



RIGHTS AND RESOURCES INITIATIVE | MAY 2021

Best Practices from RRI Collaborators in Africa

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Overview

RRI's Collaborators from the Africa region have implemented a wide range of projects with the central goal of securing Indigenous Peoples (IPs)' and local communities (LC)s' tenure as a baseline for other pro-community engagements. RRI is highlighting some of the best practices from these projects to strengthen our Coalition members' advocacy and other work, now and in the future.

These best practices are drawn from projects in Central Africa Republic (CAR), Democratic Republic of Congo (DRC), Gabon, Kenya, Liberia, Madagascar and Nigeria, from projects contracted in 2019 and 2020. This document is organized according to the following seven themes:

- Coalition building
- Private sector engagement
- Government engagement
- Community engagement
- Gender justice
- Tools for community forest registration and management
- Leveraging Indigenous knowledge systems

All of these examples demonstrate the versatility and ingenuity of our African collaborators. Each one also comes with its own challenges due to unique national and local contexts and variable political stages. We encourage interested parties to reach out directly to the civil society organizations (CSOs), coalitions, and community-based organizations mentioned here to learn more about their innovative practices and processes.



Coalition Building

Democratic Republic of the Congo (DRC)

In the DRC, the Center for Innovative Technologies and Sustainable Development (CTIDD) – an NGO working on innovative technologies in agriculture, renewable energy, forest governance, environment, conservation, and sustainable development – used participatory approaches to improve contributions to advocacy and learning in sectors such as agriculture, mining, forestry, land, and hydrocarbons.

CTIDD created a task force of actors from large networks to capitalize on various recommendations resulting from a multi-sectoral workshop. Also resulting from this workshop was a position paper and roadmap to help facilitate the continuity of CSO advocacy under the coordination of CTIDD, monitored by the task force. Some of the networks represented in the task force included: Groupe de Travail Climat REDD – Rénové (GTCRR); Coalition des Femmes Leaders pour l'Environnement et le

Développement Durable (CFLEDD); Dynamique des Jeunes pour l'Environnement et le Développement Durable (DYJEDD); and Réseau des Peuples Autochtones et Locales pour la Gestion Durable des Ecosystèmes Forestières en RDC (REPALEF). The networks set up a process enabling actors deemed essential post-project to contribute to the official shaping of tools, laws, and national policies on land use planning by the DRC government. This methodology enabled representation and adhesion for all actors involved in the land use planning process.

Key achievements from this project include:

- Increased contribution to the political process of land use planning policy while considering the specific land rights issues of IPs and LCs, especially the women within these communities.
- Helped cement policy and law reform provisions that secured and enshrined land tenure and forest rights for IPs and LCs.
- Contributed to the production of a national land-use planning scheme that now takes into account community spaces, provincial land use plans and local village spaces.
- Produced a diverse range of documents on the capitalization and mobilization of CSOs around the mentioned reforms that now serve as tools for the drafting of associated policies and laws.

In 2020, the Dynamic of Indigenous Peoples Groups (DGPA), a network of 45 organization working to secure the rights of Indigenous Peoples, initiated a project on the “monitoring of the organic law on fundamental principles relating to the promotion and protection of the rights of Indigenous Peoples at the level of parliament, the Constitutional Court and the Presidency.” As result of the project, the National Assembly of DRC unanimously approved a bill on the protection and promotion of IPs’ rights after a plenary discussion held on November 26, 2020. The bill grants several key advantages to IPs regarding education and land rights.

Kenya

Community Land Action Now (CLAN) is a coalition of community-based organizations (CBOs) working together to secure community land rights through the implementation of the 2016 Community Land Act (CLA) in Kenya. CLAN has invested in CBO mobilization to leverage strength in numbers, diversity of thought, and variance in lived experiences for land-related issues across the country. It now hopes to expand its network to include at least 50 CBOs. Some of its achievements include collective lobbying of community-related land issues in Kenya and supporting communities whose land rights have been violated by a variety of actors.

