our work on setting up and formalizing inclusive village land commissions with a focus on robust women and youth participation, our project collaborators in Mali hosted and facilitated a sub-regional level meeting of different women groups aimed at exchanging, learning and strategic planning for a sub-regional policy advocacy that takes into consideration their aspirations</p>	<p>See appended to this report, the Final report on the participation of the women and youth group in the three activities of the Biennial Meeting of the Global Convergence of Land and Water Struggles in West Africa</p>	<p>This meeting saw the participation of Twenty (20) women and five (5) young people from the IDRC/FIAN project area in the communes of Narena and Mandé presented their learnings and experiences and exchanged with women from other countries towards strengthening women engagement in effective land and natural resource governance.</p>
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4. SYNTHESIS OF RESEARCH RESULTS AND DEVELOPMENT OUTCOMES

4.1 Synthesis of research results

Prior to diving into the discussion of the research findings and their implication for development, it is important to briefly touch on the context of the various country case studies. In Nigeria, the communities under study included; Ekong Anaku, Mbarakom in Akamkpa Local Government Area (LGA) and Ibogo community in Biase Local Government Area (LGA) which are main sites of large scale land acquisition for palm oil plantations owned by different trans/multinational companies. The main policy concerned in the study was the Land Use Act of 1978- passed by the military regime of President Olusegun Obasanjo who, speaking during a 2017 World Bank conference on land said “initially it worked very well because of the land allocation committees at the state level and the local government levels, but later

the Governor because of the power given to them, they abandoned the various allocation committees, which were part and parcel of the law. That was embedded in the Land Act”⁹. In a similar vein, Professor Akin L. Mabogunje, Chairman, Presidential Technical Committee for Land Reform, set up by the Federal Government on April 2, 2009 to undertake the reform of the land tenure situation in the country due to the various problems emanating from LUA opined that the LUA which conferred on State Governors the custodian right to issue certificates of occupancy for land holders in their states, unfortunately left out the majority already with possessory rights to their land. According to the scholar, the LUA “was meant to usher in a new land reform in Nigeria, it soon became a clog in the wheel of Development over the years. This was more so because the Military Government which promulgated it also ensured it was embedded in the Constitution of the country. Thus, any attempt to rectify its inadequacies required a constitutional amendment. There were thus many protests both to have the Act expunged from the Constitution and to amend it in very many substantial ways. Therefore, there is need to evolve new systems of land resources” (Nigerian country report, 2020:31).

Another policy concerned in the study was, the 2016 CSR-law passed in the context of our IDRC 1. This law was used for engagement with the companies involved in the study. Bottom-up inclusive community organizing through CFW and involvement of over 48 CSO, legal scholars as well as engagement with the CRS parliament were some of the actions undertaken.

In Mali, the study took place in the municipalities of Mandé et Naréna. In Mande, the administration and individual speculators via real estate agencies put communities under a permanent pressure of expropriation. In Narena, 75 km from Bamako, pressures from speculation were even less significant compared to conflict over rights to a ‘Marigot’- sinemorila comadji between riparian villages whereby one village was deprived with a ban on fishing and market gardening. Main policy- Country’s 2017 Agricultural land law. The municipality of Mande is also where the charter of Manden”¹⁰ (often referred to as the first declaration of HR) was established.

9 <https://www.vanguardngr.com/2017/03/obasanjo-accuses-govs-impeding-land-use-act/> retrieved on 31.05.2021

10 https://jaga.afrique-gouvernance.net/_docs/la_charte_du_mand_.pdf retrieved on 30.08.2021

4.1.1 The political dynamics of intersecting resource grabs in Mali and Nigeria.

In Nigeria, an analysis of the data collected in the three case study communities in Cross River State – revealed important insights that are useful to our efforts towards understanding the dynamics of intersecting natural resource enclosures and climate change politics, and how these intersections are playing out, as well as, their implications for socially differentiated communities. In the three communities of study, a focus on policy intersections and land governance involved the ambiguities and inconsistencies surrounding the operationalization of Nigeria’s Federal Government Land Use Act of 1978 and other laws like the Forestry Law (Cap. 44).

In the selected study communities for example, it was observed that the traditional institutions were those in-charge of forest resources in conjunction with the CRS Forestry Commission, the state government controls and manage forest reserves, game reserves and game sanctuaries but with the overriding power of the Nigeria Land Use Act which gives the state government absolute right over all lands. In this regard, the statutory right of the local government tends to be easily subjugated. In a similar vein, it was observed that there is no adequate mechanism for redress on land disputes and this makes the call for new forms of land governance even more appealing and urgent. The proposal of a Land Tribunal in the MLUB is an initial step towards addressing issues of access to justice especially for the poor and marginalized.

The research further confirmed that already well known fact that, land holds other resources such as forests and Non-Timber Forests Products (NTFPs), minerals and water which reflects inherent intersectionality of land and natural resource uses. More specifically, the research highlights the interconnections of food security/sovereignty concerns, energy crisis/biofuels, climate change mitigation strategies and finally, industrial demands for raw materials by industrialized countries. In Ekong Anaku in Nigeria, this interconnected dynamics as experienced by communities were aptly captured by one of the research participants who shared that *“now, our streams are drying up, we no longer have lobsters, shrimps, sea periwinkles, reduction in seabed,*

increase in heat both in the day and night, warming up of streams and drying up of some streams is now a common problem to us” (Country report 2020:41).

Using the GIS coordinates of the locations, the Nigerian country research team for example captured land occupation within the context of intersecting resources (land, forest, water and others) as reflected in Figure.1 below.

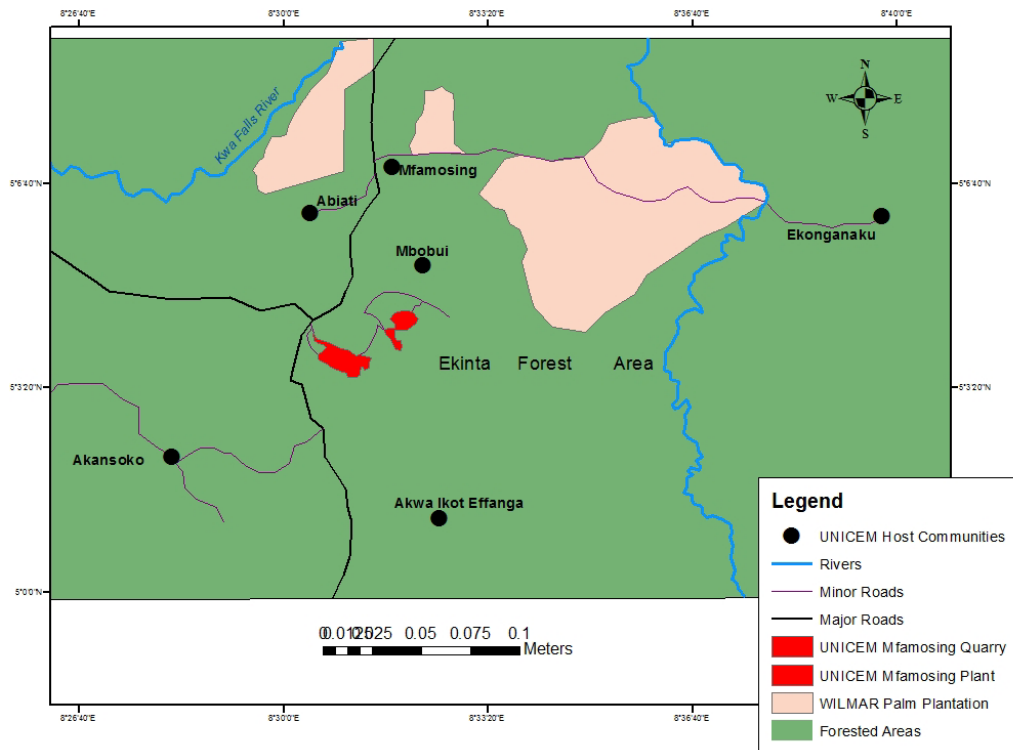


Figure 1: Map showing Palm Oil Plantations and other economic activities (ERA country report, 2020: 42)

The area indicated above was once a high forest area harboring the Cross River National Park (CRNP), Korup National Park (Cameroun) and the Ekinta Forest Reserve. In their report, they show how some activities of large scale land investments have immediate “boundaries with the Ikpan River and also within the fringes of Ekinta forest reserve which is now creating access to poachers, logging, and wanton indiscriminate exploitation of forest resources and biodiversity loss and degradation” (ibid.:41).

