

Networking on Land Issues in Southern Africa:

Operationalising the

Land Rights Network of Southern Africa

Summary Report of the

Interim Steering Committee Meeting

Held 16th – 17th October, 2000

Pangolin Lodge, Harare, Zimbabwe

**Land Rights Network of Southern Africa: A Component of
LANDNET AFRICA**

ACRONYMS

CASS	Centre for Applied Social Sciences
CURE	Coordination Unit for the Rehabilitation of the Environment
DIFID	Department for International Development
IUNC	International Union for the Conservation of Nature
LRNSA	Land Rights Network of Southern Africa
MWENGO	<i>Mwelekeo wa</i> NGO
NLC	National Land Committee
PLAAS	Programme for Land and Agrarian Studies
SANL	Southern Africa Network on Land
SARIPS	Southern Africa Research Institute for Policy Studies
ZERO	ZERO Regional Environmental Organisation

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SUMMARY OF OUTCOMES

The Interim Steering Committee of the Land Rights Network of Southern Africa, LRNSA, (the Southern African chapter of LandNet Africa), met in Harare, Zimbabwe from 16th - 17th October, 2000. The Addis forum (January, 2000) tasked the newly formed Interim Steering Committee of the LRNSA with the responsibility for the development of the LRNSA up to the time of holding a Southern Africa-wide conference on networking around land tenure and policy issues. The Harare meeting was convened to consider the following issues considered important to the development of the LRNSA

- (a) To revisit the establishment of the Network
- (b) To establish principles of the operationalisation strategy
- (c) To set in motion the planning of the regional conference
- (d) To consider issues relating to fundraising and resource consideration

The main outcomes of the meeting can be summarized as follows:

1. Structure of Network

1.1 Composition of the Interim Steering Committee

The Meeting made the decision to extend the composition of the Interim Steering Committee. The members of the Interim Steering Committee now stands as follows:

- 1. SARIPS (Interim Chair)
- 2. NLC
- 3. ZERO
- 4. MWENGO
- 5. IUCN
- 6. NANGOF
- 7. PLAAS/CASS
- 8. Mozambique Land Commission: {Rep. of Governmental Institutions}
- 9. {Rep. of Governmental Institutions #2}*
- 10. {SADC Sector institution} *
- 11. Sue Mbaya- Facilitator/coordinator

* Yet to be approached

1.2 Structure of the Network

The meeting confirmed the basic network arrangement of a decentralized arrangement, utilizing existing and even new networks and revolving around the

sector node concept of grouping organizations around one coordinating institution for each of the identified thematic areas.

An additional thematic area was incorporated into the Network. The Governmental Institutions sector would be responsible for mobilising the participation of governmental institutions and the facilitation of their participation in the activities of the Network.

The meeting further developed and elucidated the collaborative nature of activities at the sector node. For each of the sector nodes the lead organisation would work closely with several other organizations in the region in implementing its responsibilities as lead node. Taking the Information Once activities falling under any one sector are underway, more organizations from the region will gradually participate in and benefit from the activities of the sector.

The meeting recognized and discussed the multi-faceted nature of the work undertaken by the majority of the key networking organizations in the sub-region. As a result, organizations are likely to, and will be encouraged, wherever appropriate, to participate in the activities of more than one node.

1.3 Network Management

In keeping with the sector based, lead node driven model of the Network, the bulk of the responsibility for managing and developing the Network falls on the lead nodes. Cohesion of the activities and development of the respective sectors is the responsibility of the Interim Steering Committee.

The efficiency and the appropriateness of a non-institutional facilitator was discussed. An institution-based coordinator was thought to be more advantageous. However, it was agreed that the current situation in which the coordinator/facilitator was not attached to a specific institution was working well and would be retained.

1.4 Network Membership

The target group for Network membership was identified as follows:

- Non-governmental organizations working in the area of land
- Governmental institutions working on land issues
- Existing networks and groups addressing issues relating to land
- Local governments
- Community based organization with an interest in land matters
- Academic and research institutions
- International organizations with or participating in projects/programmes within the sub-region
- Individuals actively involved with land issues

2. Progress Made

Progress reports given indicated that since the Addis Ababa meeting, networking activities within the region had continued to work well. Progress was also reported with respect to the writing of concept papers for the sectors (i.e. Research, Information Dissemination, Advocacy and Capacity Building sectors). The concept paper for the Research sector (developed by SARIPS) was complete and that for the Information sector (developed by ZERO) was close to completion. Both papers would now be disseminated. More work was required to finalise the concept papers for the remaining sectors.

3.0 Network Establishment

The extensive discussions held on the establishment of the Network may be summarized in the following stages:

Basic Information Project (Coordinated by ZERO with Facilitator)

Aim: To supply the basic information necessary to facilitate a sub-region wide networking arrangement throughout the region

Strategy: ZERO to take the lead, working together with MWENGO and PLAAS. Facilitator to coordinate. Project to

- generate and circulate information on 'who is doing what' in the sub-region
- circulate administrative information pertaining to the Network
- circulate sector reports/information

Completion time frame: 3 months

Achievement of Coordinated Networking

Aim: To facilitate the Network moving from the prevailing parallelism there has been little coordination of the programmes and activities being implemented by the organizations constituting the Network and developing structures to facilitate the development of a coordinated process

Strategy: Within each sector, to encourage development along the following pathway;

- Concept Paper / Sector Proposal
- Coordination of sector activities (lead node)
- Fundraising activities
- Sectoral meetings at regional level, e.g. workshop; colloquium; sub-regional conference
- Dissemination of sector outputs

Completion time frame: 12 months

Mobilising Governmental Institutions

Aim: To create a forum for dialogue between NGOs and government around issues relating to land tenure, policy and land use, both within and beyond the network and to share information on relevant issues.

Strategy: Will seek to identify and target strategic governmental institutions and personnel responsible for land matters both at local and policy levels. Strategy to include the following components:

- Information Sharing
- Promotion of participation
- Study of Problems faced by governmental institutions
- Identification of solutions to Problems

Maria de Conceicao Quadros (representing Mozambique Land Commission), together with the Facilitator and a few other people identified by them, to develop a basic proposal for the governmental sector.

National Level Mobilisation

Aim: To develop and identifiable presence of the Network in each of the participating countries.

Strategy: Two levels of action identified:

Activities by the Steering Committee:

- Identification of the key players through which communications would be channeled
- Their inclusion as recipients of the “basic information”
- Their inclusion so that they may inform the sectoral programmes

Activities by other participating organizations and networks

- The promotion of the Network and the “enrolment” of new members
- Enhancement of the coordination of organizations at national level

Sub-regional Regional Conference

Aim: Intended to *consolidate the process of establishing a Southern African Network on land rights.*

Strategy:

- Ensure strategic representation of each country, (, at least 3 representatives, one from a governmental institution, one from an academic institution and one from civil society).
- Put in place a permanent system for the management and coordination of the network

- Formally launch the land Rights Network of Southern Africa

Proposed timing: towards the end of 2001

Proposed venue: Maputo (Mozambique)

Proposed participants: Three from each of the following countries: Angola, Botswana, Lesotho, Malawi, Mozambique, Namibia, South Africa, Swaziland, Zambia, Zimbabwe, Democratic Republic of Congo, Mauritius, Seychelles. The meeting recognized that contacts needed to be established in the last three of these countries.