CLAN received expert advice from land tenure specialist and RRI Fellow Liz Wily, who worked to develop steps for registering community lands pro bono. CLAN also forged partnerships with Katiba Institute and Natural Justice, organizations that offer legal advice and alternative dispute resolutions. Through these partnerships, CLAN has advanced the rights of communities such as the Ogiek and the Sengwer through active litigation.

Kerio Valley Community Organization (KVCO) is a CBO that works on natural resource and governance issues in Kenya. They have been working closely with the International Senior Lawyers Project (ISLP), as well as volunteer lawyers from the Justice and Corporate Accountability Project (JCAP) in an oil mediation process alongside two oil companies who are seeking to invest in their territory. This process is being facilitated by the International Finance Corporation's (IFC) Compliance Advisor Ombudsman (CAO).

Liberia

CSOs in Liberia have coalesced around four major working groups: Land, REDD+, Community Forestry, and Oil Palm. These working groups bring together diverse organizations in a platform where people share ideas, brainstorm strategies on how to execute projects, and design shared strategies for engagement with governments and other stakeholders. More seasoned organizations have helped strengthen the capacities of partner organizations, some of whom have participated in national advocacy processes.

The Oil Palm Working Group forged new partnerships with the Roundtable on Sustainable Palm Oil (RSPO), Proforest, Traidcraft, Frontline Defenders, Solidaridad, and Tropenbos. They introduced local communities to representatives from these organizations to help forge new relationships. This included introducing smallholders in Bomi and Grand Cape Mount to Solidaridad.

Nigeria

Biakwan Light is a CBO working on a range of land-related interventions in Cross River State, Nigeria. It is actively involved in safeguarding community lands and advocating for sustainable conservation and livelihoods. One of the most outstanding outcomes of its work was awareness raising that led to the formation of two additional CBOs who now work on community rights and livelihoods. These CBOs bring community members into a platform where they can discuss challenges and pursue common goals in protecting their lands and livelihoods.

Private Sector Engagement

Liberia

CSO Oil Palm Working Group (CSO-OPWG) brought together organizations into the fold of oil palm discourse. The CSOs worked closely together to support policy development work and to help ensure that oil palm investments in the country are undergirded by the principles of social and environmental justice. Today, their work also focuses on the implementation of Liberia's new land law in the oil-palm sector in favor of community rights. To date, they have made robust contributions in the development of RPSO principles and criteria, national interpretation of the RSPO, RSPO smallholder interpretation, and the national oil palm strategy.

CSO – OPWG trained communities on negotiating contracts with investors and on UN Guiding Principles on Business and Human Rights. As a result of this training, one community in Maryland

County was able to call for a review of its social agreement with a mining company working on customary lands, since the initial agreement signed did not conform to the sample ideal contract. For example, the community had asked for durable bridges, but had not provided a detailed description of the durable bridge they wanted.

To help track and respond to threats to community lands, Social Entrepreneurs for Sustainable Development (SESDEV) leveraged a low-cost innovative early warning system, developed by Sustainable Development Initiative (SDI). The system consisted of a dedicated hotline, a simple Excel database, and an illustrated guide outlining how communities could protect their interests when approached by potential investors. The hotline is staffed by a trained staff member who gathers information about each case and offers initial advice to individuals such as reminding callers to always seek out as much information as possible from the investors and not to sign anything. SESDev also conducts further follow-ups, supports the community with negotiations, and links them to legal advisors. You can read more about this effort [here](#).

Kenya

KVCO began engaging oil companies working in their area in 2013 but struggled to develop and secure local legal aid programs. Despite taking their grievances to the Kenya Ministry of Energy and the National Environmental Management Authority and using their resources to hire a local lawyer, they were unsuccessful in their quest to assist the community. KVCO then decided to look to Europe and the United States for support and managed to secure commitments from pro bono lawyers at the ISLP, who introduced them to colleagues in Canada who commonly work with communities facing issues related to oil and gas exploration. These organizations supported the KVCO in mobilization, legal aid, and connecting them with the IFC where they presented their case.