In this context, intersectional approaches to local accountability could serve to close operationalization gaps in a situation where the LUA did not have overriding power as is currently the case. For example, once vast hectares of customary community lands are acquired within the framework of the LUA of 1978 which as a law does not have specific provisions on the protection of forest and its resources, the Forestry Law (Cap. 44) could be used as a basis for local accountability purposes since the latter provides for the preservation and control of forests, makes special provisions for the creation of forest reserves and protected forest and prohibits the illegal falling of timber, illegal installation or operation of sawmills. Even so, this forestry law on its part is ineffective in terms of enforcement due to very paltry sum provided as penalty of fine, thereby resulting into large scale deforestation activities such as bush burning, over-grazing of land, logging or timber exploitation and de-reservation of forests for agricultural and other government projects. Despite this, the main uphill remains the LUA which has overriding powers and intriguingly largely vested on one person-the governor- at state level.

Based on our research, understanding and mapping intersectional processes and dynamics affecting resource access and control for different groups as well as implications for accountability, especially struggles through the agency and actions of affected communities for social justice can sometimes be very politically complex and challenging. This was so because, the dynamics of contemporary large scale land investments and climate change mitigations are often studied and addressed separately. Also, the political reactions ‘from below’ to counter the impacts of these processes are often not informed by studies that are framed from a conjunctural and intersectional perspective. Grappling with the intersectionality and multi-sectoral aspects of the issues and concerns linked to the proliferation of contemporary natural resource grabbing and climate change politics as well as the associated accountability challenges requires continuous engagement with, and involvement of affected communities in the co-production of knowledge that can inform policy advocacy.

Some key observations from the Mali country case and a critical review of research trends on land grabbing and climate change policies in Mali point to some underexplored themes and connections including but not limited to; the relation of land grabbing processes to urbanization and migration which have been captured in a peer reviewed paper accepted for publication in *Third World Quarterly* (TWQ)¹¹. The study points to important new theoretical and practical directions of research, including a follow-up of the implementation of the new village land committees as provided for in the 2017 agricultural Land Law with regards to shared natural resources between communities and participatory decision-making on environmental governance, the monitoring of the new proposed forestry and agribusiness projects and the continued development of new models to understand spillover effects between different resource conflicts and policies, within a framework of agrarian climate justice and human rights

4.1.2 How local communities in Mali and Nigeria are responding to the challenge of intersecting resource grabbing

The 1978 Land Use Act (LUA) of Nigeria vests all land in the territory of each state in their respective Governors. This, as already discussed, has long been a point of contention especially regarding the implications of state intervention in property relations and the interests which it tends to promote. This seemed especially relevant in understanding the role that State Governors play in the identification, justification and allocation of land to agribusiness companies. This study shows how the power and authority over land vested in the Governor has led to massive land and other related natural resources appropriation and allocations to different trans/multinational companies operating within the state including but not limited to; Wilmer PZ, Real oil and others without proper consultation of local communities. The study points to how the land allocations to multinational corporations lacked proper processes of Free Prior and Informed Consent (FPIC) from affected rural communities because the Land Use Act enabled the Governor of the State to exercise “access control”

¹¹ Appendix 18: Agrarian climate justice as a progressive alternative to climate security: Mali at the intersection of natural resource conflicts, 2021

over land. As the notion of 'overriding public interest' or for 'national development' purpose was often used by the state government in justifying the appropriations, local communities were often not paid fair compensations for the loss of access and control over land and other natural resources.

In our study communities, intersecting resource grabs and their ramifications did not however go uncontested. Some of the community responses and mechanisms to redress these ongoing challenges included but not limited to; community protests, seeking justice through courts (filing court cases), media tours and press briefings, advocacy campaigns, preparing a Model land use bill and so on. Affected communities organized themselves to form local pressure groups to force the TNCs involved in the large scale land deals to leave their lands through community protests. Some of the protesters however ended up in police custody and this showed in some cases to discourage and frustrate participation of some community members in protests. Despite these, our research learned about cases in Ekong Anaku and Mbarakom communities whereby some individual villagers attempted on their own to engage the government in the court, seeking to get their land back. Here again, the high cost of seeking justice through the court showed to be an inhibiting factor for more farmers who expressed interest in seeking justice through the courts.

Communities also organized and participated in media tours and press briefings to bring the issues to government and public attention. Others embarked on advocacy measures; writing letters to government institutions and authorities, holding press conferences some of which gave negative publicity to the TNCs in a bid to force them to change; however, the company tended to be very swift to counter this negative publicity often using the same media. In this regard, it may be interesting to research further the role of media in facilitating/obstructing local accountability initiatives. Clearly, much more organizing to build a critical mass and relentless actions showed to be required to put sustained and coordinated pressure on the company and the government to account.

In the Communes of Mandé and Naréna in Mali, current pressure on land and other natural resources is mainly linked to the communes' proximity to Bamako, the country's capital. Both communes are situated inside the green belt around the capital. Demographic growth in the city and urban expansion is leading to speculation of land. Mappings conducted in the context of this research revealed the existence of some inter-community conflicts that are linked to the access to, control over and use of land and related resources. Mapping exercise by our collaborators CNOP/UACDDDD to do an inventory of existing customary laws and norms governing land and associated resources showed that there are complex customary tenure arrangements, which have historical roots going back to the Malian empire in the 13th century, but which have evolved over time. The agricultural land law, specifically the VLCs, build on some of these traditions, potentially reviving them – at least partially.

According to our research findings, it is clear that customary institutions and arrangements have not only evolved, but are also under pressure, as part of changes in the social fabric of Malian communities. In this context, it can be said that, there are varying degrees to which women can access land independently from their husbands, as well as to which they can participate in decision-making. Some historical precedents of tenure arrangements grant women usage rights of a part of community lands. In the commune of Mandé, previous work with the communities has resulted in women's groupings/associations being allowed to take part in discussions and decision-making.

According to our mappings, there were historical forms of organizing, reported among youths. One of the strongest components of social organization in the villages of the project area was the grouping (Ton) of young people, who were organized in groups according to age (karis). These serve to undertake development actions, community work of village interest, construction of classrooms, maternity wards, maintenance of rural roads, maintenance of dikes, village police, cleaning public squares, protection against bush fires and reforestation. Regarding access and use of

land, they are considered essential workforce on family plots. Therefore, independent access to community lands is a contentious issue. However, in the face of reduction in their agricultural activities resulting partly from the pressures afore mentioned in the description of the study areas, attractions of the informal sector of the city become a pull factor for their emigration to the city where some were reportedly further attracted by the adventures of greener pastures in Europe through the Mediterranean.