4. Fundraising

The meeting identified the following proposals to be funded:

- Basic Information Exchange proposal
- Coordination proposal
- Sub-regional Conference proposal
- Sectoral proposals

Strategy: Two levels of funding sectoral and network level.

Three potential sources:

- Participating institutions' own funds
- Further DFID funds
- Other donor funds

5. Next Steps

The date for the next meeting of the Interim Steering Committee was set for between June and December 2001 pending the completion of the following tasks;

- the conclusion of the sectoral proposals
- the approval of each sectoral proposal by the interim Steering Committee
- the securing of funds for sector activities
- the start of implementation of sector activities
- clarification of the membership and role of SANL
- finalisation of proposals: overall network proposal, Basic Information project; regional conference and the government sector proposal.

A. INTRODUCTION, BACKGROUND AND OBJECTIVES OF MEETING

1. Welcome

Professor Sam Moyo welcomed all those present and asked participants to introduce themselves. The meeting was observed to be constituted as follows:

Table 1: Constitution of the Meeting

Institution / Person	Regional Network/Initiative Represented
IUCN	IUCN Regional Policy Programme
MWENGO	The MWENGO Land Project
NANGOF	SANL*
PLAAS	The PLAAS/CASS CBNRM Network
SARIPS	SARIPS Research Network
ZERO	CBO Network and SANL*
Maria de Conceicao Quadros	Governmental Institutions
Susan Mbaya	Interim Coordinator/ Facilitator

*(Steering committee member)

Organisations that were invited but were not present were:

- NLC, host of the SANL
- CURE, a lead non-governmental organization in the current land policy discussion in Malawi

The meeting registered its concern at the absence of the NLC. The meeting was informed by the Interim Coordinator that NLC had indicated its concern that LRNSA would be a duplication of SANL (to which NLC was host). NLC was said to have also expressed concern over the status of LRNSA; i.e. whether it had actually been formed, or whether it was still a proposal. The importance of accommodating all major networks in the sub-region was agreed and the meeting agreed that all efforts should be made to address the concerns of the NLC. The meeting noted however, that the other two members of the SANL Steering Committee were represented and did not share the concerns voiced by NLC.

The meeting revisited the decision made at the Addis Ababa meeting that the Network would adopt a decentralised approach with existing networking organisations leading sectoral activities. The meeting observed that this approach to networking was intended to recognise existing organizations and networks and to encourage them to work together on various sectors without displacing each other or in any way interfering with each others' existing internal programmes.

2. Background to Meeting

Professor Moyo described the meeting as a formal planning session to discuss the LRNSA. He explained that LRNSA emerged out of the Africa-wide networking initiative called LANDNET, formed at the Addis Ababa forum in January 2000. At the Addis Ababa forum, the decision was taken that LANDET Africa would desegregate into sub-regional networks by geographical location; i.e. East, West, Horn and Southern Africa¹. The respective components of LANDNET held preliminary discussions and developed proposals for the further development of their respective networks.

With respect to LRNSA, the salient features of the network were said to be that it;

- was based on a number of existing, functional networks or networking initiatives
- combined NGOs with governmental institutions working on land
- included the various sub-sectors of non-governmental institutions, including CBOs, academic institutions etc.

3. Purpose of the Meeting

The Southern Africa caucus at the Addis Ababa forum established an interim steering committee to take responsibility of the development of the LRNSA up to the time of holding the Southern Africa-wide conference. The committee was composed as follows:

- NLC
- ZERO
- SARIPS (Interim Chair)
- Maria de Conceicao Quadros (Representative of governmental institutions)
- Susan Mbaya (Interim facilitator/coordinator)

In preparing for this first meeting of the interim steering committee, the interim Chair together with the interim Coordinator had taken the decision to extend participation of the meeting to the present representation. The rationale behind the decision was the value added by the inclusion of the majority of existing networks in the development of the network. The rationale behind the invitation of CURE was to facilitate the investigation of how the Network could best support the policy development process in Malawi.

The meeting proposed to consider the following issues:

(a) *To revisit the establishment of the Network*

- It was considered important to revisit this issue for the benefit of new members present. This would be done bearing in mind the given parameters, i.e.
- » LRNSA as a sub-regional component of an all Africa network

¹ The Southern Africa component of LANDNET Africa assumed the name: Land Rights Network of Southern Africa

- » inclusion of governmental and non-governmental institutions working on land issues
 - » building on existing networking initiatives
- (b) *Principles of the operationalisation strategy*
How to actually formalize the Network. This would involve taking it from the current interim structure to permanent structures.
- (c) *Planning of regional conference*
The Southern Africa caucus in Addis had agreed on a Southern Africa-wide conference as a strategy of operationalising the Network. The practical considerations of implementing this strategy would now be clarified.
- (d) Fundraising and resource consideration
The meeting would seek to identify the approach of the Network to the raising of funds required, and also to agree on a specific strategy(s).

B. MEETING AGENDA

In line with the objectives of the meeting, the Agenda was agreed. The Agenda is included here as Annex 1.

C. PROGRESS REPORTING

The progress of the Network may be said to be a product of the activities at the “center (i.e. by the interim coordinator and steering committee) and of activities carried out by participating networks. These two components were accommodated in the progress reporting.

1. Interim Coordinator’s Report

The Interim Coordinator, Sue Mbaya, gave a report of activities and progress made specifically by the Interim Steering Committee. The report is included here as Annex 2. Highlights of the report include:

- an overview of the origins of the Network
- the purpose, objectives and focus of the LRNSA
- overview of the structure and proposed activities of the LRNSA per outcomes of the Addis Ababa forum
- follow-up activities required for purposes of establishing the Network as envisaged by the Addis forum
- progress with respect to the implementation of envisaged follow up activities
- progress made s in developing sectors of the Network
- activities carried out to heighten awareness of LANDNET Africa and LRNSA
- progress with respect to general networking in the sub-region
- wider networking with other sub-regions
- challenges limiting progress in the operationalisation of LRNSA
- issues requiring attention

In summary, networking within the region was proceeding well. Activities included the production and dissemination of research materials for lobby and capacity building purposes, sharing of information on who is doing what, networking visits, meetings between individuals and between institutions on developments relating to matters of sub-regional importance. Similarly, there was regularly electronic contact and sharing of progress and experiences with the three other components of LANDNET through the respective coordinators. There had been efforts by PLAAS and MWENGO to publicise the activities of the Network. The development of sector concept papers was at varying levels. The concept paper for the Research sector (developed by SARIPS) was complete, with fundraising efforts having already been initiated. The concept paper for the Information sector (developed by ZERO) was close to completion. It was yet to be circulated.

2. Activities of Existing Networks

Each of the participants gave an overview of the networking activities being undertaken by their organization or network. These reports are Annexed here (Annex 3).

From the session on the update of the network it was clear that although there had been a delay in formalizing the Network along the lines discussed at the Addis Ababa forum. However, it was also apparent that the existing networks forming the LRNSA were engaged in networking activities of significant magnitude and effect. These incorporate the broad areas indicated in Table 2.

In addition to the achievements of the Network, significant challenges encountered by the Interim Steering Committee were identified. These were;

- i) the non-participation of NLC, and as a consequence,
- ii) the absence of the SANL at this stage of developing the Network;
- iii) leadership and accountability were, to date, not clarified.

