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NSSP Workshop Report # 29

LGAF TECHNICAL VALIDATION WORKSHOP AND POLICY DIALOGUE MEETING

(Prepared by Professor Peter O. Adeniyi¹)

Nigeria Strategy Support Program (NSSP)
Workshop Report

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ABOUT NSSP

The Nigeria Strategy Support Program (NSSP) of the International Food Policy Research Institute (IFPRI) in collaboration with the Federal Ministry of Agriculture and Rural Development (FMARD) has an initiative to strengthen evidence-based policymaking in Nigeria in the areas of rural and agricultural development. This initiative, facilitated by USAID, supports the implementation of Nigeria's national development plans by strengthening agricultural-sector policies and strategies through:

- Enhanced knowledge, information, data, and tools for the analysis, design, and implementation of pro-poor, gender-sensitive, and environmentally sustainable agricultural and rural development policies and strategies in Nigeria;
- Strengthened capacity for government agencies, research institutions, and other stakeholders to carry out and use applied research that directly informs agricultural and rural policies and strategies; and
- Improved communication linkages and consultations between policymakers, policy analysts, and policy beneficiaries on agricultural and rural development policy issues.

ABOUT THESE WORKSHOP REPORTS

The Nigeria Strategy Support Program (NSSP) Workshop Reports provide a record of the presentations delivered during workshops and key comments from the audience and group discussions. The comments from the participants do not necessarily reflect the views of IFPRI.

Improving Land Sector Governance in Nigeria

**Implementation of the
Land Governance Assessment Framework (LGAF)**

Report of the Technical Validation Workshop and the Policy Dialogue Meeting²

held at the

Ondo Hall, Lagos Airport Hotel, Ikeja, Lagos

Thursday - Friday, November 3 - 4, 2011.

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1.0 Introduction

The Land Governance Assessment Framework (LGAF) is a diagnostic tool designed to identify areas where policy interventions may be needed to improve governance in the land sector. The Framework divides land issues into five thematic areas; (i) Legal and Institutional Framework; (ii) Land Use Planning, Management and Taxation; (iii) Management of Public Lands; (iv) Public Provision of Land Information; and (v) Dispute Resolution and Conflict Management and an additional module on Large Scale Land Acquisition (LSLA).

In line with the thematic areas, 21 Land Governance Indicators (LGI) have been developed and these have been broken down into 80 dimensions while the additional module on LSLA has 16 dimensions. The LGAF study in Nigeria is thus based on the assessment of 96 dimensions by expert panels in workshops organized in two locations in the country between April-May, 2011.

An essential step in the implementation of the LGAF is the technical validation of the findings of the country report and the conduct of a policy dialogue meeting. The Nigerian LGAF country report, after its completion, was therefore put forward for technical validation on Nov. 3, 2011. The objectives of the validation workshop are to present and discuss the LGAF findings with the view of assuring consistency of the results; discussing and prioritizing areas for policy reform and proposing next steps to provide sustainability to the LGAF process. In line with these objectives, knowledgeable and experienced professionals in the land sector were selected from all over the country. In all, 30 local participants comprising relevant public officials, representatives of civil society, professional bodies, the academia including the country coordinator (CC) and 13 participants from international organizations including the World Bank, IFPRI, UNECA and DFID (GEMS) among others were in attendance (Annex 1).

The policy dialogue meeting, which is to discuss and prioritize areas for policy reform, make actionable recommendations and propose next steps to provide sustainability to the LGAF process, was conducted on Nov 4, 2011. In attendance are policy makers at appropriate levels. Specifically, 28 participants from Nigeria and 9 representatives from international organizations attended the meeting. Among the Nigerian participants are the representative of the Senate President of the Federal republic of Nigeria (Senator ‘Gbenga B. Ashafa), the President of the Nigerian Bar Association (NBA), the President of the Nigerian Institution of Estate Surveyor and Valuers (NIESV), Director of Economic Growth in the National Planning Commission, and the representatives of the Federal Ministries of Agriculture and Rural Development, and that of Lands, Housing and Urban Development (Annex 2).