4.1.3. How rural women and youth perceive and address the challenges of intersecting resource (e.g. land, water, forest, fisheries) grabs in intersecting legal and institutional contexts

In the communities where the study took place in Nigeria for example, several resources were present in the area including but not limited to; timbers, seeds/nuts, bush meat, edible leaves, snails, land and water periwinkles, spices, root and barks of trees (useful for medical purposes). Customarily, chiefs and family heads, who are mostly males, are those who allocate land to families. However, local and state government authorities, mostly males as well, also allocated lands with statutory powers but have the power to use the legal provision of “overriding public interest” to appropriate even community lands for investment purposes (including LSLD) as provided for in the LUA. In this regard, our action research demonstrates that, the impacts of LSLD are experienced differently within and across social groups and generations. Women and youths, in particular, appear to be the ones that are significantly affected. Rural women in the studied communities as is often the case in other contexts, were largely the ones responsible for reproductive and care work.

Generally, they were the ones who shouldered greater responsibilities for household survival. In effect, beyond women/girl’s contribution to agricultural work, women in rural areas engaged in diverse and wide-ranging activities including; fetching water and fuelwood for household uses, harvesting several products from the forest especially edible leaves and fruits, bush meat, seeds and nuts, spices, wrapping

leaves, cane ropes, mushrooms, land snails and periwinkle, firewood, tree barks and plant roots. However, the constant expansion and encroachment of palm oil plantations into the forest fringes and beyond is disproportionately affecting women as the land area covered by forests is on the decline and access to the existing forests is already restricted while at the same time the distance to remaining forest resources is widening. This trend, beyond undermining women's livelihoods, also exposes them to more hazard and potentially deadly encounters with wild animals. Rivers and streams, which are the main sources of water for villagers's domestic use are increasingly being polluted by pollutants from the activities of the palm oil plantations, making women to have to walk even longer distances in search of clean water.

Women in the communities equally reported that basket making which is mainly done by women is disappearing as a source of livelihood. As confirmed by the action research, women in the project areas continue to face disproportionate adverse outcomes from the enclosure of commons partly because of existing gender roles and division of labour, asymmetries in access to resources and due to their overall vulnerabilities. In this regard, we could talk about gender disadvantages and impacts of agribusiness especially in context where companies acquire resources which women traditionally had access and relied for their livelihoods and those of their household members. Women in the study communities however did not stay quiet to experience oppression as passive victims. They exercised their agencies individually and collectively organized in groups and led engagements with CRSHA parliamentarians. Women invited these policy makers to the communities to witness firsthand, the impact of decisions made often without the least consultation. Multiple invitations by women and their numerous mobilizations resulted in policy makers going to the affected communities and further requesting for a review/ renegotiations of company-community MoUs in a bid to respond to the 2016 CSR –law.

Likewise (and intersecting with gender), as the commons shrink, the youth cannot access village land reserves. The youth are already finding it difficult in getting access to land as villages are sandwiched into enclaves by the palm oil plantations where the available land area in the enclaves is proving insufficient for the needs of young people who might be interested in farming. Meanwhile there are some jobs available for youths in the plantations as well as scholarships offered to few youths from some communities to further their study by the company, there are contentions about the working conditions, wages, freedom of associations to defend decent work, and questions around who gets chosen for a study scholarship. Summarily, most youths from the communities perceive their restricted access and user rights in the shrinking commons as a source for conflict not only for the current rural youth but also for the next generation of rural people who face permanent alienation from land resources on which they might want to engage in farming.

Unsurprisingly, instances of intergenerational conflicts over land have already been reported in our study communities as the communities are confronted by the narrowing down of access to land. Youths both male and females showed to be extremely dynamic and this project offered a well-structured canal for systematic organizing, resistances and accountability demands. Meanwhile in some states across the country, disgruntled¹² youths have resorted to violent methods to make their demands, the establishment and accompaniment of community forest watches resulted in significant peaceful engagement of policy makers, local authorities, and company management CFW. The model LUA is now under review at the CRS parliament, which, once voted is intended to serve as a pilot at the level towards national level negotiations for revising the 1978 LUA passed under a military regime. Having women and youths lead community consultations towards negotiating this model LUA can be considered an important step.

In Mali, it could be argued that, the enabled agency (through extensive engagement in the context of our different IDRC funded projects) of rural women and youths

12 Appendix 18: Agrarian climate justice as a progressive alternative to climate security: Mali at the intersection of natural resource conflicts, 2021 no. 1/2 (2001): 337-66. Accessed August 31, 2021. <http://www.jstor.org/stable/43661163>.

has resulted in a change of self-perception. Most women and youths no longer see themselves as victims but actors who have the strategic tools and possibilities to challenge power and patriarchy. This perception is a determinant factor for the effective involvement of communities, inclusive of women and youths in leading the implementation of an agricultural land law which they fought for in 2017. The learning that women and youth representatives in village land commissions engaged actively with public authorities in the management of their community lands have played very important roles in stopping expropriations. Beyond stopping expropriations, these engagements, as well as their ensuing validation of local conventions on the management of village natural resources have also contributed to the stopping of dredging mines, artisanal gold mining on arable land, stopping bush fires and abusive falling of trees as well as ensuring the conservation of fruit trees.

4.1.4 The potentials of, as well as the limitations of the TGs and the African Union (AU) Framework and Guidelines on Land Policy in Africa towards understanding and facilitating the process of making accountability strategies responsive to intersecting resource grabbing at a multi-scalar level (local, national and regional)

The consultation and negotiation processes leading up to the adoption of Mali's Agricultural land law is an early example of attempts by communities, CSOs and other actors to use the legitimacy of inclusively negotiated global (TG) and continental policy guidelines to strengthen their demands during national level consultations. CNOP/UACDDDD, our Malian collaborators were very involved in the global negotiations of the TGs, and in 2014, they set up a national level multi-actor (elected community representatives, CSOs, government departments, academics, FAO country representative etc) consultation platform in the context of consultations for the development of their agricultural land law. CNOP hosted and still hosts the secretariat of this national consultation platform. Upon the passing of the 2017 law, it is clear from its contents when it comes to customary tenure governance that, it is largely inspired by the TG.

At the level of implementation of the law, communities and their accompanying CSOs have again drawn inspirations from the TGs on developing inclusive local level governance institutions like the village land commissions. As our colleagues in Mali put it, *“La LFA a été adoptée sur la base d’orientations et de principes directeurs issus de plusieurs textes pertinents à savoir : (1) le cadre et lignes directrices sur les politiques foncières de l’Union africaine, (2) les Directives Volontaires pour une gouvernance responsable des régimes fonciers”*(Kit d’information-CNOP 2019:5).

In the context our IDRC funded project, our Malian collaborators have shared their lessons learnt with other CSOs across the West African sub-region in the context of the West African convergence of land and water struggles where there are ongoing consultations on the validation of a West African land advocacy document towards informing the process of adapting the AU guidelines at the West African sub-regional level. In this flow of lessons and information exchange, it is clear that, international level policy documents like the TGs and AU guidelines can inform community/CSO engagement in national level law making and implementation monitoring. However, it is important to highlight that, this is likely to happen when the communities/CSOs were actively involved in the global level negotiations or have engaged closely with other CSOs that were actively involved in the global level negotiations as the ERA case discussed below shows (ERA has learned from engagement with CNOP/ UACDDDD/ FIAN in the context of our IDRC funded projects).

