



NES

**NATIONAL
ENGAGEMENT
STRATEGY**

LEARNING FROM NES TOGO

**GOOD PRACTICES FROM A
MULTI-STAKEHOLDER PLATFORM**

**INTERNATIONAL
LAND
COALITION**

SUMMARY

Good practices in **NES TOGO** are strictly connected with the genesis of the NES itself. Firstly, the process of setting up a multi-stakeholder platform was strongly shaped by **an influential and experienced resource person**, hired as a consultant in the initial phase of the NES to support the production of guidelines for stakeholders' cooperation and a Strategy. This person was an academic, who later on became the director of the drafting team of Togo's Land Code. Thanks to his knowledge, connections and research, NES Togo could usefully draw inspiration from other NES experiences - for example in Madagascar - and land reforms, such as those in Niger, Benin and Burkina Faso.

An **inception workshop** was organised, inviting all relevant Government and non-governmental parties. The process leading to the creation of the NES was highly participatory and inclusive.

The challenge of achieving the participation of Government representatives - often in conflictive relationships with the civil society - was overcome by sending invitations to targeted individuals with a request to each one of them to contribute on specific and previously identified issues. By nominating representatives, five Ministries participated in the workshop alongside numerous CSOs. They contributed to the formulation of the NES and remained involved in the NES activities after the workshop.

As a result, today the CSOs in the NES engage with Government representatives through both formal and more unstructured channels. NES Togo effectively facilitates dialogue by using a mix of **advocacy and collaboration**.



NES TOGO

GOOD PRACTICES TOWARDS MAKING LAND GOVERNANCE MORE PEOPLE-CENTRED

The **ILC's Database of Good Practices** is an initiative that documents and systematises ILC members and partners' experience in promoting people-centred land governance, as defined in the Antigua Declaration of the ILC Assembly of Members.

Further information at <https://www.landcoalition.org/en/explore/our-work/>

The activity of **NES Togo** supports people-centred land governance as it contributes to:



COMMITMENT 1

Respect, protect and strengthen the land rights of women and men living in poverty.



COMMITMENT 2

Ensure equitable land distribution and public investment that supports small-scale farming systems.



COMMITMENT 4

Ensure gender justice in relation to land.



COMMITMENT 9

Prevent and remedy land grabbing.

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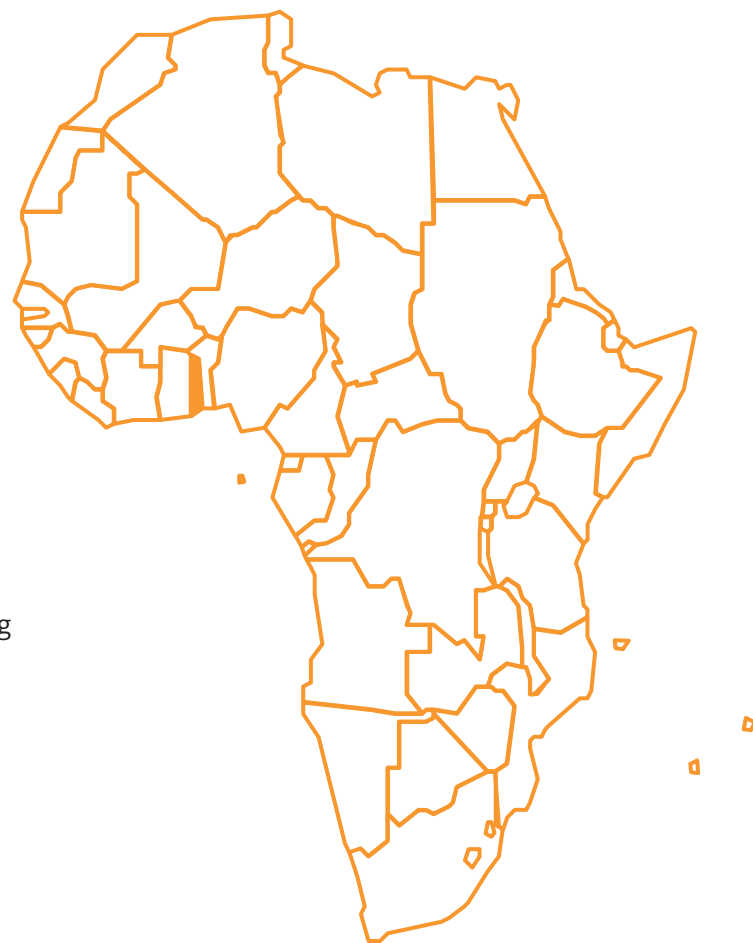
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THE ORIGIN OF NES TOGO

In Togo the launch of the NES coincides with the beginning of the Land Reform process. In this country land is a very pressing issue, which is responsible for the large majority of legal problems within the justice system.