The minutes of the validation workshop and policy dialogue meeting are presented below:

2.0 Minutes of the Technical Validation Workshop

2.1 The Morning Session

The validation workshop was called to order by the Country Coordinator (CC) - Prof. Peter Adeniyi, when he introduced himself and requested other participants at the workshop to do the same. He thereafter gave a brief description of the LGAF implementation process which includes:

- i. The appointment of the country coordinator
- ii. Recruitment of Expert investigators

- iii. Selection and composition of Expert panel members
- iv. Conduct of panel workshops and the development of panel workshop reports
- v. Preparation and submission of country report
- vi. Technical Validation workshop and policy dialogue
- vii. Preparation and submission of finalized/ revised country report.

The CC then remarked that having successfully passed through the five initial important phases, the LGAF implementation process in Nigeria, is now on the technical validation and policy dialogue phase. This phase is meant to discuss and validate the findings of the LGAF country report in order to ensure its consistency, identify the most critical policy issues and proffer actionable recommendations.

The CC, still on the description of the LGAF process laid emphasis on the important roles of the expert investigators and expert panels. The four expert investigators used in the study had the responsibility of assessing and gathering data on selected 59 out of the total 96 LGAF dimensions. The data gathered were given to the nine expert panels to help them reach consensus during the panel workshops.

The neutral position of the CC was also made known to the participants. Specifically, it was noted that, the CC was involved only in the coordination of the study. The assessment of the dimensions was solely done by the expert panels based on their knowledge and experience and were only assisted by the data gathered by the expert investigators. To accentuate the neutrality of the CC, the CC indicated that the substantive findings of the study in line with the LGAF thematic areas would be presented either by an expert investigator or a member of the expert panel that dealt with each of the six thematic areas.

The representative of the World Bank (Klaus Deininger) after the welcome address by the CC gave the opening remarks. He emphasized the social, economic and legal functions of land which makes land governance an issue of global concern. The general overview of his speech includes: the historical background to LGAF, the rationale for the selection of Nigeria and the structure and expected outcomes of the LGAF.

The speech of the World Bank representative was followed by the presentation of the substantive findings on each thematic area after which the validation exercise itself was done during which comments, clarification and consensus were reached.

To aid the participants in the validation process, the substantive findings were displayed on one screen, while on another screen the descriptions of the dimensions and the four coded assessment options for each of the 96 dimensions were displayed. This was to enable the participants appreciate the contributions of the expert panels in the assessment of the dimensions as well as to enhance the understanding of the participants in the validation of the findings.

The comments coming after the presentation for each of the six thematic areas are presented below:

Legal and Institutional Framework

The substantive findings under this thematic area were presented by Mr. Valentine Ofogba, a legal practitioner, a member of the Presidential Technical Committee on Land Reform (PTCLR) and the LGAF expert investigator on Land Tenure. The findings reveal that out of the 27

dimensions, only 2 were ranked A, 5 ranked B, 12 ranked C and 8 ranked D. The presented findings were accepted by the participants indicating that it reflects the true position of the country with respect to the Legal and Institutional Framework. The findings were therefore validated.

Land Use Planning, Management and Taxation

The substantive findings on this thematic area made up of 5 LGIs broken down into 17 dimensions were presented by Mr. Waheed Kadiri, a professional town planner and member of the expert panel on Urban Land Use Planning and Development. The presented findings show that out of the 17 dimensions assessed by the expert panels, none was ranked A, only 1 was ranked B, while 8 were ranked C and D respectively.

The findings under this thematic area were all accepted except that of the LGI 10(i) which states that, *the assessment of land/property for tax purposes is not clearly based on market prices* (Ranking D). The opinions of the participants on this dimension were widespread and seriously debated. While some were of the opinion that the chosen ranking was appropriate, others felt that ranking option C which states that *the assessment of land/property for tax purposes has some relationship to market prices, but there are significant differences between recorded values and market prices across different uses or types of users and valuation rolls are not updated regularly* would be more appropriate for the country. A consensus was however reached when the CC subjected the assessment of the dimension to voting by the participants with those in support of option C numbering 15 while 7 participants supported option D.

With the modifications on LGI 10(i), the substantive findings on Land Use Planning, Management and Taxation thematic area were validated. The validated results show that none of the 17 dimensions was ranked A, only 1 was ranked B, 9 ranked C and 7 ranked D.

Management of Public Land

The findings on this thematic area were presented by Venerable Andrus Ukaejiofor, the Coordinator of the Federal Land Information System (FELIS), a member of the Presidential Technical Committee on Land Reform (PTCLR) and the expert investigator on Management of Public Land and Public Provision of Land Information thematic areas. The presented findings show that out of the 16 dimensions under this thematic area none was ranked A, 2 ranked B, 10 ranked C, while the remaining 4 were ranked D.