In the context of ERA’s action research engagements, participatory approaches for demanding accountability were part of the process of developing the MLU. Awareness raising, trainings/capacity building work on how to apply the TGs and the African Union (AU) Framework and Guidelines on Land Policy in Africa were undertaken on several fronts. The objective of these trainings were to enable community actors to inspire their reflections from relevant provisions of the two policies. Similar to the case in Mali, the lessons we learned in the process were that, these global and continental level guidelines can be very useful for communities who seek to participate in an informed manner in the governance of their land and natural resources.

In the context of the Model Land Use Bill, a state-level alternative land use law meant to replace the country's LUA passed by a military regime and that lacked robust accountability mechanisms, communities, especially women and youths inspired themselves from some provisions of the global and regional frameworks. More prominent included the following; "African governments need to take appropriate measures to ensure that land plays its primary role in the development process and more particularly in social reconstruction, poverty reduction, enhancing economic opportunities for women, strengthening governance, managing the environment, promoting conflict resolution and driving agricultural modernization" (AU¹³2010:13).

Also, the core principles of the TGs that demand states to recognize and respect all legitimate tenure right holders (including women) and their rights while also protecting tenure right holders against the arbitrary loss of their tenure rights were mentioned quite a couple of times during consultations by community actors (who had been trained on these frameworks). In the resultant Model Land Use Bill introduced by ERA, there is an assertion of customary land systems while at the same time requiring these systems to be in accordance with equity, natural justice and good conscience with a heavy focus on the representation and effective participation of women and youths as can be read in the constitution of land use allocation committees (Art. 4 of the MLUB).

Most pertinent in the MLUB as stated in art. 1a) is the objective "To guarantee the continued existence of communal and family land in accordance with the culture and tradition of the people of Cross River State/Nigeria in so far as the culture and tradition are in accordance with equity, natural justice and good conscience" (2019:4). The MLUB seeks to advocate for a broader social justice-oriented land policy with elements such as protecting, respecting, and restoring poor people access to land and setting land ceilings. Meanwhile the MLUB focuses largely on the administration of land, the complexities surrounding the transition from a sectoral to a multi-sectoral approach

13 Land Policy in Africa: A Framework to Strengthen Land Rights, Enhance Productivity and Secure Livelihoods [https://www.un.org/en/land-natural-resources-conflict/pdfs/35-EN %20Land%20Policy%20Report_ ENG%20181010pdf.pdf](https://www.un.org/en/land-natural-resources-conflict/pdfs/35-EN%20Land%20Policy%20Report_ENG%20181010pdf.pdf)

to governing natural resources towards easing accountability pathways. This reduces the margin of flexibility for the bill to be able to effectively and in an exhaustive manner, incorporate environment and climate matters. This limitation clearly shows that, more iterative research needs to be undertaken to better understand how best to practically undertake an agrarian-environmental convergence at policy level. In a similar vein, meanwhile the learnings from Mali might inform sub-regional level policy making including recommendations about how to make accountability strategies responsive to intersecting resource grabbing at a multi-scalar level (local, national and regional), there is need for further research to better understand how continental and global policy frameworks can facilitate bottom-up accountability strategies in intersecting policy and institutions contexts.

4.2 Development outcomes

In the process of our work with partners in Mali and Nigeria, we have learnt two significant things that deal with communities' involvement in law making, its implementation and monitoring, as well as, cross fertilization between country cases. In Mali, our national partners together with communities were influential in the passing of the agricultural land law in Mali (during the first phase of our project 2014-2017). This law had a provision for community involvement in land governance with setting up of village lands commissions, as well as the recognition of some customary lands tenure provisions. Our current project among other things worked to ensure that these village land commissions are inclusive of women and youths and that communities participate in informed ways. Formalized village land conventions achieved in the context of this project are an indication that communities, when supported are able to revisit patriarchal cultural institutions and co-create inclusive local governance instruments and mechanisms. It is pertinent to mention here that, work to increase the effective inclusion and informed participation of women and youths in historically strict patriarchies happens progressively and in phases. In this regard, the formalization of the inclusion of one women group representatives and one youth group representatives in village land commissions as well as the allotment

of possibilities for women to own land in their own rights in the local conventions are very good early steps towards gender equality. Liberal feminist approaches inspired by expectations of perfect conditions of equality require time and tact for implementation in very sharp patriarchies.

In Nigeria, our national partner together with local community organizing platforms (community forest watches) worked towards the passing of the CSR law (during the first phase of our project 2014-2017). This law had provisions of informed consultations and conflict resolution mechanisms. During this phase of our project, the communities led by CFW and using a PAR approach anchored on the provisions of the CRS law, demand for the MoU that was negotiated between the TNC and the communities. In the process, communities discovered that, the existing company-community MoUs were shrouded in secrecy, and there was lack of transparency such that, most people who signed in communities' names were either not community members or were elites living outside of the communities. In this regard, the communities rejected these MoUs and called for new community-company MoUs. This process prompted some state policy makers' intervention to mandate a complete overhaul of existing MoUs. This is an example of a national CSO alongside affected communities working in a bottom-up manner towards standard setting(CSR-law) and demanding in a bottom-up manner, accountability (to re-negotiate new MoU). Important is the fact that, across most of Africa, powerful TNCs have often made CSR as a voluntary process which cannot be effectively monitored especially given that they operate in countries with weak institutional mechanisms from a human rights perspective and sometimes, governments relegate the duty of providing social services to these companies within the framework of the CSR. As already discussed previously, the communities and national CSO in Nigeria identified gaps in their national land law and have now proposed a model bill that is in consideration by the Cross River State parliament, where, if passed will also be piloted in a similar manner as the CSR law.

What is key to note in the approach of the Nigerian model bill is that, it learns from the Mali case with village land commissions, takes cognizance of customary tenure when it is inclusive and just. One take home from these is that, communities are able to effectively and successfully collaborate with CSOs in demanding accountability in a bottom-up approach when they participated in an informed manner in the standard setting process. In the light of these, we believe that, the lessons learned and challenges encountered so far while working with Mali and Nigeria on promoting the informed participation of women and youths have been captured in our learning manuals (appendix 3 and 7). These manuals maybe useful tools for training other CSOs facing the same challenges. This is especially because, both country cases have successfully worked to get a law passed (LFA, 2017 in the case of Mali and the CSR – law of 2016 in the case of Nigeria) and have continued to monitor its implementation (COFOV in the case of Mali, revision of MoU in Nigeria).

4.2.1 Impact of the research

In Mali, some of the project activities resulted in increased social cohesion among communities. As our collaborators put it;

Cette « retrouvaille » des valeurs, de leurs espaces vitaux collectifs tant au niveau des villages et des familles et du processus interactif en 10 étapes de la mise en place des COFOV, élaboré et éprouvé avec et par les communautés via l’UACDDDD, dans cette zone du Mandé entre autre , a apporté de la paix, de la cohésion sociale et de l’espoir de construire des terroirs harmonieux et prospèrent avec l’Agroécologie paysanne, qui n’a pu être qu’approchée mais pas véritablement construit dans le cadre de cette étude. Ce processus qui maintenant peut se réaliser dans un délai de deux ans, devrait être soutenu, pour élargir les zones de sécurisation foncière à un maximum de communautés afin de renforcer villages et commune pour un avenir prometteur (Mali country report 2020:54)

Beyond social cohesion, extensive engagement of the communities in the PAR processes resulted in effective conflict resolution. Vivid examples of some of the conflicts resolved included;