Government Engagement

Liberia

CSO–OPWG participated in oil palm-related discourse with key government stakeholders including the National Oil Palm Strategy and RSPO standards. Five of its members sat on the national oil palm sector's technical working group. The CSO Working Group on Land developed a robust working relationship with the Liberia Land Authority (LLA) and is actively involved in the process of elaborating regulations to support the implementation of the new Liberian Land Rights Law.

The Working Group has contributed to the development and adoption of regulations on customary land tenure. Some of the strategies that have strengthened their relationship with the government include: 1) identifying key legislators who support community land rights holders and working alongside those who do not to influence decision-making; 2) aligning with international organizations who have capacity to push the government in the desired direction; and 3) coalescing around a common issue at the community level and uses that as an entry point for engaging with politicians. The latter strategy was used during the advocacy push for enacting the Land Rights Law while CSO

organizations lobbied communities to speak in one voice. Whenever a politician visited communities to seek their votes, they were informed that the community would only support those who committed to passing the Land Rights Law upon election. This moved the needle, and the law was enacted.

The CSO Land Working Group also created a good working relationship with the Liberia Land Authority. They helped engage the government in the development of land law regulations and ensured they responded to claims about land grabs and other land-related disputes. One of their major successes was successfully pushing the government to declare a nation-wide ban on illegal mining.

DRC

The Centre d'Appui à la gestion durable des forêts tropicales (CAGDFT) introduced provincial politico-administrative authorities and local CSOs to each other to help build allyship and advocate for the effective implementation of the community forestry process in the field. Associations of a diverse set of leaders, including provincial deputies, local NGOs, and political parties raised awareness of barriers to help the fight against COVID-19 in Kwilu while also emphasizing local mobilization and solution-oriented approaches.

Community Engagement

Kenya

CLAN's innovative use of song and humor to communicate key messages was well-received by local communities. These communications distilled complex messages about COVID-19 and conveyed them through music and comedy. Comedy in particular is a very popular medium in Kenya, and the clips CLAN produced were shared widely via WhatsApp. CLAN's work has good lessons for CSOs and CBOs in leveraging media to advance the land rights agenda in different dimensions. These can include songs, skits, and comedy clips about how to register community lands, effectively manage community lands, engage with investors, and care for the environment. Media is also a good way to document advocacy work, as it can easily be made available online for future use.

Liberia

The Oil Palm Working Group used radio as a platform to communicate developments of the national oil palm strategy and other regulations with communities. Through radio, it broke down the complexities of these policies and presented them in a simplified manner for easier uptake. This subsequently strengthened the Group's face-to-face engagement with communities on these issues.

The Land Working Group also used radio to communicate land-related matters to communities such as the development of regulations for the Land Rights Law. Furthermore, it engaged with journalists in their workshops to help them understand dynamics and recent developments in the land sector. The journalists were then able to communicate these messages through print and other media.

Gender Justice

DRC

CFLEDD facilitated institutional and cultural policies supportive of the rights and equality of Indigenous and local community women and their social inclusion at local and national levels – including in governmental institutions. This was achieved using participatory approaches that ensured that the diverse voices of Indigenous and local community women were heard equally. CFLEDD presented the political, legal, institutional, socio-economic, economic, and environmental dimensions of the gender issues contained in a new land policy document and facilitated its understanding and enactment at the local level. Understanding new land policy documents in all its dimensions lies at the heart of the persistence of land conflicts in several regions in the DRC, especially since literacy rates tend to be higher among IP and LC women. Using women leaders to pass key messages to other Indigenous and local community men and women is an effective way to question and challenge errors in documentation inherited from colonization and old customs still embodied in land rights management in rural communities.

Central African Republic (CAR)

Since 2009, Centre d'Appui pour le Développement Durable (CADD), with the support of the Rainforest Foundation UK (RFUK), has assisted communities in the allocation of a community forest while also supporting government efforts to develop a legal framework adapted to local contexts. Since 2016, RFUK and field workers from CAR's civil society under the 'CoNGOs' project have supported 14 villages brought together by two pilot sites. With the support of RRI, RFUK, and CAR, the Moloukou, Moale, and Lokombe villages were able to jointly take control of almost 15,000 hectares of the Lomba forest.