Table 2: Overview of Main Work Categories Being Addressed in the Sub-Region

Thematic Area	Organisations / Networks Involved	Research	Policy Advice	Advocacy	Information	Capacity Building	Implementation
Land acquisition:	SARIPS	•	•			•	
	ZERO	•			•		
	PLAAS/CASS	•	•		•		
	IUCN						
	NANGOF			•			
	MWENGO						
Land tenure:	SARIPS	•	•		•	•	
	ZERO	•	•	•	•	•	
	PLAAS/CASS	•			•	•	
	IUCN	•	•		•	•	
	NANGOF	•	•	•	•	•	
	MWENGO	•	•		•	•	
Minority Group Land Rights	SARIPS	•			•		
	ZERO						
	PLAAS/CASS						
	IUCN	•			•	•	
	NANGOF						
	MWENGO	•		•	•	•	
Land / gender relations	SARIPS		•			•	
	ZERO						
	PLAAS/CASS						
	IUCN						
	NANGOF						
	MWENGO						
Land reform	SARIPS	•	•			•	
	ZERO	•	•	•	•	•	
	PLAAS/CASS	•	•			•	
	IUCN						
	NANGOF			•		•	
	MWENGO				•	•	
Community Based Natural Resource Management	SARIPS						
	ZERO	•			•	•	•
	PLAAS/CASS	•			•	•	•
	IUCN	•			•	•	•
	NANGOF						
	MWENGO						
Trans-boundary Natural Resource Management	SARIPS						
	ZERO						
	PLAAS/CASS						
	IUCN	•	•		•	•	•
	NANGOF	•			•	•	•
	MWENGO						
Governance	SARIPS	•					
	ZERO	•					
	PLAAS/CASS	•			•	•	
	IUCN						
	NANGOF						
	MWENGO	•			•	•	

D. NETWORK ESTABLISHMENT

1. Preamble

Key issues, problems and challenges faced

Despite the centrality of land to development, security and poverty eradication in the sub-region, the issue of people's access to and control of land remains an unresolved issue in the majority of countries in the region. Land remains a highly contested issue. The countries of Southern Africa have in common the legacy of colonialism that left each country with a land distribution pattern that was unequal in terms of quantity and often also in terms of quality. Similarities also exist in the challenges faced by subsequent independent governments in addressing the land issue; in the effects of landlessness or insecurity of tenure; the response of the communities to the effects of landlessness and also in the structures put in place by both governments and civil society institutions to address the consequences of the land issue. There are also similarities with respect to the style of governance, with the region being characterised by a highly centralised pattern of decision-making and power.

Over the last few decades, the countries of the sub-region have been pre-occupied with the issue of how to address 'the land issue'. Interventions have included commissions of inquiry, the enactment of legislations by governments. On the part of civil society, interventions have included the formation networks and alliances to form stronger lobby organs, grassroots education and mobilisation campaigns and so on. Unfortunately these efforts, often well intentioned and sincere, have *not* made a significant impact on the widespread problems of landlessness and insecurity of tenure. Some of reasons for this limited success are:

- resource limitations, particularly on the parts of governments, to fully implement the programmes necessary for effective and successful land reform
- the extent of political will and commitment to the process of land reform (largely due to the complexity of land reform, but also as a result of existing vested interests)
- the fragmented nature of interventions, both in terms of government agencies and their policies as well as in terms of civil society interventions
- insufficient, meaningful participation of civil society in shaping and driving land reform and land policy formulation processes
- opposition and interference from international agencies.

In view of the challenges and also in view of the progress that must be made, both governments and civil society institutions in the sub-regions have acknowledged that they can add considerable value to their interventions by learning from the experiences of other countries in the region. This is the main impetus behind networking in the sub-region and more specifically behind the formation of an inclusive sub-region-wide network on land.

In addition to the issue already mentioned, the southern Africa sub-regional group workshop at the Addis Ababa meeting identified additional key issues that should be addressed by southern African networking. These related to:

- the slow implementation of land policies
- limited stakeholder participation in land policy processes

- mistrust between government and civil society
- observable gap between policy formulation and implementation

The gap between policy formulation and implementation was an issue raised by all participants and was seen as directly related to inadequate and fragmented policy frameworks, lack of political will, weak implementation machinery, capacity constraints and a lack of integration with broader resource management issues. The second issue, that of limited stakeholder consultation in land policy planning, implementation and evaluation, was seen as being central to answering the land questions of our times, such as landlessness, tenure insecurity and sustainable land use. The third issue, mistrust and suspicion between government and civil society, needed to be addressed as a matter of urgency in order to ensure multi-level participation in the activities of the network.

In response the identified need for effective, inclusive networking around land in Southern Africa, the delegates at the Addis Forum resolved to form the Land Rights Network of Southern Africa, being the southern African component of LandNet Africa.

1. Purpose

The purpose of the Land Rights Network of Southern was articulated as follows:

To contribute to the realisation of the land rights of peoples in southern Africa through the development and promotion of equitable and sustainable land policies, legislation and implementation processes.

2. Objectives

These were articulated these as follows:

- To facilitate the management and documentation of information relating to land rights and related issues within the sub-region
- To promote and coordinate research activities which lead to enhanced land policy formulation and implementation within the sub-region
- To create opportunities for the enhancement of the capacities of member governmental and non-governmental institutions
- To support land rights related advocacy and lobbying initiatives.

3. Key Themes

The Southern African sub-regional caucus at the Addis Ababa meeting identified the following themes and related activities whose relevance and importance to the sub-regional network as well as the applicability to the wider Africa network were considered and ranked in the table below.

Table 3: Priority Areas for the LRNSA

PRIORITY	THEMES	ACTIVITIES
High	Information on land issues in the region	Develop a database Information management Documentation
High	Government / Civil Society Relations	Consultations Open policy debates Communication
High	Research Agenda (to be identified by network Participants)	Undertake real-time investigations Comparative research
Medium	Systems and procedures for land administration	Exchange information Site visits Design and pilot reforms
Medium	Sustainable land use, advisory and technical services	Models of best practice
High	Access to land rights (marginalised, customary tenure, gender, urban, peri-urban)	Advocacy and lobbying
Medium	Access to appropriate legislation	Sharing information on legal framework and/or advisory services
Medium	Transboundary / Regional land problems	Identify and investigate key issues
High	Capacity building and resource mobilization	Promote and strengthen institutional building Training Form alliances and link networks
High	Practical policy guidance	Trouble-shooting (getting advice on particular issues)

4. Sectors

To facilitate more efficient management, the themes listed in the Table above were grouped according to similarities in their focus. Four groups, named sectors, were developed and sector lead organisations identified as follows:

Table 4: LRNSA Sector Lead Organisations (January, 2000)

Sector	Lead Organisation
Information	ZERO
Research	SARIPS
Capacity Building	NLC
Advocacy	NLC

5. Network Strategy and Activities

There was consensus that the proposed network should build on existing initiatives with recognised capacity in their respective fields. The proposed sub-regional network would, provide support and strengthen these initiatives. An interim steering committee was identified in order to attend to the requirements of the initial phase of the establishment of the network. The Steering Committee consisted of representatives of each of the three institutions identified as lead institutions for the sectors, a representative of governmental institutions, and a facilitator / coordinator as follows:

Table 5: Composition of the LRNSA Interim Steering Committee (January 2000)

Institution	Specific Individual
1. NLC	Abie Ditlhake
2. SARIPS	Sam Moyo
3. ZERO	Nelson Marongwe
4. Rep. of Governmental Institutions	Conceicao Quadros
5. Facilitator/coordinator	Sue Mbaya

2. Structure of the Network

The meeting confirmed the basic network arrangement of a decentralized arrangement, utilizing existing and even new networks and revolving around the lead node concept of grouping organizations around one coordinating institution for each of the identified thematic areas.