- *Les 3600 hectares qui devaient être expropriés par l'Etat dans la commune du Mandé pour les attribuer aux communes III, IV et V et V du district de Bamako afin de recaser les personnes qu'elles devaient elles-mêmes expulser pour leur propre urbanisation. La lutte a payé en revendiquant la LFA et avec l'accompagnement du programme pour mettre en place les COFOV,*
- *Le projet pilote de cadastrage du Ministère des domaines pour l'immatriculation des terres agricoles des communautés, qui était une véritable forme d'expropriation foncière pour immatriculer ces terres au nom du domaine privé de l'Etat. Cette opération a été stoppée par les communautés en revendiquant la LFA et avec l'accompagnement et la mise en place des COFOV.*

De même pour des conflits internes au village, intercommunautaires, les conventions locales ont joué un très grand rôle dans l'arrêt des expropriations ainsi que les mines dragage, l'exploitation artisanale de l'or sur les terres arables, l'arrêt de feux de brousse et l'abattage abusive des arbres, la conservation des arbres fruitiers (Mali Country Report, 2020:19)

In Nigeria as highlighted in the findings of this research further supported by the quote¹⁴ from Professor Akin L. Mabogunje, Chairman, Presidential Technical Committee for Land Reform, for over one decade, criticisms have trailed the Land Use Act of 1978 with multiple failed attempts to engage actors for a new land law. This research project has provided empowerment for the research team, including community members and policy makers to fill the policy gap through the articulation of land use model Bill 2019 to address the shortcomings of the 1978 Land Use Act. In particular, the research provides for a land management committee that seeks to checkmate the excess powers of a sitting Governor and reposition land allocation authority to be vested in an inclusive land management committee comprising of community members, CSOs, government officials including men, women and youths. Furthermore, the engagement with policy makers is significant because, for the first time, a model land use Bill was proposed and accepted for consideration by policy

¹⁴ Nigerian country report (2020: 31) previously quoted in this report on page 15

makers in Cross River State House of Assembly. In a similar vein, the research and policy engagement provided opportunities to link community representatives with their elected members and such interactions provided greater understanding of land management issues and promises to address them by the policy makers.

4.2.2 Capacity Building

Capacity building of young scholars based in academic institutions as well as activists working for CSOs happened in the course of this project. Firstly, technical supervision coupled with intensive field visit learnings which our ISS based research assistant (a PhD student) gathered during her time in Mali enabled her to co-produce, together with our CSO country collaborators, an academic paper now accepted for publication in an open access journal. Secondly, the engagement of our Mali research team, together with PhD students of the University of Bamako (under the mentorship of Prof. Djiré our country based academic advisor), provided an opportunity for the graduate students to gain first hand experiences in participatory local governance strengthening processes. This is because, the participation also enabled the students within the context of the research to collect and analysis socio-anthropological data. Data was collected from customary authorities (village chiefs, village councils, village elders); women and youth; household heads and other figures of respect; documentation of conflicts; local state authorities (Divisional officers, mayors, decentralized technical services of the government) and repackage the findings in a synthesis table that guided the work of setting up inclusive village land commissions as well as developing local conventions. In Nigeria, over 100 graduate students at the University of Calabar improved their understanding around the intersections of climate change politics and land grabbing during engagements with Prof. Borrás, project scientific advisor who spend a substantial amount of time exchanging with graduate students during his field visit.

4.2.3 Uptake of research results

Regarding potential take up of the project results in the next three year, we are happy to report that the documented process of developing VLCs and local convention in the in the municipalities of Mandé and Naréna is being shared with communities from other municipalities of the country who are currently soliciting the technical assistance of our country collaborators UACDDDD-a profoundly grassroots based union of associations. Together with the country partners in Mali, we hope to continue to support this process of expanding the setting up of VLCs to other communities. In Nigeria, there are plans to use the MLUB (after it is adopted) by the state parliament, as a pilot towards effective engagement at national level for a federal reform of the land law. The CSR-law of 2016 passed during our previous project continues to serve as the basis for corporate accountability in the state and community forest watches set up by our country collaborator-ERA in other states are currently exchanging with those of CRS to learn ways of engaging their state policy makers towards similar laws in their own states. In effect, as part of the project's goal of strengthening community forest committees, three new committees from selected communities (EkongAnaku, Ayuk Aba in Akamkpa Local Government Area and Igboyo of Biase local government area) were inaugurated at one of our research findings and MLUB validation workshops.



Picture: Dr. Godwin Ojo congratulating newly inaugurated community forest watch members.

5. METHODOLOGY

This research used a bottom-up Participatory Action Research methodology, complemented with other conventional methods including survey in Nigeria, in-depth interviews as well as Focus Group Discussions in (Mali). More specifically, in Mali, the research team engaged in an in-depth historical and sociological analysis and mapping of the situation regarding natural resources and their management in the two municipalities (Mandé, consisting of 25 villages; and Narena, consisting of 6 villages) targeted by our project activities. Meanwhile our project initially envisioned to use mappings, timelines, and power analysis and visioning in the process of our PAR, the very detailed mapping in Mali was not initially planned.

Our Mali country collaborators however considered that, doing this more detailed mapping was a critical preliminary step towards getting a more complete picture vis-à-vis the situation in the communities. Also, the historical analysis was conducted because, Mandé is a region of fundamental importance in the history of Mali. As such, the region has a strong symbolic value in the country, so, conducting a pilot project to implement the historical agricultural land law was understood as being potentially inspiring for other regions. In effect, the customary arrangements and institutions that have been recognized by the agricultural land law have deep historical roots, so, given the fact that the VLCs had to, at least partially, build on and revive some of these traditions, their in-depth understanding was judged to be critical.

The information gathered from this more detailed mapping permitted the research team to better integrate the village communities and to exchange with the different actors targeted for the needs of the study; village chiefs and councilors, youth and women's groups, individuals who are well aware of the village's realities. In the similar vein, in a bid to avoid juxtaposing the land realities of all villages, the research team adopted a comparative approach that made it possible to compare the information found in order to highlight the singularities, differences and shortcomings that

characterized them. The plan developed for this purpose focused on the following aspects:

- Mapping of the area's natural and land resources
- Identifying actors and authorities involved in land management
- Describe the rules governing land and natural resources

The interviews and meetings held to collect this information also provided important insights towards building trust between the research team and the different actors on the ground.

In effect, PAR was predominantly adopted over other conventional methods of research because the end goal of the research was not only science but an enabling of the agency of the researched to become actors in engaging with governments and other development actors towards rights based development interventions. In this regards, PAR which has at its core, a reflective process directly associated to action, and whereby, there is a multiple loop of collective self-reflective inquiry and action undertaken by both the researchers and the researched towards understanding and improving a given situation in which they find themselves showed to be most relevant. Beyond collective self-reflective inquiry and action aimed at enabling change through multiple reflective cycles of data collection and analysis towards determining what actions need to be undertaken at different stages of the research process, using PAR for bottom-up accountability initiatives had other advantages. One of these was the fact that, PAR enabled an adequate capturing and analysis of the history, culture and local context embedded in social relationships associated to natural resource governance in the two country cases.

Being an action oriented research, keen attention was paid on power relations between the researchers and the researched. This attention was grounded on the shared vision of enabled agency for change at grassroots level. In this light, there was deliberate co-creation of knowledge during the multiple reflective and sense making sessions towards enabling the research participants to become informed partners of

the research process at all levels up to and including validating final research results and deliverables. The gender manual developed by ERA/FoE Nigeria¹⁵, the Model Land use Bill (MLUB)¹⁶, the training kit for local communities in Mali¹⁷, the local conventions on managing village land commissions in Mali¹⁸ among other out-puts associated to this research are among some of the co-produced project deliverables.