The NES 2013-2017 reflects the intention of the Togolese civil society to provide assistance to the Government and its partners in finding effective responses to the country's main land issues, while supporting the preparation of a preliminary draft Code Foncier (Land Code). It is based on four axes, covering the areas emerged as most critical when the Strategy was developed: (i) Promoting equal access to land for women and other vulnerable groups; (ii) Developing and implementing a land and agricultural policy that ensures food security in Togo; (iii) Creating a space for dynamic interaction and multi-stakeholder dialogue around the development and implementation of sectoral policies; (iv) Strengthening the capacity of ADHD¹ and the multi-stakeholder platform as a whole to effectively support the implementation of the NES.

During its first cycle NES Togo engaged policy-makers and grassroots communities on the participatory development of a land and property code, but unfortunately the proposed text has not yet been



adopted. However, positive results were obtained regarding awareness raising on equitable access to land between men and women and sensitisation of local and national policy-makers. Building up on the successes of the first cycle a second one was developed in 2016.

In Togo, before the formulation and the implementation of the NES, dialogue between civil society and the Government was a challenge. The NES has brought together stakeholders that did not normally speak with each other, creating an important space for exchange and cooperation.

SETTING UP A MULTI-STAKEHOLDER PLATFORM AND FORMULATING A NATIONAL ENGAGEMENT STRATEGY

Organising an inclusive NES inception workshop involving Government actors and CSOs - Organising a broadly inclusive Workshop for discussing land governance in Togo, was the first fundamental step of the NES formulation process. In 2012, ADHD¹, with financial support from the ILC, hired a consultant to assist with the preparation of the workshop by inviting relevant stakeholders and draw from the workshop's discussions the key points of a framework document (*document de cadrage*) that could be used later on as a basis for Togo's National Engagement Strategy.

Identifying a resource person with expertise and contacts - The consultant was a well-positioned and respected Professor. His appointment, at a later time, as the director of the team in charge of drafting the first Land Code of the country proves his recognised expertise and good reputation. While it was unknown - when he was hired - that he would cover this position in the future, his knowledge, research and advice proved to be key for the elaboration and the launching of NES Togo. His solid network of connections also was an important asset in this initial phase.

Learning from other countries within and outside the NES community - The consultant was extremely knowledgeable of land reform processes in other African countries such as Niger,

Benin and Burkina Faso - all of them at a more advanced stage as compared to Togo. He was also familiar with the NES as a global initiative, in particular with the experience of NES Madagascar. He drew inspiration from NES Madagascar while pursuing the establishment of a multi-stakeholder platform in Togo, for instance by organising a broadly inclusive inception workshop as a first step of this process.

Obtaining the participation of Government officials in the inception Workshop - Tension between the Government and Civil Society is a historical factor in Togo's politics. Obtaining the participation of Government representatives in the NES inception workshop was a considerable challenge. However, due to a) the workshop taking place to ultimately influence land policies and b) the Government's role to make and change laws and to launch reforms, organisers endeavoured to invite some key Government officials. First of all, the consultant conducted a stakeholder analysis to identify the Ministries that it was worth involving. More specifically, he made a list of individuals to contact within such Ministries, based on a strategic plan and his personal network of connections. In addition, through his analysis, he isolated the critical issues relevant to each Ministry.

¹ ADHD (Autopromotion rurale pour un Développement Humain Durable) is an NGO and an ILC member, currently leading the NES in Togo.

Secondly, letters were addressed to the identified people. In these letters ADHD

1. Introduced the organisation showing it had a legally recognised status (evidence thereof was included, i.e. ADHD's registration number and the official registration certificate);
2. Presented the ILC as a key international partner;
3. Explained the joint plans of ADHD and the ILC regarding land governance;
4. Engaged the addressees on specific topics, in line with their mandate and expertise.