The meeting then went on to develop and further clarify the role and operation of the thematic lead organizations. In summary, the following main points were agreed:

2.1 Thematic Lead Organisations or Lead Nodes

The meeting explored the concept of the lead nodes. Those present agreed that there was need to elucidate further the networking arrangement at the sector node. The discussion developed the concept as follows:

For each of the sector nodes, the lead node would work closely with several other organizations in implementing its responsibilities as lead node. Taking the Information lead node as an example, ZERO (the identified lead node) has the immediate responsibility of developing the Information sector concept paper and funding proposal. In doing so, ZERO will collaborate with say PLAAS/CASS and MWENGO, organizations which have developed appreciable information gathering and disseminating capacity as a result of their respective programmes. Figure 1 illustrates the agreed structure of the Network showing the collaborative nature of activities at the sector node. Once activities falling under the information sector are underway, more organizations will gradually participate in and benefit from the activities of the node and sector.

The lead role of NLC was discussed in view of the absence of NLC from the meeting and the uncertainty that it had expressed. The meeting was unanimous in its commitment to clarifying points of uncertainty and resolving any concerns expressed by the NLC. In order to ensure against the development of the Capacity Building and Advocacy sectors lagging behind in their development, efforts to resolve any concerns on the part of NLC should aim to bear fruit by December 2000. In the event that there are still issues to be resolved and NLC is not yet available to assume the lead role for these sectors, then other arrangements would have to be made in respect of the leadership of these sectors.

The meeting resolved to add one more thematic area, that of the mobilization of the participation of governmental institutions and the facilitation of their participation in the activities of the Network. The “governmental institutions” node as it was called, would consist of a small group of representatives of governmental institutions. It would be led by Mozambique Land Commission². The meeting resolved to co-opt two members (one from a government department from one of the member countries, and one from a SADC structure relevant to land. For the latter it was agreed that SADC ELMS would be approached. The two additional members would join the Mozambique Land Commission (represented by Conceicao Quadros),

Hence, the sectors and their respective lead nodes were confirmed as follows:

Table 6: LRNSA Sector Lead Nodes (October, 2000)

Sector	Lead Organisation
Information	ZERO
Research	SARIPS
Capacity Building	NLC
Advocacy	NLC
Governmental institutions	Mozambique Land Commission

² Presently the representative of governmental institutions on the Interim Steering Committee.

2.2 Overlapping Nature of Work

The meeting recognized and discussed the multi-faceted nature of the work undertaken by the majority of the key networking organizations in the sub-region. There was agreement that the Network would not seek to restrict organizations to any one sector. Hence, organizations were likely to, and would be encouraged, wherever appropriate, to participate in the activities of more than one node. This also implied that an organization appointed to lead one node, (say ZERO leading the Information node), could feasibly have a significant involvement at another node (in the case of ZERO this might be the Research node where ZERO would collaborate with SARIPS).

The resulting structure of the Network that takes into consideration the sector-based format of the Network, as well as the overlapping nature of competencies currently existing in the sub-region may be illustrated as follows:

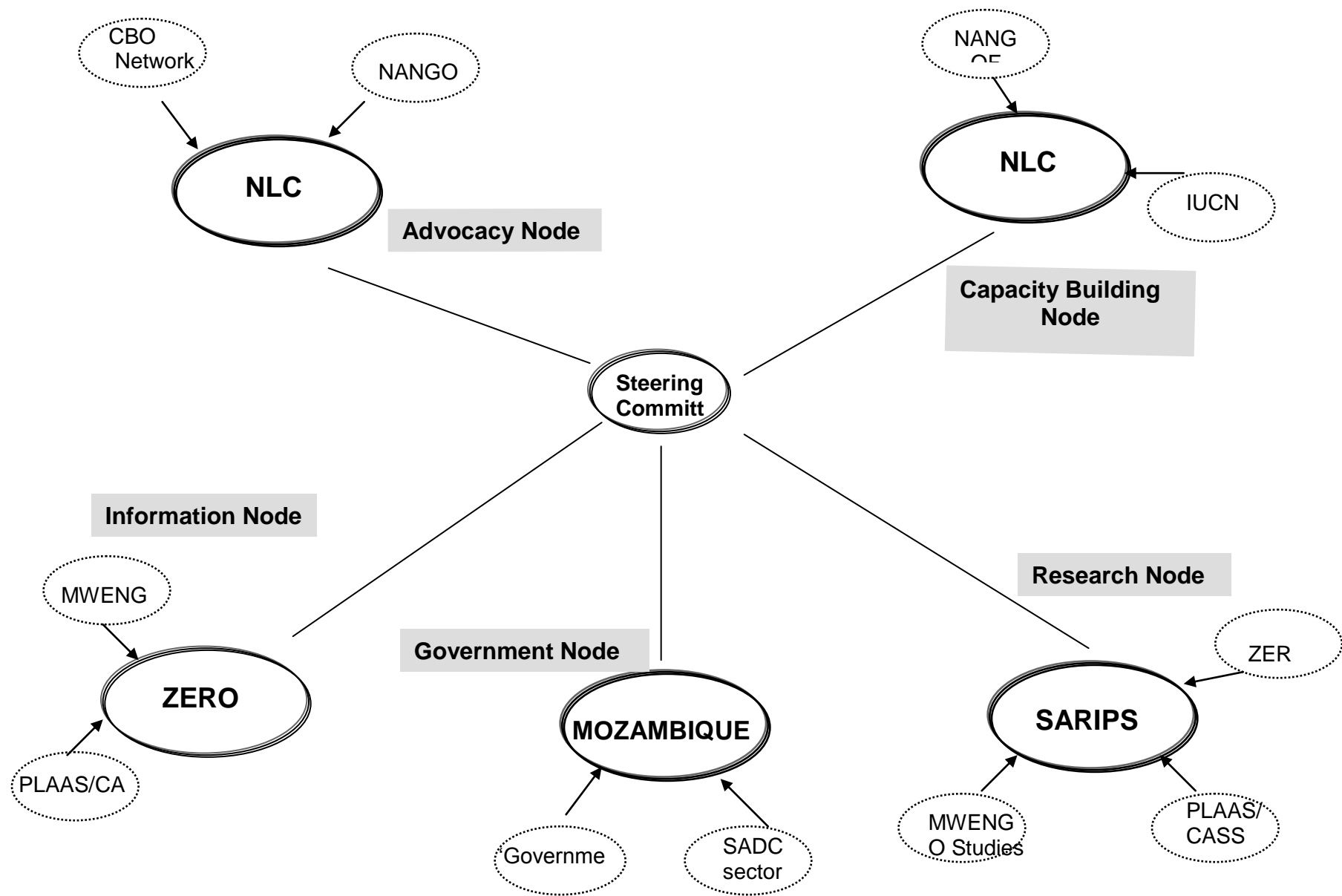


Fig. 1. Structure of the Land Rights Network of Southern Africa

2.3 Comparison to LandNet East

The Facilitator, who had attended the Landnet East sub-regional planning meeting gave a report of the process there in other LandNet sub-regions. The report of the Facilitator is attached. Interesting differences were observed between the way in which LandNet East Africa and LRNSA were developing. For instance;