In the process of our PAR, collaborating partners in Mali and Nigeria mapped the different land and associated natural resources, land uses and land user categories as well as regulatory frameworks and institutions governing land access and control. In Nigeria for example, after analyzing how LSLD shape and are shaped by state representatives and institutions governing land access, ERA/FoE together with affected communities and legal professionals drafted a Model Land Use Bill (MLUB) that could potentially address the challenges associated with the country's Land Use Act (LUA) of 1978. It is pertinent to recall here that, the LUA formerly known as the Land Use Decree was promulgated by the Military Government in 1978 and was drafted in a non-consultative manner but anchored in the Nigerian constitution, thereby making it almost impossible to be revised because a revision requires a constitutional amendment.

The LUA is *"an act to vest all land comprised in the territory of each state (except land vested in the federal government or its agencies) solely in the governor of the state, who would hold such land in trust for the people and would henceforth be responsible for the allocation of land in all urban areas to individuals resident in the state and to organizations for residential, agriculture, commercial and other purposes while similar powers will with respect to non-urban areas are conferred on the local government (27th March 1978) Commencement"*(ERA, Country report 2020:1). ERA also succeeded in establishing and working with more Community Forest Watches (CFW) towards using the Corporate Social Responsibility (CSR)-Law to demand for the CSR commitments of the company in the community-Company MoUs.

15 Appendix 3: Nigeria Learning manual: Promoting Inclusive Bottom up Accountability in the Communities, 2020

16 Appendix 1: The Model Land Use Bill (MLUB), 2019

17 Appendix 10 Kit d'information et de formation sur le foncier agricole, 2019

18 Appendix 12 Convention Locale de Gestion Fonciere et Equitable: village, Kéniéma

In Mali, the mapping exercise by CNOP/UACDDDD shows that there are complex customary tenure arrangements which have evolved over time. The customary institutions and arrangements have not only evolved, but are also under pressure, as part of changes in the social fabric of Malian communities, and society as a whole. Following these mapping exercises surrounding customary tenure arrangements and the multifaceted complexities surrounding customary tenure, CNOP/UACDDDD identified two axes of action centered on the training of local village level teams on the 2017 Agricultural Land Law and the establishment of Village Land Commissions as provided for by this 2017 law. The goal of these two core actions was to develop a shared vision for the governance of land and other natural resources while also focusing on organizing community forums and training on customary land rights, women and youths rights to effective inclusion and informed participation. More specifically, the two main axes of action included; 1) further community engagement (during community forums) to understand inter-community conflicts which were identified during the mappings as applied to access to, control over and use of land and related resources, and 2) training communities on customary land rights with a focus on the importance of inclusion of different constituents of the community specifically women and youths. The process of how this was done has been documented in the training kit¹⁹.

In this regard, this research shows how communities through PAR are able to understand how historical processes surrounding the evolution of customary tenure arrangements and institutions are shaped by social processes and pressures including but not limited to migration and neoliberal pressures on natural resources, livelihoods, etc.

¹⁹ See appendix 10 and 11

6. PROJECT OUTPUTS

In the light of IDRC’s open access policy, all research reports, policy briefs, and learning manuals developed exclusively within the context of this project will be published online in publicly accessible formats. FIAN will publish the learning manuals online and country partners will publish their respective country reports on their websites. The academic paper accepted for publication in the context of this research will be published under open access licensing agreement²⁰. Beyond these, we understand that all grey literature (like reports and manuals) produced in the context of this research will be made available publicly in the IDRC Digital Library. This said, our project planned and have delivered on the following out-puts.

No.	Deliverable	Status of the deliverable	remark
1)	Framing paper : Input to refine research questions and methodology at local, national and regional levels;	Complete	ok
2)	Data collection : FIAN + ISS: one field visit to each country to support inception of the project and data collection;	Complete	ok
3.1)	Documenting and analyzing findings :FIAN + ISS: one field visit to each country to support documenting and analyzing findings	Complete	ok
3.2)	Documenting and analyzing findings : One national dissemination and advocacy meeting in each of the project countries	Complete	ok
3.3)	Documenting and analyzing findings :At least one media event/press conference on the topic of recognizing and protecting customary land rights (with focus on women and youths’ tenure rights) in each of the project countries	Complete	ok
3.4)	Documenting and analyzing findings : One advocacy meeting at regional level to present final findings	Re-programmed	ok
3.5)	Documenting and analyzing findings : Presentation of the research findings at one international academic conference	Re-programmed	ok

20 See publication agreement attached- Appendix 17 License Agreement

4.1)	Publications: Two national policy briefs;	Complete in Nigeria	Adjusted in Mali to respond to context
4.2)	Publications: Two country reports;	Complete	ok
4.3)	Publications: - One regional policy briefing for policy makers;	re-programmed	ok
4.4)	Publications: One regional policy briefing for grassroots and social movements;	re-programmed	ok
4.5)	Publications: Two academic articles	Completed	ok
4.6)	Publications: A best practice peer learning manual that will combine the experiences of our collaborating CSOs in Mali and Nigeria for promoting more accountable, just and equitable community (with a focus on and women's) land and related resources tenure governance for communities facing large scale land acquisitions in west Africa.	Completed	ok

A more detailed assessment of each of the project is provided in the next paragraphs.

1. Framing paper: This was planned to be a working paper developed by the academic advisor and project leader towards refining research questions and methodology at local, national and regional levels;

Delivery: Following initial engagements with country partners in Mali and Nigeria together with their country based academic advisors (Prof. Mousa Djire for Mali and Dr. Ralph Offiong for Nigeria), we discovered that face to face working sessions were a more relevant option towards an in-depth shared understanding within country specific contexts. In this regard, the project academic advisor and leader developed a very basic version of the framing paper that served as the basis for country level working sessions. The output from these working sessions informed the way country cases proceeded with their PAR.

2. Data collection: FIAN + ISS: one field visit to each country to support inception of the project and data collection;

FIAN + ISS conducted field visits to both Mali and Nigeria.

The first project field visit to Mali occurred in June 2018 (16-22 June), with the project leader from FIAN International and the research assistant for the International Institute of Social Studies who met with representatives from CNOP/UACDDDD/

USJPB in Bamako. The project representatives from FIAN and ISS participated in different meetings with our Malian collaborators including participating in a meeting of the francophone Climate and Development Network, as well as field visits to two communities. In a similar vein, the project scientific advisor Prof. Borrás based at the ISS and the project leader, Secretary General of FIAN International undertook research field trips to Nigeria in November 2018 to provide technical support to the research activities of ERA/FoE.

3.1 Documenting and analyzing findings

FIAN + ISS: one field visit to each country to support documenting and analyzing findings

One of the results of the joint field visit by FIAN and the ISS to Mali is the academic publication²¹ on the intersections of land grabbing and climate change politics in Mali led by the research assistant from the ISS (Daniela Calmon together with Chantal Jacovetti and Massa Kone our country level research leaders at the time). In Nigeria, the working visit of Professor Borrás from ISS and Sofia Monsalve from FIAN as resource persons to support the research and advocacy work of ERA/FoE took place from 2-9 of November 2018. In Calabar-CRS, two impacted communities namely; Mbarakom and EkongAnaku were visited in a bid to further learn about the social and environmental impacts of expanding oil palm plantations and land grabbing in the communities; as well as how ERA/FoE has been engaging with the communities in addressing the challenges. Also, while in the field, a workshop aimed at appraising the progress made in project implementation by the ERA/FoE was held on 7 November 2018 at the University of Calabar. Presentations made at the workshop followed by discussions with participants included but not limited to;

- Understanding the intersections of climate change politics and land grabbing: A conceptual overview by Prof. Borrás.
- Policy intersection: Strengthening bottom-up accountability amidst land grabs in Cross River State, Nigeria by Dr Raphael Offiong.
- 1978 Land Use Act: The need for a model Land Use Act by Barr. Nurudeen Ogbara

- Gender perspectives on land grabbing in Cross River State by Dr Mrs Rebecca Enuoh
- Community responses to land grabbing in Cross River State by Dr Maurice Olory

3.2 One national dissemination and advocacy meeting in each of the project countries

In both Mali and Nigeria, there were national dissemination meetings organized. In Nigeria, the dissemination meeting took place in Calabar with the participation of CRSHA parliamentarians. In Mali, the dissemination and advocacy meeting took place in 2021 with the participation of both traditional and administrative authorities.