The presented findings were accepted and validated after comments and clarification of the terms “expropriation” and “acquisition” were made.

Public Provision of Land Information

The substantive findings under this thematic area were presented by Dr. Muhammad Bashar Nuhu, a member of the expert panel on Public Provision of Land Information. The presented findings reveal that, out of the 13 dimensions assessed by the expert panel, 2 were ranked A, 1 ranked B, 3 ranked C, while the remaining 7 were ranked D.

The findings on LGI 19 (ii) which states that, *mechanisms to detect and deal with illegal staff behavior are largely nonexistent* (ranking D) was opposed by some participants. They noted that, mechanisms to detect illegal staff in the registries are in existence but are rarely enforced. They opined that ranking B which states that, *mechanisms to detect and deal with illegal staff behavior*

exist in all registry offices but cases are not systematically or promptly dealt with will be more appropriate.

It was argued that Land Registries being government institutions are governed by the public service rules (PSR), financial regulations (FR) and other set of laws. Also, based on government policy, SERVICOM offices have been established in Ministries, Departments and Agencies (MDAs) to facilitate efficient service delivery and timely redress for service failures. All these combine to provide sufficient mechanisms to detect and deal with any form of unwholesome practice and misconduct in the Land Registries.

The position of most of the participants at the workshop is therefore that, the required mechanisms to detect and deal with misconduct in the registries do exist and that what is lacking is the appropriate enforcement and execution of the regulations and mechanisms. On the strength of this observation, the participants adopted ranking option B after a vote where 19 participants voted for option B and 5 for option D.

Another LGAF dimension's ranking which attracted serious debate is that of LGI 17(ii) which states that, *less than 50% of the ownership information in the registry/cadastral is up-to-date*. It was noted that the maintenance (updating) of the land register may be an individual rather than a system problem. The public in most cases, it was noted, do not report changes in land information to the registries to update their information.

With the change in the ranking of dimension LGI 19(ii) from D to B and clarification on LGI 17(ii) the presented findings were validated.

Dispute Resolution and Conflict Management

The substantive findings on this thematic area with 2 LGIs broken into 7 dimensions were presented by Mrs. Caroline Etuk, the Director of the Lagos Multi-door court house and a member of the expert panel on dispute resolution and conflict management. The findings show that 1 of the dimensions was ranked A, 3 ranked B, 1 ranked C while the remaining 2 were ranked D.

The findings on Dispute resolution and conflict resolution were accepted by the participants and validated.

Large Scale Land Acquisition

The findings on large scale land acquisition module made up of 16 dimensions were presented by Dr. Sola Atilola, the former president of the Nigerian Institute of Surveyors and a member of the expert panel on Large Scale Land Acquisition. Out of the 16 presented dimensions, none was ranked A, 1 was ranked B, 6 was ranked C while the remaining 9 were ranked D.

The presented findings were accepted by the participants and thus validated.

Based on the above process, the validated LGAF country scorecard is presented in Annex 3.

2.2 The Afternoon Session

This session which started immediately after lunch was designed, in the light of the validated findings, to identify key policy issues and propose policy reform actions to improve land governance in the country. In line with this objective, all participants present at the validation

workshop were divided into six groups based on the thematic areas (Annex 4) with the presenters of the substantive findings serving as chairpersons of the groups.

The outcome of the syndicate group's work was presented at the plenary session by their chairpersons. The result of this process is presented below.

Legal and Institutional Framework

- The Land Use Act is misunderstood, incomplete and represents reasonable constitutional basis for effective Land Governance as it presently recognizes all existing land rights of persons and groups.
- The Land Use Act is a piece of legislation in dire need of advancement. Since over 30 years of passage, there is need for urgent regulation to be passed to advance the land administrative process as expected by Sections 3 and 46 of the LUA by the National Council of States.
- In the light of the constraints of the National Council of States, there is need to have established a National (Land) Commission to help identify its weak areas and to develop the urgent regulation after conducting pilots schemes within the states and using evidenced based legislative process and to present same for passage by the National Council of States.
- It is the National Land Commission that will coordinate, develop and propose the enactment of the appropriate regulation for land registration, survey/mapping administration coordination and regular review of regulation based on evidence of pilot schemes from the states.