- LandNet East was taking a country focal approach whilst LRNSA was taking a regional focal point approach
- LRNSA appeared to have evolved clear themes which emanated from the increased work done on land to date. A very clear strategy had emerged in comparison with LandNet East.
- The center in the LandNet East scenario consisted of an individual organization
- The center for LRNSA consisted of a group of organizations and an individual implementing facilitator/coordinator

2.4 Interim Steering Committee

As indicated previously, the Addis forum identified an interim steering committee and gave it the mandate to attend to the initial development of the network up to and including the holding of the sub-regional conference. Professor Sam Moyo of SARIPS was named the interim Chair. Harare meeting resolved to co-opt additional members to the interim steering committee in order to extend representation as well as to increase the competency and resource base of the interim steering committee. Hence, the expanded interim steering committee is now composed as follows:

- ◆ NLC
- ◆ SARIPS (Interim Chair)
- ◆ ZERO
- ◆ MWENGO
- ◆ IUCN
- ◆ NANGOF
- ◆ PLAAS/CASS
- ◆ Mozambique Land Commission: Rep. of Governmental Institutions
- ◆ {Rep. of Governmental Institutions 2}
- ◆ {SADC Sector institution}
- ◆ Sue Mbaya- Facilitator/coordinator

2.5 TORs for the Interim Steering Committee

The meeting noted the need for accountability of the interim steering committee with respect to its performance. Those present agreed that Terms of Reference were required for the Committee. These were formulated and agreed as follows:

- i) To play an interim oversight role over the development of the Network

- ii) To develop guidelines and strategies for the development of the network and for the implementation of its activities
- iii) To develop budgets relating to the proposed activities of the Network; to identify and approach potential funders and to raise the required funds
- iv) To plan and prepare for the major events of the proposed sub-regional conference
- v) To oversee the work of the Interim Coordinator
- vi) To consult with other organizations in conceptualizing and planning the implementation of the intended activities of the Network
- vii) To increase awareness of the Network throughout the region
- viii) To build on the decision made at the Addis meeting so as to develop the Network strategies for mobilising governmental institutions working in the area of land to participate in the activities of the Network
- ix) To support the key networking organisations within the sub-regional so as to facilitate their development and to promote and further develop their programmes and activities.

2.6 Management of the Network

2.6.1 *The issue of a central institution*

Discussions of the meeting sought to clarify further issues relating to the management of the Network. The possibility of appointing a specific organization to coordinate the Network and evolving a prominent and substantial central coordinating structure was discussed. The meeting was in agreement that the Network should avoid concentrating influence in any one institution, but instead, include as many of the sub-region's key institutions in the management of the Network. Hence, the spirit of the Addis forum, i.e. that the center be minimal with the bulk of the coordination and network leadership being placed at the sector nodes was recognized and endorsed. The meeting was in agreement that this would preserve the fundamental value of building on existing structures as opposed to creating new ones.

In practice, this means that burden of managing and developing the Network falls on the lead nodes. Once again, this is in keeping with the sector based, sector driven model of the Network. Cohesion of the activities and development of the respective sectors becomes the responsibility of the Interim Steering Committee.

2.6.6 *The role of interim coordinator/facilitator*

LRNSA has an individual person being the facilitator of the network, unlike the other sub-regions where the facilitator falls upon institutions. The historical reason for this was explained. In 1999 when DFID commissioned studies to look into the feasibility and desirability of establishing sub-regional networking arrangements, the individuals identified to carry out these studies were based with established institutions, all with the exception of the individual identified to carry out the Southern Africa study. In all cases, these individuals have continued their association with the networking initiative and have come to play the coordinating/facilitation role, including the independent consultant in the Southern African scenario.

The efficiency and the appropriateness of a non-institutional facilitator was discussed. An institution-based coordinator was thought to be more advantageous. However, it

was agreed that the current situation in which the coordinator/facilitator was not attached to a specific institution was working well and would be retained. At the same time, the meeting recognised that as the Networking grew and its activities and affairs become more complex, it would be important to increase stability around this function by basing the coordination within an established institution.

Also considered was the locus of accountability for the interim coordinator/facilitator who was sponsored by a donor (DFID). The meeting established that the facilitator was accountable and answerable to the Interim steering committee, irrespective of the source of funds and the channel of transmission of the funds for the retention of the facilitator.

2.6.7 *The role of interim chair*

The role of the Interim Chair was identified as that of:

- presiding over the deliberations of the Committee
- represent the interim Steering committee whenever necessary
- provide the “day-to-day” supervision of the facilitator

The meeting agreed that with respect to the management of the Network, the multi-organisation, multi sector Steering Committee with an implementing Coordinator/Facilitator and a Chair to preside over and moderate the deliberations of the Committee, was sufficient.

2.6.8 *“Hosting” of the Network*

The possibility of an institutional “host” was discussed. The term “host” was used with the qualification that would merely involve the physical housing of certain documentation or records of the Network, or offering facilities for the flow of say funds, between the Network and other parties. This “hosting” would **not** entail any decision-making function. The steering committee would have the responsibility for the development of the Network and the facilitator, the coordination. The meeting agreed that such a “host” was likely to be needed in the future.

2.6.9 *Financial Support for the Centre*

The meeting noted the need for a budget to support the activities of the ‘centre’. The anticipated expenses would consist of:

- i) inter-steering committee communications and related costs
- ii) communication between steering committee and rest of network and related costs
- iii) financial support for the Coordinator
- iv) meetings of the steering committee and related costs

2.7 Membership of the Network

As agreed at the Addis forum, the Harare meeting confirmed the importance of an all inclusive membership. Hence the Network membership of the Network is open to:

- Non-governmental organizations working in the area of land
- Governmental institutions working on land issues

- Existing networks and groups addressing issues relating to land
- Local governments
- Community based organization with an interest in land matters
- Academic and research institutions
- International organizations with or participating in projects/programmes within the sub-region
- Individuals actively involved with land issues

The inclusion of organizations from these various sectors in the activities of all the nodes was observed to be of fundamental to the Networking strategy and therefore of great importance to the success of the Network. To date, the membership drive of the Network was far from complete as it involved:

- i) A sub-regional conference
- ii) Issue of national level mobilisation
- iii) Network frictions (not yet resolved)
- iv) Government and NGO interaction
- v) Fundraising
- vi) Bonding and trust between NGOs to address the consequences of flawed strategies or of the early stages of Network establishment

The meeting saw it as the duty of all participating organizations to facilitate the linking of interested parties in to the network through the facilitator. Another track for the introduction of new members would be through the Basic Information Project.

Those 'eligible' for membership were interested organizations who were:

- working on land issues
- properly registered
- prepared to contribute to the activities of the Network

This outline would provide the guideline with respect to membership issues membership issues over the approaching period and will be confirmed at the proposed sub-regional conference.

2.8 Roles in Relation to Existing Activities and Networks

Deliberations were held within the context of the guiding principle of the Network; that the networking is based on existing networks and networking initiatives. In practice, this was observed to primarily mean a broadening in the scope of the majority of activities being planned or being implemented. The activities and responsibilities of which participating organizations will have in the Network will complement and enhance the internal programme activities of each organization. In this way the capacities of participating organizations will be enhanced.