3.3 At least one media event/press conference on the topic of recognizing and protecting customary land rights (with focus on women and youth's tenure rights) in each of the project countries.

In Mali, during the African Forum on the Roles and Responsibilities of Women and Youth in Land Governance of December 2019, our country collaborators who in part hosted the forum engaged with the local Malian media on the pertinence of women's participation in land and natural resource governance starting at the very local levels with representation in village land commissions. As the Malians put it in their country report, *"ce fut un moment fort partagé avec plus de 1000 personnes dont 20 chefferies sous régionales qui se sont engagé par écrit à soutenir la déclaration finale. Toutes les communautés du Mandé et des représentantes d'autres régions maliennes étaient là. Cette rencontre historique retissant les liens entre l'histoire, les terres, les chefferies tout en reconnaissant une place équitable aux femmes et aux jeunes a été aussi une étape très importante et unifiante. Un moment de fierté en s'inspirant du passé pour transformer le présent et aller sereinement vers le futur, comme le dit le Manifeste de l'Agroécologie paysanne (Mali country Report, 2020:54)*

3.4 One advocacy meeting at regional level to present final findings.

This out-put was assessed as not feasible, but also that an online meeting might equally not be productive for effective advocacy in the long-term, As such, it was agreed that the policy recommendations from our project will be presented during

the meeting of the West African convergence of struggles for land and water. This was part of the efforts to continue bridging the continued separation between debates and advocacy on land politics and climate change which our project findings reveal. A first level presentation was already done during the convergence meeting of 30th-31st March 2021 in Mali-see *Appendix 9 Rapport final de la participation du Groupement des Femmes et Jeunes au Trois Activites de la Rencontre Bienale de la CGLTE-OA, 2021.*

3.5 Presentation of the research findings at one international academic conference

Due to the disruptions caused by the COVID-19 pandemic, the final research findings have not yet been disseminated in their entity within academic circles. Nonetheless, some early learnings from the research have been shared. In 2018, the research coordinator, submitted an abstract that was accepted²² to present during the conference on Mobilizing Against Resource-Grabbing and State Accountability in Sub-Saharan Africa: The Case for Using the Tenure Guidelines. Panel 25- Transformations from Below in Conflicts over Resources. Conference of the African Studies Association in Germany, Leipzig University.

Publications

4.1 Two national policy briefs

The Nigerian country policy brief is completed. See appendix 4 Policy Brief: Promoting Gender Inclusiveness in Natural Resources Governance and land Rights in Cross River State, Nigeria, 2020. In the case of Mali, rather popular documents were produced. Following the political situation in the country coupled with the limitations on social gatherings arising from COVID-19 containment measures, it was not clear how pertinent a national policy brief would be under such circumstances. In this regard, country collaborators focused on documenting the training module on the functioning of VLCs: Focus on rapporteurs see appendix 11. This was considered more pertinent because the document together with the information kit (appendix 10) on their agricultural land law would enable other communities and their local

22 However, due to logistics difficulties, the participation was cancelled.

administrative authorities to proceed with the protection of their customarily lands irrespective of what was going on at the national level.

4.2 Two country reports:

Completed see;

- 1) Appendix 8- *Rapport final 2017- 2020: « Croisement sur les politiques de sécurisation foncière et de gestion des ressources naturelles avec un focus femmes et jeunes » CRDI/FIAN/CNOP/UACDDDD/USJPB, 2020*
- 2) Appendix 2-Policy Intersections: Strengthening Bottom-Up Accountability Amidst Land Rush in Nigeria, 2020

4.3 One regional policy briefing for policy makers

Taking into consideration the disruptions introduced by the COVID-19 pandemic, the in person regional advocacy level meeting that was planned in the context of this project was readjusted (within the framework of our no cost project extension application). In this regards, the key policy recommendations emanating from this project have fed into a west sub-regional advocacy document currently being validated in Abidjan by members of the West African Convergence on land and water struggles. To capture this in the words of our Malian country collaborators, *“tout ce travail parti du Mali, doit être diffusé dans la sous-région, et les militants et militantes du Mandé devront porter cette parole lors de la 3ème édition de la caravane de la CGLTE-OA en novembre 2021, à travers le Document de plaidoyer commun pour une gouvernance foncière responsable, inclusive et équitable en Afrique de l’ouest sécurisant les droits des communautés dont les femmes et les jeunes élaboré depuis le forum africain et validé par les 14 plateformes de la CGLTE-OA”*(Mali country Report 2020: 55-56).

4.4 One regional policy briefing for grassroots and social movements;

Following studies from the African Forum on Land Governance and the Role and Responsibilities of Women and Youth which took place in Mali in December 2019, and the social disruptions caused by the COVID-19 in 2020/2021, grassroots and social movements across the west African continent are re-strategizing to monitor developments in natural resource governance in the post COVID-19 recovery context.

In this regard, our project collaborators are of the opinion that iterative engagements, learnings and re-strategizing within an evolving context are more useful for effective bottom-up accountability efforts. In this regards, it was difficult for our project to capture pertinent policy recommendations for CSOs in an evolving context.

4.5 Two academic articles

One article has been approved²³ for publication by third World Quarterly (TWQ) in open access. See appendix 18 Agrarian climate justice as a progressive alternative to climate security: Mali at the intersection of natural resource conflicts, 2021. A second academic paper is still in draft. See appendix 6 Draft Publication. Policy Intersections: Strengthening Bottom up Accountability Amidst Land Rush for Natural Resources Governance in Southern Nigeria. There were some challenges that have delayed the completion of the second paper. Mainly, this was due to lost opportunities of working together arising from visa refusals. Initially, there were plans for two ERA research team members to travel to The Hague to participate in a one-week writing workshop at the ISS. However, the invited team members were denied visas. A second attempt was coordinated between Dr.Godwin Ojo of ERA and Prof. Jun Borrás of the ISS in The Hague for the two ERA research team members/community activists from the impacted communities in Cross River state to participate in an alternative workshop in Beijing China. Again, the team members were denied visas. These difficulties, together with the COVID-19 travel restrictions starting in 2020 made it complicated to collectively analyze the available data towards finalizing the academic paper.

4.6 A best practice peer studies manual that will combine the experiences of our collaborating CSOs in Mali and Nigeria for promoting more accountable, just and equitable community (with a focus on and women's) land and related resources tenure governance for communities facing large scale land acquisitions in west Africa.

This has been completed as separate manuals namely;

- 1) Appendix 3 Nigeria Learning manual: Promoting Inclusive Bottom up Accountability in the Communities, 2020

23 For report purposes, we have attached: appendix17the Accepted Author Publishing Agreement and appendix 18-The latest proof version partially copyedited by the journal (which cannot be shared publicly online). As soon as the published version is available, we will share it with the IDRC.