Land Use Planning, Management and Taxation

- Review of existing land use plans, regulations and preparation of land use plans where none existed.
- Strengthening of the institutional framework for the enforcement of land use plans and regulations.
- Sustained sensitization of the public with procedures established for enforcing benefit of changing land use.
- Making standards and methods of land/property assessment open to the public.
- Continuous monitoring of the implementation of developed plans.
- Review of planning standards, plot size, land use class, complementary uses, etc
- Ensuring the use of professionals in the administrations/ implementation of development plans and limiting number of necessary documents required for planning permit applications
- Preparation of planning permit guidelines that would serve as guide to developers.
- Preparation of variety of model plans for adoption by individuals.

- Use of private consultants for planning approval process.
- Sensitization of stakeholders on the need and modalities for collection of taxes through improved services.
- Review and establishment of valuation roll to be used beyond tax purposes.
- Eliminate the use of touts and crude tax collection methods.
- Strengthen the role of the estate-surveyor in the valuation process.
- Periodic review of valuation and assessment of properties.
- Clearly delineate and legislate institutional responsibility for administration and control of land performed at various levels (vertically) and within organizations (horizontally).
- Implement a clear-cut mandates and enforce rules and regulations for the management of land in the country at all levels.

Management of Public Lands

- Computerize or digitize all public land (local, state and federal) records.
- Undertake a comprehensive inventory of public lands across the country. Undertake public enlightenment on the inventory programme.
- Enjoin all public institutions holding land to provide funds for precise cadastral demarcation of their land/properties on the ground and on maps.
- Registration of all public land within the national cadastre and records linked to the National land depository.
- All tiers of Government should digitalize their land management system within five years
- Ensure regular update of the records and recording system.
- Undertake a study to determine the type, level of ambiguity and the causes of ambiguity.
- Institutionalize the activities the National Technical Development Forum on Land administration. Apply the study result to streamline the management responsibilities of land institutions.
- Establish the National Land Depository to monitor progress in the implementation of effective land governance.
- Undertake a comprehensive inventory of the state of land management institutions and the Land Registries and land management infrastructure.
- Capacity building and training in all aspects of land administration and provision of infrastructure.
- Institutionalize the process of land governance.
- Ensure the establishment of the National Land Commission to implement Continuous system monitoring
- Organizations acquiring land should show evidence of proven capacity to pay prompt compensation and justify the purpose of acquisition. No land should therefore be

subjected to the control of any government unless and until compensation is fully paid to affected claimants so as to ensure conclusive acquisition, transfer and use.

- Use the procedures prescribed by prevailing law and ensure prompt payment of compensation
- Review appropriate clauses in the Land Use Act
- Ensure that standards are sustained
- Ensure the existence of a functional Land Use and Allocation Committee
- Create awareness concerning the role of LUAC in dispute resolution
- Ensure that all transactions in land are advertised in the spirit of due process
- Ensure sustained transparency in all aspects of land transactions
- Monitor the operations of all public land transactions.

Public Provision of Land Information

- Establishment of service charter with clear responsibilities and rights. This should contain workflow, enforcement mechanism, training (capacity development) and publicity, (16(iii), (iv); 17(i); 19(i) & 19(ii) – (Short Term)
- Computerization//digitization of land registry and mapping backed back-up with political will to drive it, with eventual networking of all the land registries. (16(i), (iii); 17(ii) – (long term)
- Land registry cost should be affordable balanced with system sustainability. The group advocate for introduction of business plan in land registries. The charges must be made public – (medium term).

Dispute Resolution and Conflict Management

- Land reform initiative involving nationwide land cadastration programs for land demarcation and registration of title to land.
- Upgrading and computerization of federal and state land registries to streamline and standardize the registration of titles and maintain proper records.
- Massive awareness should be articulated and implemented on a sustained basis to popularize and make available to the citizenry the legal requirements for the registration of titles and other formalities for dealings in land.
- Initiation of legal reform on a national and state level for the expeditious and effective resolution of land disputes through the Nigerian legal system.
- The establishment of new ADR institutions and the strengthening of existing ones and streamlining ADR mechanism into the justice system to deal with land disputes.

- Identify and empower traditional institutions, informal systems and sensitive target groups (women, youth and traditional rulers), and establish standards for dispute resolution intervention within a legal framework.

