

NES

**NATIONAL
ENGAGEMENT
STRATEGY**



LEARNING FROM NES MADAGASCAR

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

**INTERNATIONAL
LAND
COALITION**

SUMMARY

NES Madagascar stands out for the **inclusiveness** of the approach it adopted since its creation. In 2012 an **inception workshop** to discuss land issues was organised by involving numerous stakeholders from the civil society, the private sector, academia, the Government and donor agencies. Based on the outcomes of the workshop, a **'document de cadrage'** was produced outlining the objectives and suggesting the main lines of action agreed upon by participants. The document became an important reference and was taken into high consideration by the Government in the process of revision of the 2005 *Lettre de Politique Foncière*.

The NES used **communications and advocacy** effectively in their dialogue with the Government, maintaining a consistent line of action in spite of the political instability. A **strategic engagement with donors** allowed the NES to not only obtain funds from the European Union and the United Nations, but also increase the NES' credibility as a platform and persuade stakeholders to get involved. In addition, the NES benefitted from the support of a group of donors that pushed the Government to adopt a more inclusive approach and organise a roundtable with the civil society to discuss the draft land policy.

STRATEGIC PARTERS AND CORE DONORS

On behalf of
BMZ
Federal Ministry
for Economic Cooperation
and Development



IFAD
Investing in rural people

Irish Aid
Department of Foreign Affairs
An Roinn Gnóthaí Eachtracha



Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
Confederaziun svizra
**Swiss Agency for Development
and Cooperation SDC**

Sida



NES MADAGASCAR

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 Madagascar** 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 3

Recognize and protect the diverse tenure and production systems upon which people's livelihoods depend.



COMMITMENT 4

Ensure gender justice in relation to land.



COMMITMENT 7

Ensure that processes of decision-making over land are inclusive.

TIMELINE AND MAIN ACTIVITIES



● BACKGROUND

In 2005, with the adoption of the *Lettre de Politique Foncière*, whose main objective was to secure land on a large scale, the implementation of the land reform process begun in Madagascar. This marked a significant progress, given the acceptance of some key principles. For example, the presumption of state property on land was abrogated in favour of the presumption of private property; the new status of 'land rights without a title' was introduced and land management decentralised. However, many important issues could not be taken into account during this first phase, as among which those linked with land access and control for the most vulnerable or large-scale land investments. In 2011, an evaluation of this reform was made in order to identify the points that needed further consideration. The NES created a platform for national dialogue composed of various actors coming from all sectors and from all levels within them, with the purpose of discussing such points more thoroughly and make the reform more relevant and effective for land users. Farmers' and research organisations were also involved.

● ORGANISING AN INCEPTION WORKSHOP FOR SETTING UP THE NES

Organising a broadly inclusive workshop - In 2012 a workshop was held, in which representatives from different sectors were invited - the private sector, civil society, the decentralised territorial committees, universities, the National Assembly and the State, almost all relevant Ministries, the economic and financial partners, like the European Union. The workshop was coordinated by a consultant.

Drawing the conclusions for elaborating a Strategy - In July 2012 the workshop was announced. Afterwards, the consultant wrote a

document ("*document de cadrage*") based on the multi-lateral consultation that took place during the workshop. The document was the basis of the NES. It identified the main issues on the table and established four agreed upon objectives/lines of action: 1) reframing the land policy; 2) claiming an agrarian and land reform; 3) strengthening the positive aspects of the 2005 land reform; 4) promoting a new land reform. This document was extremely important not only for the NES but also more broadly, as reference for stakeholders outside the NES on the theme of land governance.

● USING COMMUNICATIONS AND ADVOCACY EFFECTIVELY

Increasing the visibility of the NES - Between 2008 and 2012 a transition government was there. During its mandate, in order to tackle the issues of land grabbing and non-respect of rights, the NES put in place a significant communications effort to make such issues more visible. This was carried out through the organisation of press conferences and the production of communiqués to explain the position of the NES vis-à-vis the above-mentioned issues and the actions of the Government. Radio programmes were also designed with the purpose of raising awareness at the regional and national levels.

Effective communications for advocacy - Thanks to effective communications, the civil society managed to influence the Government that was elected after the transition. The new president in his first speech mentioned the land reform as a priority. He took on board many of the suggestions coming from the civil society. For example, he asked for the support of some technical experts to deal with land issues appropriately. As a result, the four objectives outlined in the NES inception document were all taken into consideration in the 2015 *Lettre de Politique Foncière*.

● INFLUENCING THE GOVERNMENT

Government opting for inclusion and broad participation

In 2014 the NES organised an event on land grabbing with the purpose of bringing attention to this matter and pushing the new Government to revise the 2005 land policy. By releasing critical and provoking communiqués the NES ensured the participation of numerous investors. Victims of land grabbing were also there. Later on, on the 17th of June 2014 the Government itself - relying on the presence of the President of the Republic - launched a conference on the consolidation of the land reform, with the objective to revise the land policy of 2005. The State (i.e. the members of the government and the technical experts within the public administration) encouraged a broad participation, just like it had been done in the NES inception workshop. Thanks to the financial support received by the European Union, a large number

of stakeholders was invited by the MEPATE (Ministère d'Etat chargé des Projets Présidentiels, de l'Aménagement du Territoire et de l'Équipement)



to discuss the land reform in a meeting room on the premises of the Ministry of Foreign Affairs. Meetings happened on a continuous basis between June 2014 and May 2015.