2) Appendix 7 Le petit manuel militant des luttes pour la Terre : L'expérience malienne, 2020

The learning manuals were split because, after an initial assessment with CSOs, we realized that it will be huge and complex for users seeking to inspire their own bottom-up organizing from our country experiences if we merged these. This split does not in any way suggest that the learnings from both country cases cannot be synthesized. Rather, the separation of context enables users to be able to understand how, in different contexts, strategies can be adapted. We argue so because, meanwhile our Nigerian country collaborators learning manual (2020:15-18) report a “ Range of guide questions and activities to address land grabbing” in 8 steps, our collaborators in Mali report 10 steps to set up village land commissions towards community tenure protection in the context of increased pressure and tensions around tenure governances. A close reading of the steps reported by both country collaborators reveal more similarities than differences.

7. PROBLEMS AND CHALLENGES

In the pre-COVID-19 years of our project implementation in 2018 and 2019, we found that, in some communities in Nigeria for example, there were serious contradictions about building consensus on community demands and responses. While some community members wanted compensation for land appropriated, and the provision of jobs to community folks, others want their communal land rights to be respected. Hence, they want the land appropriated by the company revoked and restored to them so they can continue their subsistence farming (Nigeria Country report 2020). However, when our project turned these differences to examples for highlighting the pertinence for inclusion and respect for other points of views, also highlighting the PANTHER and FPIC principles in rights based development, most community members started to even suggest the need to bring on board different population segments into community meetings to ensure that the aspirations of all community members were properly taken on board. The co-production of knowledge through the participatory action research generated more interest and buy-in and during

public hearings involving policy makers. Communities themselves stated to create avenues for different voices to be heard. Besides, it was difficult for our Nigeria country partners to access certain ‘public’ policies and laws. They shared that, they were often referred to higher institutional levels beyond those that were in direct proximities with the affected communities and meant to serve them. This made mapping of intersecting policies rather difficult and complex. In Mali, a lack of understanding of the substantive content of the LFA by sub-national and local level administrative authorities caused some timidity during the early days of our research. As our partners in Mali put it;

Au niveau des autorités administratives locales: c’était de faire connaître la loi sur le foncier Agricole aux autorités administratives locales (préfet, sous-préfets, maires). En effet, ils avaient entendu parler mais ne se l’étaient pas appropriée. Aussi nous leur envoyé des courriers officiels pour partager le projet et leur rôle dans la mise en place des COFOV. Les réponses des premiers courriers officiels ont tardé et se sont mêmes repercutés sur la planification de l’étape suivante. Avec notre processus en 10 étapes très inclusif, nous avons pu enfin les sensibiliser puis les impliquer et même réussir à œuvrer tous ensemble dans une vision commune pour d’application de la LFA et de la mise en place des COFOV, notamment lors des cadres de concertations(Mali country report, 2020: 24)

In 2020, COVID-19 related challenges delayed the review of the Model LUA at the CRS parliament in Nigeria. In Mali, the COVID-19 pandemic as well as the political upheavals which hit the country delayed the progress of some activities since social gatherings were largely not possible. Additionally, the pandemic made it difficult to finalize documentation of the process of setting up of inclusive village land commissions to file at the level of municipal councils and government administrative authorities-to inform the process of expanding the inclusive process to other localities. Community restitution of our research findings happened at a much smaller scale than we had anticipated.

It is also important to share that, there were no security challenges faced in the process of our research implementation. Even so, our project from the very on-set assessed together with collaborators potential security issues that could impact our

project. Country partners shared their in-house practices. FIAN International further shared with each country collaborator, its internal security protocol designed to guide preventive security measures and how to respond when human rights defenders are under situations of emergency. This sharing by FIAN aimed to further strengthen the internal protocols of our collaborating CSOs in Nigeria and Mali.

8. ADMINISTRATIVE REFLECTIONS AND RECOMMENDATIONS

8.1 Overall Assessment

The overall administrative margin of flexibility allowed for by the IDRC towards empirical learning during the last three years of this project on “Policy intersections: strengthening bottom-up accountability amidst land rush in Mali and Nigeria” enabled the project team to easily adapt to the changing context on the ground while still working towards achieving project objectives. The continued engagement and support of our program officer made engaging with the IDRC on issues important to us really easy. A vivid example is our ability to get a no cost extension to enable field partners to finalize their country level project activities in the context of the COVID-19 pandemic.

8.2. Recommendations to the IDRC

Meanwhile most of the project deliverables to the IDRC tend to require a high level of technical knowledge to write, we think that it may be useful for the IDRC to consider supporting partners to develop more popular materials that can be assimilated easily by local communities/CSOs, who, on the most parts need the knowledge produced within the context of IDRC funded projects for informed engagement in local, national and regional development issues.

The cross cohort project meetings organized by the IDRC turned out to be a very useful space for learning and exchange. As most of the learnings from thematic issues seemed to converge, it might be useful for the IDRC to consider supporting grantees

to develop joined sub-regional and continental advocacy materials. As we learned in the context of this research, when communities and CSO participate in standard setting processes at regional and global levels, they are more prone to leading efforts towards the domestication of these policies at national level also including the monitoring of their implementation.

In the administration of research for development, we would like to highlight that, in our experience working with national CSOs and grassroots communities from a human rights perspective to address issues of social justice, scaling-up impact (from one community to the next) tended to happen more effectively when there was knowledge co-creation with the grassroots communities for whom the research was destined. This happened more prominently when the process of knowledge co-creation was complemented with a sustained relationship of knowledge sharing about pathways to impact in the different contexts. By knowledge co-creation, we mean, respecting the scientific contribution made by different ways of knowing social realities that do not necessarily conform neatly to scholarly expectations. Taking into consideration this learning, it may be helpful to consider some flexibility in the budget and in methodologies for documenting and reporting these different ways of investigating and knowing social realities.

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- Appendix 1: The Model Land Use Bill (MLUB), 2019
- Appendix 2: Policy Intersections: Strengthening Bottom-Up Accountability amidst Land Rush in Nigeria, 2020
- Appendix 3: Nigeria Learning manual: Promoting Inclusive Bottom up Accountability in the Communities, 2020
- Appendix 4: Policy Brief: Promoting Gender Inclusiveness in Natural Resources Governance and land Rights in Cross River State, Nigeria, 2020
- Appendix 5: Policy Brief on Model Land Use Bill, 2019
- Appendix 6: Draft Publication. Policy Intersections: Strengthening Bottom up Accountability Amidst Land Rush for Natural Resources Governance in Southern Nigeria

Mali

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- Appendix 8 Rapport final 2017- 2020: « ***Croisement sur les politiques de sécurisation foncière et de gestion des ressources naturelles avec un focus femmes et jeunes*** » CRDI/FIAN/CNOP/UACDDDD/USJPB, 2020
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Appendix 15 A Brief activist manual on land struggles. The Mali experience

Appendix 16 Questionnaire

ISS

Appendix 17 License Agreement

Appendix 18 Agrarian climate justice as a progressive alternative to climate security:
Mali at the intersection of natural resource conflicts, 2021

Field Visit Report

Appendix 19 Compte-rendu d'une visite de recherche au Mali dans le cadre du projet de recherche-action « Intersections de politiques : renforcer la responsabilisation/redevabilité du bas vers le haut face à l'accaparement des terres au Mali et au Nigeria »

Policy intersections:
Strengthening bottom-up
Accountability amidst Land Rush in
Mali and Nigeria

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