Large Scale Land Acquisition: Policy Recommendations

- Creation of a one stop shop as an investment registration desk at the State level for investment in land in Nigeria – stating the acquisition procedure, incentives, responsibilities, benefit/risk sharing arrangement, social and environmental safeguards in conjunction with the stakeholders.
- Public Sensitization on the need to register their title to land in both rural and urban areas.
- Strengthen and standardize the existing procedure for land acquisition and pay compensation at the open market value of the appropriated land
- Adjustment of the LUA to make it more investor friendly.
- The monitoring of the social and environmental implications of the investment should be the responsibilities of the agencies created for such by the law
- Systematic and compulsory registration of all interests in land. To this end, government should follow through the Land Reform effort of the previous Federal Government Administration
- Adequate planning and Land Use Zoning in the country into agriculture, industrial parks, forest, wetland, etc. based on a comprehensive mapping and cadastre survey.

After the presentation by the representatives of the syndicate groups, and a brief discussion, the CC while thanking the participants for their active contribution throughout the day, informed them that the outcome of the debated issues and proposed actions would be streamlined and reformatted for presentation at the policy dialogue meeting coming up the following day. The reworked policy recommendation is presented in a matrix form as shown in Table 1.

Table 1: Policy Issue, Proposed Action and Monitoring Indicator

1. LEGAL AND INSTITUTIONAL FRAMEWORK		
Policy issue	Proposed action	Monitoring indicator
<p>The fact that more than 30 years after its passage, none of the key pieces of regulation envisaged in the LUA (S. 3 and 46) has been passed. This has seriously undermined good land governance and effective land use planning in the country.</p> <p>A high degree of vertical and horizontal overlap among land institutions creates confusion, high levels of transaction costs, and undermines good governance in the sector.</p>	<p>To enable the National Council of States to pass needed regulations and to monitor land system performance on a regular basis, a National Land Commission as a technical body with representation from key actors needs to be established.</p> <p>Conduct and carefully evaluate pilot studies in relevant areas to provide evidence to inform the drafting of key regulations for land registration and survey/mapping in two states within one year.</p> <p>Study to identify horizontal and vertical overlaps in the land system and recommend solutions.</p>	<p>Establishment of the Commission</p> <p>Evaluation of results of the pilots.</p> <p>Drafting of regulations</p> <p>Provision of information and arrangements for monitoring.</p> <p>Study conducted and recommendations disseminated & discussed.</p> <ul style="list-style-type: none"> - % increase of land registration, leases and land transfers - reduced boundary conflicts -reduction in transaction costs and time -reduction of vertical and horizontal
2 LAND USE PLANNING, MANAGEMENT AND TAXATION		
<p>While land use plans are necessary to guide development in urban and rural areas, they are mostly unavailable leading to haphazard growth.</p> <p>Absence of property tax administration, assessment and collection hinders decentralization and effective provision of local services.</p>	<p>Prepare strategic development plans with adequate implementation and enforcement regulations; sensitize the public on their existence and importance.</p> <p>Review planning standards, plot size, land use class, and adoption of model plans for public use.</p> <p>Develop, disseminate, and help implement transparent systems for property tax administration, assessment, and collection for use by local governments at different sizes.</p>	<p>Continuous monitoring of the implementation of development plans</p> <p>Property tax guidelines available and understood by citizens, professionals (e.g. valuers), and local governments.</p> <p>Increase in property tax assessments and actual collection.</p>
3 PUBLIC LAND MANAGEMENT		
<p>Lack of information on the location and extent of public land makes it impossible to properly manage and protect this critical asset.</p> <p>A large number of expropriations occurs without prompt compensation, thus leaving those losing land worse off, with no mechanism for independent appeal even though the land is often not utilized for a public purpose.</p> <p>Divestiture of public land is less transparent and therefore does not generate revenues for the public sector.</p>	<p>Undertake a comprehensive inventory of land owned by all tiers of government</p> <p>Legislate clear single process for acquisition of land by all government agencies to ensure due process for land acquisition by requiring publicity, compensation in line with global best practice and ensure availability of independent avenues for appeal. Put in place sanctions for mis-behavior.</p> <p>Ensure publicity of rental agreements.</p>	<p>Inventory has been established and mechanisms to maintain it currently exist.</p> <p>Legislation to regulate expropriation has been enacted and is effectively applied.</p> <p>Share of transactions that are advertised</p>
4 PUBLIC PROVISION OF LAND INFORMATION		