ADHD asked each Ministry to assign a permanent representative to the NES to ensure fruitful and above all continuous presence and collaboration within the platform. Gender equity was encouraged as a criterion for the choice of such representatives.

The outcome of this process was extremely positive. The first Minister to respond was the Minister of Agriculture, who nominated a person three days after receiving ADHD's letter. Later on, other Ministers reacted. Five Ministers participated in the inception workshop, contributed to the formulation of the NES and are currently still part of Togo's multi-stakeholder platform.



Involving the civil society and the private sector - A similar process was applied to the civil society and the private sector. A list of names and contact details was compiled.

Engaging the Togolese civil society was not particularly difficult. However, CSOs in Togo are currently facing severe lack of funding. In addition, they do not overall rely on a strong tradition of land-related work. Nevertheless, the CSOs that were invited to the workshop were those focusing on 1) governance issues; 2) environmental issues; 3) women's rights. Although they did not explicitly focus on land, with the launch of the NES they discovered the relevance of land issues to their work and started to show a declared interest in land matters.

Engaging the private sector was far more challenging. Some private companies were contacted but never responded.

FACILITATION OF DIALOGUE BETWEEN CIVIL SOCIETY AND THE GOVERNMENT

It is one of the functions of the NES to facilitate dialogue between the civil society and the Government. The civil society does not have the same decision power as the Government but it can contribute to its decision-making by informing it through evidence-based advocacy in favour of land laws that are better enforced and more people-centred.

Two committees interacting with each other - In Togo the civil society has advocated for including a CSO in the Inter-Ministerial Committee that exists within the Government. A representative from WILDAF-Togo (Women in Law and Development in Africa - Togo) is currently part of this Committee and conveys the point of view of the civil society in its discussions. To ensure wider consultation, a Civil Society Committee (SOFT) was created within the NES. This allows the civil society to analyse - in parallel with the Inter-Ministerial Committee - the issues that are discussed at the Government level and it guarantees that the CSOs of the NES perform relevant and timely research and advocacy work.

One of the main advantages of these two committees existing and informally cooperating - often at the discretion of individual members of the Inter-Ministerial Committee - is that people working in Government institutions get exposed to the issues raised by the civil society, the needs they highlight and the requests they put forward.

Regular meetings to foster exchange, cooperation and coordination - Once a year all NES stakeholders meet in a general assembly. For example, in June 2016, a land forum was organised, where during three days NES members had the opportunity to engage with resource people explaining the land reform in Togo. This was an occasion to discuss and reflect on the actions taken by the NES in the previous three years, the main challenges encountered and next steps. The NES Steering Committee (Comité de Pilotage) meets twice a year. Within the Steering Committee there is a Bureau du SNE, a more restricted coordinating group, meeting four times a year. The Bureau is composed of representatives of five civil society organisations and the Ministries participating in the NES.

CHALLENGES



- Although cooperation among different stakeholders is indeed beneficial for the long-term success of activities, it is also time-consuming and challenging. On one hand, each CSO has its own individual agenda; on the other hand the Government's decisions are often driven by political forces. Therefore, even after agreeing on an action plan, it can be difficult to implement it in practice and to respect the established timeline.

Organising the meetings and activities planned by the NES is expensive. The NES regularly faces shortage of financial resources and must constantly seek new funding channels.

LESSONS LEARNED

● LEARNING FROM OTHER COUNTRIES

- Looking at other countries' experience, particularly at already existing multi-stakeholder platforms, is very useful. In Togo - through the support of a consultant - land reform processes in other African countries (Niger, Benin and Burkina Faso) were analysed. In addition, the experience of NES Madagascar served as a model. Holding an inception workshop as the first step of the NES creation process was the result of engaging with and learning from NES Madagascar.

