

**Report of a Donor Consultative Meeting on Land Policy Issues:
World Bank Washington DC 24-27 April 2000**

***Land Policy and Administration: lessons learnt and new challenges for the
World Bank's development agenda***

An abridged version of DFID's internal report on this event

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Background

1. The meeting was hosted by the World Bank's Land Policy and Administration Group and by USAID. I attended on behalf of DFID. The purpose, as stated by the Bank, was twofold:

- i) to bring together key representatives from multilateral and bilateral agencies to explore the policy implications of the Bank's draft "lessons learned" paper on land policy and administration, debated by an electronic conference held during March, and
- ii) to identify areas for increased collaboration in addressing the key challenges arising.

2. In addition to WB and USAID representatives the meeting was attended by DFID, GTZ, DGIS (Netherlands) FAO, IADB, EU, the Popular Coalition, IFPRI, IIED, and IDRC representatives, as well as a number of leading academic researchers on land from Europe and the USA. The Bank looked forward to development of strong partnerships amongst donors and enhancing its own effectiveness in supporting client countries to address land issues. DFID's peer review papers and contributions of our collaborators to the debate were all well received by the Bank.

Areas of agreement

4. The meeting demonstrated considerable convergence of donor thinking on land policy. A fully revised and approved version of the "lessons learned" is awaited (publication expected by July) but the Bank already appears to have taken on board a number of the key issues advocated by DFID's Rural Livelihoods Department (RLD) and supported by others, on which the meeting achieved a broad consensus:

- A more regionally grounded approach to analysis of the main land policy issues and strategically focussed interventions is needed - beyond generic principles there are no universally applicable approaches and solutions.
- Policy should reflect a broader range of experience than the Bank's own.
- The balance has decisively shifted in favour of legal recognition and positive treatment of customary tenure arrangements. However, a more nuanced understanding of customary tenure is needed than the Bank has shown so far and discussed in the Lessons Learnt paper; this applies especially in Africa. In addition to legal recognition customary rights need to be supported by institutional arrangements involving customary authorities and local democratic

structures, backed and regulated by the state. For Africa, the meeting recognised the need to learn more about Botswana's experience with Land Boards, and its applicability elsewhere.

- The importance of secure CPR tenure and access (e.g. rangelands and forest resources, protected areas and biodiversity) needs to be stressed because of the significance of the commons for livelihoods, food security, vulnerable groups and environmental quality. Land policy and land administration systems must cater for the commons and provide for their decentralised governance, through the recognition of group and multi-stakeholder rights and management arrangements.
- The importance of attention to land policy and land access for poverty reduction needs to be fully articulated and land requires more emphasis in PRSPs, given the importance of land for economic and social development, good governance and environmental sustainability.
- The design of interventions and research on land should also be more fully integrated into rural development strategies as a whole. There is a need for better understanding of the linkages and trade-offs with other rural development measures (production, marketing support, credit, non-farm opportunities, water, infrastructure and NR management), wider economic development strategy, the promotion of food security and support for social, education and health sectors

Outstanding issues

5. The Bank paper's section on NR Management and the commons was the strongest and the closest to DFID livelihoods thinking, and other sections were not entirely consistent with it. It is not clear how the Bank will ensure that policy and practice in land administration in operations at country level will fully incorporate the principles of subsidiarity, decentralisation recognition of customary tenure and the governance of the commons, as opposed to the continuation of technically driven programmes for systematic registration and titling. This requires monitoring at both policy and country level.

6. The greatest controversy continues to centre around Market assisted land reform (MALR) which the Bank is trying to repackage as Community based land reform (CBLR). The Bank promotes MALR in Brazil as a showcase project, against a background of vigorous criticism from civil society, failed dialogue and ideological debate, especially in Latin America. It was acknowledged that fuller, independent evidence, M&E, and genuine dialogue is needed, alongside continued exploration of pilot approaches in various countries, and the possible synergies between market based approaches and the role of the state in regulating the land market and supporting redistribution.

Outcomes

7. A follow up meeting of a donor group (including WB, USAID, DFID, GTZ, FAO, EU and The Popular Coalition Against Hunger and Poverty) discussed follow up

action and continued donor communication and information exchange, in a follow up to the meeting held in Rome last year.

8. It was agreed that there should be follow-up regional consultations involving donors, partner countries and civil society, based on the revised Bank document. These could lead to more broadly owned region specific policies and strategies. The Bank is seeking collaboration from other donors to work with regional experts and resource people for workshops and consultation in different regions, and a proposal from Washington is expected shortly. USAID appears ready to continue as the main collaborator of the Bank . DFID would need to await the Bank's proposal and a revised version of the lessons learnt document in order to assess whether or not and how to assist.

10. If regional consultation goes well and leads to broad stakeholder agreement on regional land policy frameworks, the next objective would be a consensus-based document or documents addressing land issues globally and a framework for collaboration in the years ahead. There is a need for "building blocks for a common agenda" on land (as expressed by the Popular Coalition) in relation to global efforts to achieve sustainable social and economic development. It was suggested that these efforts should be set in the context of the forthcoming World Food Summit + 5 (November 2001) and the Rio + 10 conference (October / November 2002 in S.Africa). More information is needed on the preparatory processes for Rio + 10, to assess whether or not this approach will be feasible and worthwhile.

11. In addition to DFID Germany has now begun to support LandNET Africa via a GTZ project - *Regional networks of competence on land policy and land tenure*. Further support is planned, focussing on information exchange using an interactive database.

15. There was no detailed discussion of research issues, but a general recognition of the need for pooling donor knowledge on land policy for region and country specific application. Common research agendas and proposals might be expected to emerge from the regionally focussed stakeholder consultations on land policy. In this context priority areas are:

- synthesis research to draw together thematic and regional knowledge
 - improving knowledge on the linkages and trade-offs between investments in land policy and administration and other measures to enhance rural livelihoods and other sectors such as education components of rural development
- action research linked to pilot approaches addressing e.g. the legal recognition of customary tenure, land administration approaches to common property and the development of market based and community-driven approaches to land reform