	<p>Incomplete coverage (3%) and spatial reference of registry information fosters conflict, corruption, undermines investment, land market functioning, and housing finance.</p> <p>Lack of processes for automatic updating undermines the value of the land registry as a tool for private sector development.</p>	<p>Link textual and spatial data. Building on pilots (see 1.) to develop procedures for systematic expansion Establishment of a registry service charter publicly available and binding for both user and officials.</p> <ul style="list-style-type: none"> -Study for registry processes streamlining, and control - Revision of requirements for different registration services - Establishment of sanctions and avenues for appeal. - Drafting of charter of services - Training program designed and implemented -Awareness campaign designed and implemented. 	<p>Share of registry records with textual and spatial information integrated. Share of the land under private use that is registered and mapped. Implementation of service charter leads to higher levels of customer satisfaction.</p>
5	DISPUTE RESOLUTION AND CONFLICT MANAGEMENT		
	<p>Lack of parcel demarcation leads to individual and communal crisis. Lack of awareness of the rights and avenues to enforce them reduces the ability to access and properly utilize land especially for vulnerable groups. High level of pending conflicts undermines investment and efficiency of land use.</p>	<p>Disseminate existing laws and sensitize different groups about their rights under the law and ways to enforce them. Link between spatial and textual data (see above) to reduce boundary disputes. Mainstream traditional institutions and ADR into the justice system to reduce backlogs and improve access to justice, especially for vulnerable groups. Increase the formal system's ability to speedily resolve dispute by building capacity and rationalizing assignment of responsibilities.</p>	<p>Increased number of parcel demarcation</p> <p>Knowledge of relevant legal provisions and avenues for enforcement in the population and specific groups (e.g. women). Reduction of backlog of conflicts. Number of new conflicts reaching the formal system decreases.</p>
6	LARGE SCALE LAND ACQUISITION		
	<p>Lack of clear and efficient procedures for large scale investment reduce Nigeria's ability to attract technically qualified investors. Realized investments often are technically, environmentally, and socially unsustainable. The need for government to expropriate land before it can be transferred to investors opens space for discretionary behavior and, due to procedural weaknesses (see up), often undermines the livelihood of local people. Lack of local involvement, non-transparent contracts, and lack of monitoring undermine the scope for FDI (foreign direct investment to provide benefits to locals and contribute to development.</p>	<p>Review and streamline regulations for land-related foreign investment. Create a one-stop and conduct publicity campaigns among potential investors. Adaptation of existing EIA and SIA mechanisms to the needs of land-related investment, mandatory publication of these documents, and increased efforts at enforcement. Review of other relevant procedures in light of international standards and best practice. Ensure those affected by large scale land acquisition have the choice of receiving compensation in kind and explore options for direct negotiation between investors and local communities. Ensure arrangements for large scale land transfer are negotiated and agreed upon by local land users, that mechanisms for benefit sharing and arbitration are specified, and that contract terms are publicly available to facilitate monitoring.</p>	<p>Number of viable investment proposals increases. Number of failed projects due to technical, environmental, or social problems and conflict decreases. Living standards in areas affected by FDI improve.</p>

3.0 Minutes of the Policy Dialogue Meeting

The Policy dialogue meeting, which was also held at the Ondo Hall of the Lagos Airport Hotel on Nov 4, 2011, was declared open by the CC. After introducing himself, he requested the participants to do the same.

After the introduction, the CC made a brief presentation in which he explained the LGAF implementation process. He indicated that the implementation process in Nigeria, made up of 7 phases, is presently on the sixth phase having successfully passed through the first 5 phases as earlier indicated. He also informed the participants that the objective of the Dialogue Meeting is to, on the basis of the LGAF country report, identify and discuss areas for policy reform based on the report of the Technical Validation Workshop the previous day.

In order for the participants to appreciate the policy issues as well as the required actions to address them, the CC made a summary presentation of the substantive findings in all the six thematic areas of the LGAF study. He informed the participants that the consensus ranking of the 96 dimensions reveals that land governance in Nigeria is very weak. This he attributed to the fact that out of the 96 dimensions assessed, 5 was ranked A, 14 B, 41 C and 36 D. Thus, over 80% of the 96 dimensions were ranked C & D.

At the end of this presentation, the representative of the Senate President, Senator ‘Gbenga B. Ashafa delivered the message of the Senate President where he noted that:

“Among the factors of production, Land is perhaps the scarcest and it remains fixed since creation. This silent but salient fact calls for conscious and quality attention in the ways Land — a factor of production — is managed to achieve agricultural revitalization, job creation, crop diversification, housing, construction and infrastructural optimization and other myriads of uses that guarantee posterity and preservation of life. Land Governance is central to sustainable development of the real sector of the economy and must be elevated to the level of strategy through initiatives of this sort... I have no doubt in my mind that the take-out from today’s session would form a critical input in the Constitution review exercise” (Annex 5).