● EFFECTIVE INVOLVEMENT OF DONORS FOR ADVOCACY

In May 2015, the *Lettre de Politique Foncière* was validated by the Government Council. However, one month later, in spite of their initial approval, the unions declared they did not consider themselves involved and they were not supporting the new policy. This risked to push the State to change a document that had already been officially approved at the end of a process that had been participatory and inclusive at all levels.

Support from the European Union

- In October 2015 the NES, with the mediation of SIF, applied for funding from the European Union to organise another meeting, inviting all the supporters of the proposed land reform. Funds were obtained. About 220 people were invited - i.e. representatives from the municipality, the civil society - to show that the decisions resulting from the use of a participatory and inclusive approach and the decentralisation of land management could not be called into question. A three-day meeting was held.

Support from the United Nations

- For the first 2014 meeting the NES was also able to obtain the United Nations' support.

This had a huge impact, amplified by an effective communications activity. The representatives of the United Nations in the country attended this event. Their presence and active involvement played a fundamental role in generating the interest and commitment of many people, even of those who were initially reluctant to participate.

Donors advocating for inclusiveness with the Government

- Despite the tensions in the relationship with the unions, the NES influenced the Government to organise a roundtable with the civil society. A collective of donors came on board. The donors themselves wrote a letter to the Government encouraging the adoption of a more inclusive approach and the organisation of a meeting with the civil society. The strong leverage of this group of donors - particularly due to the risk of losing financial support in the future - was a strong incentive for the Government to organise a roundtable in November 2015. During this meeting the technical solidity of the civil society's arguments made the Government surrender to the request of not changing the text of the *Lettre de Politique Foncière*.

CHALLENGES

- Although during the roundtable the Government accepted to maintain the *Lettre de Politique Foncière* approved in May 2015, in the end it was the version adopted by the Council of Ministries in August that was considered

the official one - marking a significant step back with regards to the Land Reform. The advocacy work of the NES continues and it is still unknown what the final outcome of this process will be.

The relationship between the civil society organisations in the NES and the Government is often tense. There is a clash between the political positions of the Government and the more technical viewpoint of the civil society. The unions are often reluctant to consider facts and recommendations that – despite technically valid – are not in line with their political perspective. A possible way of tackling this could be to include land-related information or even modules in the curriculum of the

National School of Administration. This would change the attitude and mind-set of young land administration officials and make it easier for the civil society and the next generations of



administrators to find a common ground regarding land matters. Another problem is corruption. Public administration's staff are often recruited through co-optation. This might also be tackled by working with the younger generations.

LESSONS LEARNED

● HOW TO SET UP A MULTI-STAKEHOLDER PLATFORM – INCEPTION PHASE

- 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. In 2012 in Madagascar, representatives from different sectors - the private sector, the civil society, the decentralised territorial committees, universities, the National Assembly and the State, almost all relevant Ministries, the economic and financial partners, like the European Union - were invited to a workshop to discuss land governance and the reform process taking place in the country.
- A **"document de cadrage"** - a document summarising the main principles and action points agreed upon amongst participants - is an essential outcome of such an event. A **"document de cadrage"** was produced based on the results of the workshop to provide participants and all stakeholders interested in land issues more generally with a shared framework and some overall guidance for their future actions. In Madagascar, this document ended up being considered extremely important not only for the NES but also more broadly, as it became a reference on the theme of land governance for multiple stakeholders outside the NES.
- The **reliability and good reputation** of people in key roles - like the consultant hired for supporting the inception phase or the NES facilitator - are crucial to ensure there is broad participation based on trust and common interests.
- The **leverage of donor agencies** encouraging participation in meetings is also important for a broad involvement of stakeholders. Invitees pay attention to the reputation of the organisations attending an event and of those sending out the invitation. The active engagement of the European Union and the United Nations was an incentive for some more reluctant stakeholders to get involved.
- **Determination and persistence** on the organisers' part is essential. Very often stakeholders do share the same ideas but fail to take clear positions due to the lack of a leadership gathering their claims under a single voice. Their reluctance can be overcome thanks to targeted and continuous requests.

● ACHIEVING LONG-TERM LEGITIMACY FOR THE MULTI-STAKEHOLDER PLATFORM

- **Trustworthiness** is essential. While the NES is a fundamental vehicle for obtaining credibility at the national level, the involvement of key stakeholders (i.e. donor agencies) that already benefit from a good reputation nationally and internationally can be an asset. In Madagascar the presence and active involvement of the United Nations tied several stakeholders to the NES, due to the prestige deriving from such a high-ranked partnership and the potential advantages to draw.
- **Donor agencies** can also have strong leverage when engaging with policymakers. The request for more inclusiveness coming from a group of donors pushed the Government to organise a roundtable with the civil society. An important factor was the perceived risk of losing financial support from such donors in the future.



- **Effective communications for advocacy** also serves the objective of achieving long-term legitimacy. NES Madagascar used press conferences to get important information across to journalists, communiqués to disseminate it with the broader public, and radio programmes to raise awareness at the local and national levels.

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 Madagascar Eric Raparison; the **NES Madagascar brochure**; the 2016 and 2017 **NES reports**; the **2016-2018 Strategy**.

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