E. OPERATIONALISING THE NETWORK

5. Assumptions

The deliberations and resulting outcomes in relation to the strategy for the mobilization of the Network were based on the following assumptions:

- Sectoral focus: The activities of the Network are arranged in terms of a sectoral approach. The identified sectors are each coordinated by a lead node or sector lead organization as follows: Advocacy (NLC); capacity building (NLC), information (ZERO) and research (SARIPS).
- Management: The Network leadership function is concentrated at the lead nodes, with a minimal central development structure.
- Overlaps: The Network recognises and accepts the overlapping nature of relationships and roles as a natural outcome of the network being based on existing organizations and networks of organizations that are multifaceted in their existing activities.

2. The Form and Pace of Network Establishment

In view of what the meeting considered to be insufficient progress in developing the sectors since the Addis forum, the meeting explored the issues underlying the poor pace of Network development. These included:

- The uncertainty surrounding funding as a result of DFID's (at the time the only source of financial support) preoccupation with the political tension between Zimbabwe and UK
- There was a sense that the expected pace of development was externally driven.
- Lack of clarity on the part of some of the Steering Committee members about structure, participation and coordination
- Time resource constraints on the part of Steering Committee members
- Politics of the lead roles (i.e. initiatives expanding in parallel ways).

On the funding hitch, the meeting recognized the drawback of depending on a single source of funding. The role of DFID in supporting LandNet in the wider sense was recognized. It was anticipated that LRNSA would, in all probability, continue to be funded by DFID, but not solely so.

In relation to time constraints, those present whilst emphasizing the work pressure that they were under, resolved to give greater priority to task relating to the Network. Tips on how to use electronic mail more efficiently were shared. All those present agreed that the deliberations of the meeting had clarified previous questions on the Network structure, coordination and lead roles.

On the pace of Network development, the meeting constructed time frames that were thought to reflect better the dynamics operating within the sub-region. The outcome of this discussion was agreement of the form and pace of network establishment as follows:

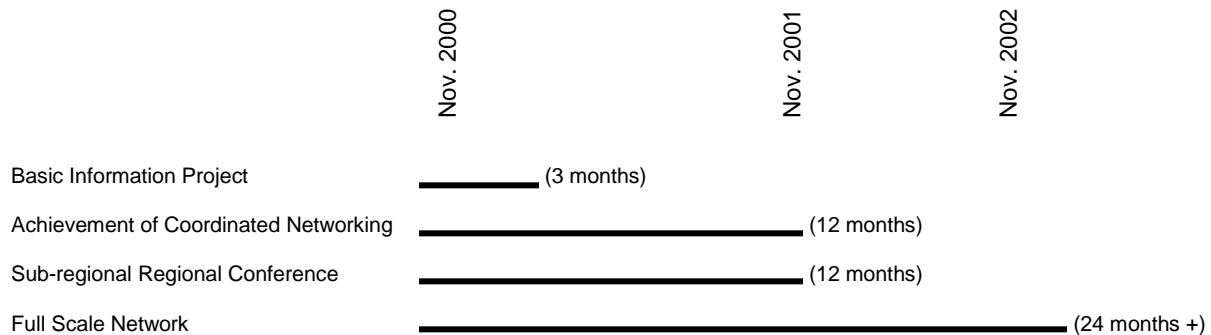


Fig. 2. Pace of Network Development

3. Basic Information Exchange / Support

The meeting recognized that in view of various networks already existing, there was appreciable information exchange among certain groups of organizations. However, in order to facilitate the networking arrangement proposed under the LRNSA, there was an immediate requirement for an initiative that would supply the basic information necessary to facilitate a sub-region wide networking arrangement throughout the region. This Basic Information Project would essentially;

- generate and circulate information on 'who is doing what' in the sub-region
- circulate administrative information pertaining to the Network
- circulate sector reports/information

The meeting emphasized both the immediate term nature of the Basic Information Project and importance of this basic information being freely available throughout the sub-region for effective networking. An initial proposal for the Project should be prepared and ready for circulation by mid-November, 2000.

The Basic Information Project will initially establish:

- *Who:* which institutions are to be targeted as the recipients
- *What:* the type of information that was required
- *How:* mechanisms for the dissemination of the required information to the identified recipients, for instance, electronically, by hard copy, via seminars / conference etc.

A sub-committee was appointed to;

- i) fine-tune the design of the Project
- ii) produce a proposal for the Project
- iii) secure necessary funding and
- iv) implement the Basic Information project

The sub-committee was constituted as follows:

Table 7: Organisations to Implement the Basic Information Project

Organisation	Notes
ZERO	To take the lead
MWENGO	
PLAAS	
Coordinator/Facilitator	To coordinate

4. Decentralised Programme

4.1 Parallelism

With respect to level of development, the meeting recognised that the Network was at the stage of **partially implementing a decentralized programme, implementing parallel processes**. Decentralised in that there was (by design) not a prominent, dominant central structure. Parallel processes in that there has been little coordination of the programmes being implemented by the organizations constituting the Network. In the context of the history of the region, i.e. the fact that multiple networks and networking initiatives were in place prior to the formation of the Network, parallelism was almost inevitable in the early stages of Network development. The presence of parallel process was the outcome or manifestation of the presence of several, functional networks.

4.2 Coordinated processes

The meeting observed that the realization of the networking arrangement envisaged involved moving from the prevailing parallelism and developing structures to facilitate the development of a coordinated process. This would still be under the decentralized networking model.

Discussion revealed that there was process to be followed. One pathway that could given as an example of the development process was that being followed by the research node under SARIPS. That process could be adopted for the Network in general. This would be as follows:

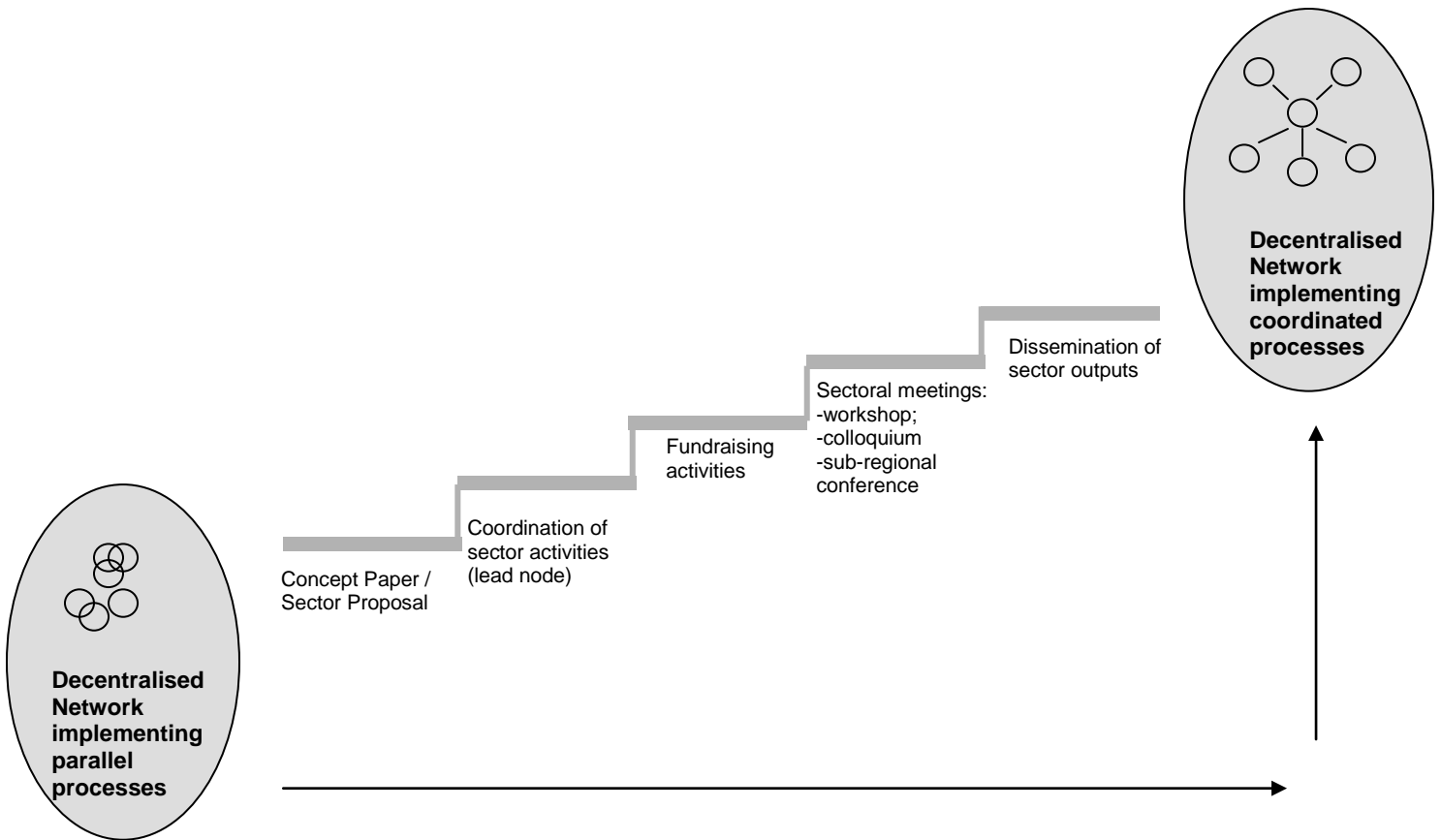


Figure 3: Transitioning from a decentralized Networking implementing parallel processes

5. Strategies for Mobilising Governmental Institutions

5.1 Preamble³

The governments in the majority of the countries in Southern Africa are severely constrained in terms of their financial and human resources, technology and equipment situations. Some of the reasons for these problems are:

- general malaise in government financial management systems
- uncontrolled government expenditure
- poor implementation of taxation and other revenue collection policies and
- cutbacks in amounts allocated to government departments as governments implement donor driven structural adjustment policies.

Some of the consequences of these financial constraints are:

- the gradual deterioration of government infrastructures as old (and usually outdated) infrastructure breaks-down and can not be repaired,
- the inability to retain valuable staff in the face of progressively declining conditions of service, and
- the inability to compete with the private and NGO sectors in attempting to attract qualified and dynamic personnel.

³ Excerpt from Mbaya, S. 2000 The Case for an African Land tenure Network: A Southern African Perspective.

These consequences have further worsened the capacity problems being faced by the governments - a vicious circle. Against the background of reduced capacity, governments are facing pressure to devolve power, both from their constituencies encouraged by NGOs, as well as from the ever-so-influential international donor community. Predictably, the call for governments to decentralise and devolve power has met with difficulties and resistance from political quarters. Nonetheless in some cases devolution has begun. However, looking back, it is apparent that issues relating to centralised control and the failure to devolve authority to the local level have seriously impacted the capacity of governments to effectively implement programmes such as land reform and redistribution. In many cases the policy framework is often decided at national level without the participation of provincial and local government structures which form the implementation and coordination centres for government's land reform programmes. Disfunctionality in the relationships between the national and local government structures often makes the situation worse.

Access to Emerging Information

Government departments in the sub-region are disadvantaged by their singularity. Hence in any country there is only one Department of Lands for instance and therefore very little in the way of opportunities for networking with other institutions facing similar challenges. Whilst in most countries government departments have some kind of network almost by default, deliberate efforts at networking with similar ministries across borders can be observed. Such deliberate efforts to address the limitation of singularity were seen in the majority of the countries in the region.

The importance of collaboration between the governmental institutions and NGOs is seen in the fact that government departments are not generating information at the same pace as their NGO counterparts, and yet government officials are a crucial part of the policy formulation processes. It clearly is in the interests of NGO and their constituencies to ensure that these officials make decisions from an informed and current position. Hence a shift in attitude is required. Clearly, parties from the two sectors can no longer afford to regard each other with suspicion, keeping their respective activities secret from the other. Similarly, the NGO sector can no longer afford to see the networking arena as its own forté. ***It is clearly in the interest of NGOs to encourage and even facilitate the participation of governmental institutions in the relevant networks.***

5.2 Objectives

The government node would function in a similar manner to the other sectoral nodes. The meeting observed that the conceptualization of this node had lagged behind the others. Nevertheless the 'governmental' node was a key component of the Network and all future developments should include the governmental node. This includes inviting identified key people to various fora.

The specific objective of the government node were articulated as follows:

- To create a forum for dialogue between NGOs and government around issues relating to land tenure, policy and land use, both within and beyond the network.
- Sharing information on relevant issues - a two-way process Advisory services on land use.

The focus is intended to be at implementation level, with main aim of fostering collaboration between the two main sectors.

In terms of networking, the objectives of this node would be similar to those of the other nodes. One of the key observations made during the discussion on the mobilisation of government institutions for participation in the Network was the difficulty involved in any one organization speaking on behalf of government because governments are never homogenous, their positions varying from liberal to conservative. This was recognized as an additional challenge that would have to be met by the 'government' node.

5.3 Priorities

The following priorities were identified for the government node.

- i) sharing information relating to policy issues
- ii) developing local institutions

5.4 Strategy

Two primary targets for mobilization were identified:

- i) Local Level
The more political the level of government, the more difficult it is for civil society institutions to work with government. Therefore one of the key strategies for the mobilization of government involvement would be to go as close to the people as possible; i.e. focusing on local level officials.
- ii) Policy Level
In addition to targeting the local level, the meeting identified policy level institutions or personnel within government as an important target.

The outline of the strategy for mobilising the participation of governmental institutions in at local and policy level was agreed. It was composed of the following components:

- Information Sharing:
This involves the identification of the key posts and people (resource persons) from governmental institutions. A numerical guide of five key people per country was agreed. This information would be formulated into a Governmental Institutions Database of 30-50 people.
- Promotion of participation:
The meeting observed the need to reflect on how to promote participation in the network. A clear strategy was required, possibly including suitable incentives.
- Study of Problems:
The importance of understanding the problems that civil servants face in their work, but more specifically with respect to networking was noted. Once identified, this information would be included in the Governmental Institutions Database.

- Identification of solutions to Problems
The government node would endeavour to evolve into a center that identifies and offers solutions for the problems commonly faced by governmental institutions.

The meeting resolved that the outline discussed should now be developed into a basic proposal for the governmental sector. The lead node for the sector, (Mozambique Land Commission, specifically represented by Maria de Conceicao Quadros) together with the Facilitator were appointed to work on this together. The meeting also proposed that a few other people were identified to work with Ms. Quadros and Ms. Mbaya. The proposal would include a political analysis of the issues at play.