Some of the strategies CADD used to achieve this included: 1) involving CSOs at each stage of the process to help obtain authorization from communities through advocacy; 2) involving women as a means to support the IPs and LCs who were applying for allocation and management of the 'pilot community forests' to test current legislation; and 3) creating an environment that was conducive to political and legal reforms, enabling forest populations to guarantee their customary rights through community forestry that goes beyond pilot community forests.

Developing Tools for Community Forest Registration and Management

DRC

CODELT supported the finalization of an operational guide for the development of a simple plan for community management of forest concessions. This laborious and participatory work aimed at influencing consensual regulatory texts on community forestry. It resulted in the creation of the Simple Management Plan, an important milestone for communities since the absence of an operational guide on development of their forest concession plans had been a serious obstacle to

implementing community forestry in DRC. The guide is now serving as an essential tool for local communities in management and operation of their forest concessions.

Gabon

Brainforest works on environmental and forest conservation in Gabon. Its philosophy relies on interdependencies in the analysis of environmental and social issues. It encourages the participation of local populations, including the Bantu and Indigenous Communities in various processes that promote rights recognition and community development, all the while recognizing the specificities of Indigenous Peoples.

Brainforest crafted a civil society advocacy strategy to help influence the national methodology for the effective mapping of community lands. In addition, it raised awareness of the challenges of participatory mapping and the role that civil society can play in the overall framework of the development of land use planning. Brainforest produced participatory maps representing spatial information at different scales. In particular, these maps display detailed information on the layout and infrastructure of village roads, transportation, and individual dwellings. They are a helpful tool to support Indigenous Peoples and local communities in land use planning.

Leveraging Indigenous Knowledge Systems

Kenya

The Sengwer, a hunting and gathering community in the Embobut forest in Kenya, have consolidated their Indigenous Knowledge Systems to build a compelling case for community tenure rights. Through elder narratives and memories, they have documented: 1) their environmental history; 2) the history of the land; 3) the environmental and cultural aspects of totemism; 4) injustices beginning in the colonial period and continuing to present day; 5) inter-generational trauma; and 6) the community's conceptions of landscape.

While they have not attained their land rights yet, the Sengwer's plight is now well known internationally. It has been featured in various media including films such as *Honey at the Top*, available at <https://www.filmsforaction.org/watch/honey-at-the-top-2/>.

Madagascar

In 2020, the organization SIF carried out a study in various regions of Madagascar to identify existing traditional land tenure systems, to contribute to the development of legal texts on community land rights. Some of its key successes included: 1) a consultation and participatory dialogue for inclusive land governance that supported the development and monitoring of legal frameworks on land with specific statuses; 2) sharing and popularizing the plot census approach, which would support development of a spatial planning tool; and 3) effectively contributing to information and communication sharing on pluralistic lands, enhancing the defense of Malagasy land rights.

Note for the Reader: We encourage you to reach out directly to the organizations and coalitions highlighted in this document to gain more information about their projects and innovations. To be connected to these organizations, please contact Shannon Johnson at sjohnson@rightsandresources.org.

About the Rights and Resources Initiative

The Rights and Resources Initiative is a global Coalition of 21 Partners and more than 150 rightsholders organizations and their allies dedicated to advancing the forestland and resource rights of Indigenous Peoples, Afro-descendant Peoples, local communities, and the women within these communities. Members capitalize on each other's strengths, expertise, and geographic reach to achieve solutions more effectively and efficiently. RRI leverages the power of its global Coalition to amplify the voices of local peoples and proactively engage governments, multilateral institutions, and private sector actors to adopt institutional and market reforms that support the realization of their rights and self-determined development. By advancing a strategic understanding of the global threats and opportunities resulting from insecure land and resource rights, RRI develops and promotes rights-based approaches to business and development and catalyzes effective solutions to scale rural tenure reform and enhance sustainable resource governance.

RRI is coordinated by the Rights and Resources Group, a non-profit organization based in Washington, D.C. For more information, please visit www.rightsandresources.org.

Partners



Sponsors



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