● ENSURING INCLUSIVENESS AND EQUAL PARTICIPATION

- Organising a broadly inclusive event to discuss land governance and identify key principles for collaboration is fundamental in the process of setting up a multi-stakeholder platform.
- Multiple stakeholders must be engaged in this phase, as well as later on while implementing the NES. In Togo a targeted approach was used for obtaining the participation of Government officials. This consisted of the following steps:
 - Conducting a stakeholder analysis, i.e. identifying the Ministries - and more specifically the individuals - involved in land-related matters in the country and analysing the nature of their involvement. This allowed engagement on specific questions in line with each interlocutor's focus. A thorough knowledge of land issues and a broad network of connections was indeed useful to effectively carry out this mapping exercise.
 - Contacting each identified person by sending a letter in which main organisations and key partners are presented. It was important that organisations came across as legally recognised and reliable. Including evidence of legal was beneficial in this regard.
 - Addressing each person with targeted requests in line with their role and focus.
 - Following up persistently with those people who did not reply promptly.
 - In Togo, each Ministry was asked to nominate a permanent representative for the NES platform. Representatives currently report to their Ministry of belonging after each NES meeting. This grants continued, consistent and committed participation.
 - A similar process was used with CSOs and private sector representatives.



● NAVIGATING RELATIONSHIPS WITH NATIONAL POLICY AUTHORITIES TO INFLUENCE CHANGE TOWARDS PEOPLE-CENTERED LAND GOVERNANCE

- It is essential that people working in Government institutions get exposed to the issues raised by the civil society, the needs they highlight and the requests they put forward. A multi-stakeholder platform can excellently serve the purpose of facilitating exchange and cooperation between policy-makers and CSOs.
- Regular meetings are key. In Togo, continuous dialogue and interaction of the civil society with the Inter-Ministerial Committee created within the Government, allows CSOs in the NES to perform research and advocacy work that is relevant to discussions and actions being undertaken at the Government level.

WHAT IS NES?

In recent years, equitable access to land, particularly in rural areas, has been high on the international policy agenda and is recognised as a crucial element attributing to sustainable development and poverty reduction. Innovative and progressive land policies and laws, particularly at the national level, are key to determining equitable access to, use of, and control over land and other natural resources. The National Engagement Strategy (NES) is the first step of an approach being promoted by the International Land Coalition at country level, in order to create conditions for inclusive and people-centred land-related policy change. Jointly formulated and co-owned by ILC members and other relevant actors at national level, the NES itself is a framework for identifying key priority areas on which land-concerned actors see opportunities for catalysing change, either at the level of policy formulation or at the level of implementing existing progressive policies. The NES process also involves the establishment of a multi-stakeholder platform that

accompanies the implementation of the NES, and makes necessary adjustments on the basis of lessons learned. A NES process is therefore aimed at facilitating collaborative and coordinated action amongst different stakeholders involved with land at the national level to promote people-centred land governance. Through these NES processes, opportunities are increasingly made available to national civil society actors to collaborate among themselves and with international actors, both governmental and non-governmental, and to engage with local and national governments.

Currently, NES exist in **Africa** (Cameroon, DRC, Kenya, Madagascar, Malawi, Senegal, South Africa, South Sudan, Tanzania, Togo, Uganda), **Asia** (Bangladesh, Cambodia, India, Indonesia, Kyrgyzstan, Nepal, The Philippines) **Europe** (Albania) and **Latin America** (Argentina, Bolivia, Colombia, Ecuador, Guatemala, Nicaragua, Peru).

NES are under formulation in Honduras, Jordan, Moldova, Mongolia.

This paper is based on the information shared during the NES Global Learning Workshop held in Tirana in October 2016; an interview with the facilitator of *NES Togo* Frédéric Djinadja.

Useful reading: Djinadja, F. et Cherlet, J. (2016) *L'utilisation des Critères d'évaluation genre (GEC) pour évaluer des lois et sensibiliser la population et les ministères*. A case study from the ILC's Database of Good Practices. Rome: ILC, available in *EN*, *FR* and *SP*.

It is produced in the framework of a collaboration between ILC and Collaborating for Resilience (CoRE) <http://coresilience.org/>

Last update: January 27, 2020.



INTERNATIONAL LAND COALITION

Secretariat at IFAD Via Paolo di Dono, 44, 00142 Rome, Italy

☎ +39 06 5459 2445 📠 +39 06 5459 3445 ✉ info@landcoalition.org

🌐 www.landcoalition.org