6. National Level Mobilisation

Recall that Addis identified the fact that national level coalitions or networks of land organizations were at different stages of development in the various countries, being well developed in some, in their infancy in others and then again non-existent in others. This meant that the level of development of information networks was also very variable. For this reason, the network could not identify a single focal point per country through which communications would be channeled. Instead, the Network opted to identify, in each country the key organizations to which it would give information on how the Network will proceed. The meeting identified the following activities and information that was required to facilitate the mobilization of the Network at national levels:

- Identification of the key players
- Their inclusion as recipients of the “basic information”
- Their inclusion so that they may inform the sectoral programmes

These form the basic objectives of the interim steering committee with respect to the national mobilization drive, together with the identification of participants for the sub-regional conference. Additional activities, anticipated to be promoted by the existing networks within the respective countries include:

- The promotion of the Network and the “enrolment” of new members
- Enhancement of the coordination of organizations at national level

The meeting deliberated on the strategy for the achievement of the above-mentioned activities. The basic strategy would work through information exchange and to develop the sectoral networks. Specific mechanisms would be evolved mostly from the sectoral nodes and to a lesser extent from the ‘center’. These mechanisms will be finalized in the proposals being developed and are a design feature.

7. Sub-regional Conference

As follow up to the resolutions of the Addis forum, and as part of the strategy for operationalising the Network, the meeting confirmed the decision to a sub-regional conference. Two two-day conference is discussed in the next section of this report.

8. Full Scale Network Establishment

Full scale network establishment was described as when the sectors were fully developed and their activities well underway. This was not anticipated to be achieved before the year 2002.

F. Planning the Sub-Regional Conference

1. Aim of the Sub-Regional Conference

The aim of the Conference was articulated as:

To consolidate the process of establishing a Southern African Network on land rights.

2. Objectives of the Conference

The meeting articulated its objectives as:

- i) To review and further develop network activities, sector proposals and their budgets.
- ii) To put in place a permanent system for the management and coordination of the network (sector leaders & coordinator/facilitator of the network).
- iii) Formally launch the land Rights Network of Southern Africa

3. Timing and venue

The meeting agreed that the Conference should be preceded by a certain extent of development of the Network. A tentative date for the sub-regional conference was said to be towards the end of 2001.

Maputo (Mozambique) was selected as the venue for the Conference. The decision was a deliberate one, intended to break the isolation Mozambique that often results from the language difference operating between Mozambique and the majority of countries in the sub-region.

4. Selection of Participants

The guiding principle will be that of broader rather than narrow participation.

Participants will be drawn from the following groups of institutions

- i) NGOs working in the area of land
- ii) Networking organizations and networks addressing land related issues
- iii) Government institutions working on land
- iv) LandNet coordinators for LandNet East, West and the Horn
- v) Donors/international organizations

For each country, at least 3 representatives would be anticipated, one from a governmental institution, one from an academic institution and one from civil society. Participants would be drawn from the following countries:

1. Angola
 2. Botswana
 3. Lesotho
 4. Malawi
 5. Mozambique
 6. Namibia
 7. South Africa
 8. Swaziland
 9. Zambia
 10. Zimbabwe
 11. Democratic Republic of Congo
 12. Mauritius
 13. Seychelles
- } *

*The meeting recognized that contacts needed to be established in these countries. The Facilitator was tasked with establishing these in collaboration with other members of the interim steering committee.

5. Conference Agenda

A tentative agenda for the Conference was drawn up as follows:

- i) *Presentation of Background Paper*
Background to the network and its development and an update on activities and general development of the Network. This would include the objectives, scope, etc. of LRNSA as per network proposal. Would include how the networking at Africa level is expected to work.
- ii) *Presentation and discussion of sector proposal and progress made.*
- iii) *Discussion on a system for management and coordination*
This discussion would be based on a proposal developed by the Interim Steering Committee.
- iv) *Future perspectives*
A discussion encompassing various issues including;
 - Strategies for national, regional and wider networking
 - Long-term funding strategy for the Network

6. The Road to the Sub-Regional Conference

The meeting identified the following tasks to be carried out in preparation for the Conference.

6.1 Conference proposal

A proposal for the Conference would be prepared by the facilitator and the interim steering committee. The proposal would provide guidance for the necessary decisions preparations and would be used for fundraising purposes.

6.2 Sector proposals

Proposals for each of the sectors should be prepared. As mentioned previously, these will be prepared by lead nodes in consultation with other organizations prior to the Conference. Once prepared, they should be and circulated throughout the sub-region. The proposals will have a 3-5 year focus. Whilst the interim proposals, should be ready by December, 2000, these longer term proposals will outline the process through which the Network to transition to the 'coordinated network' stage.

6.3 Management proposal

The Meeting agreed that in preparation for the Conference, a proposal for the long term management of the Network would be prepared. The proposal would be prepared by the facilitator together with the interim steering committee. It would be presented for consideration by the Conference.

G. FUNDRAISING

1. Proposals to be funded

The meeting identified the following proposals to be funded:

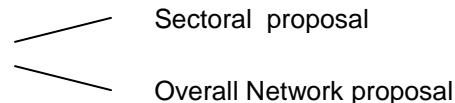
- Basic Information Exchange proposal
- Coordination proposal
- Sub-regional Conference proposal
- Sectoral proposals

The meeting was also informed of the possibility of IUCN funding under its Regional Policy Programme. Carmel Mbizvo indicated that there were existing opportunities under IUCN for inter-organisation attachments. Those present also agreed that the lead nodes should look into the use of internal resources (“own funds”) for the Basic Information Project, and for sectoral concept papers. Donors would then be used for sectoral projects and the implementation of the Basic Information Project.

2. Strategy for fundraising

2.1 The Unit vs. the Set

A two pronged approach to fundraising was agreed:



Hence sectoral proposals would be developed separately and the individual sector nodes would undertake fundraising activities. At the same time, the individual sector proposals would be compiled into an overall Network proposal by the center. The interim steering committee would then fundraise on the basis of the overall Network proposals and on behalf on the entire network.

2.2 Application of own resources

This was recognized as a valuable contribution that members of the Interim Steering Committee could, and had been making. This included the time put in by various individuals and needed to be quantified and indicated as institutional time in budgets accompanying the various proposals.

3. Existing network proposal

The existing proposal was said to require amending to transform it into a multi-donor, multi-issues proposals. The following changes to the existing Network proposal were agreed:

- i) Increase coordination to 18 months.
- ii) Preparation activities – these to be renamed intermediate/priority programme activities. For inclusion here:

- revision of original proposal
 - implementation of Basic Information project
 - basic coordination
 - sub-regional coordination
 - attachments
- iii) Re-budget the sub-regional conference.
- iv) Include three Steering Committee Meetings a year.
- v) Insert a line for the Basic Information Exchange Project.
- vi) Insert a column to reflect contributions from Network members.
- vii) Include a line for Missions – trips by the Steering Committee members to visit various countries and motivate members / potential members at national levels.
- viii) Line for technical assistance.
- ix) Line for government participation mobilization

H. NEXT STEPS

1. Next Meeting of the Steering Committee

In deciding an appropriate date for the next meeting of the interim steering committee, those present agreed that sufficient time was required to have allowed the following to be achieved:

- the conclusion of the sectoral proposals
- the approval of each sectoral proposal by the interim Steering Committee
- the securing of funds for sector activities
- the start of implementation of sector activities
- clarification of the membership and role of SANL
- finalisation of proposals: overall network proposal, Basic Information project; regional conference and the government sector proposal.

With these tasks in mind, the date of the next meeting was tentatively set for June to December, 2001.

Conclusion of Meeting

Professor Sam Moyo invited each participant to make some closing remarks. He then thanked the participants and the facilitator and congratulated them on what he described as very fruitful deliberations. Professor Moyo then closed the meeting.