The tone of this message enlivened the dialogue meeting.

The message of the Senate president was followed by a brief address by the Director of the Economic Growth Department of the National Planning Commission (Dr. Nasifi Abdullahi). In his address, he stated that the commission is happy with the contributions of the World Bank, IFPRI and other sponsors to the study of land governance in the country. He noted that land is strategically important for the actualisation of Nigeria becoming one of the twenty world largest economies by the year 2020. He specifically emphasized that a good Land Governance is a critical success factor for the realisation of poverty alleviation through the improvement of the daily earnings of most Nigerians especially the farmers.

The presidents of the Nigerian Bar Association (NBA) and the Nigerian Institution of Estate Surveyors and Valuers (NIESV) also made brief presentations where they both expressed the importance of good land governance. While, the president of the NIESV noted with joy, the timely intervention of the World/IFPRI and other sponsors for this study, the president of the NBA noted that the call for the annulment of the LUA may be unnecessary. In his view, he suggested that what is necessary is to carry out a thorough review of the law. In this regard, he

encouraged everybody to participate in the review of the law when the time comes. He further promised to discuss the result of the LGAF findings with the members of the NBA.

Elder Fortune Ebie, the pioneer General Manager of Federal Housing Authority (FHA) and the pioneer President and Managing Director of Shelter Afrique commented on the details of the LGAF as well as the revelation of the state of Land governance in the country. In response to the call by the representative of the Senate president that the public should participate at the public hearings on constitutional review, Elder Ebie indicated that there is a need for the Federal Legislative houses to give enough time to enable the public make inputs into the constitutional review. In this regard, the time for the public hearing for any aspect of the constitution as well as the Land Use Act should be publicised early enough to allow more Nigerians to participate.

After this initial presentation and comments, the CC proceeded to present the policy recommendations (comprising policy issues, proposed action and monitoring indicators) based on the six LGAF thematic areas drawn up the previous day by the participants at the Technical Validation workshop (see Table 1).

On the presentation of the policy recommendation, a number of issues were raised and agreements were reached. The issues include the following:

First, the issue of the institution that will implement the proposed actions was raised. In this regard and in recognition of the long term nature of land reform, the establishment of a commission which would provide a firm and sustainable institutional foundation was suggested. However, a participant informed the meeting that the federal government is currently looking at reducing the number of commissions in the country. It was further argued that the creation of such a commission may lead to increased bureaucratic bottleneck especially those associated with corrupt practices. In response, it was noted that the national council of states have not been able to produce necessary regulations to guide the implantation of the LUA in the last 30 years as a result of the absence of a technically competent National Institution on land to assist the activity of the National Council of States. Given the very weak status of land governance in the country, and the long term nature of providing sustainable solutions for improved land governance in the country, it was generally agreed that a land commission would be required to provide a stable foundation for land reform in the country.

Second was a question on whether the execution of the policy action is contingent upon the establishment of the commission. This issue was raised because of the time frame it will take to establish a commission. The CC responded that the Presidential Technical Committee on Land Reform (PTCLR), in the interim, should be able to act on the proposed actions as well as take responsibility for monitoring the implementation of the proposed actions in collaboration with appropriate federal, state and local governments, ministries / agencies. It was further reported that the PTCLR has made plans to carryout out pilot studies in two states with other stakeholders.

On the issue of carrying out the pilots in the two states, a participant suggested that it might be politically wise to carry out the pilot studies in the 6 geo-political zones of the country. In response to this question, the CC explained that the original plan of the PTCLR was to carry out the pilot schemes in all the 6 geo-political zones by selecting two local government areas (LGAs) (one urban, one rural). Inadequacies of resources, the time required to complete the studies as well as the lessons learnt from other countries where such exercises have been carried out made the PTCLR to take the option of 2 pilot sites. This decision was further taken in order to use the

pilot studies to provide sufficient field information that could be used for the review of the LUA. Based on this explanation, the meeting endorsed the idea of the two pilot sites.

Other issues discussed include:

The mapping of public land, inventory of public lands at all levels and publications of details on land allocations as well as transparency of the process on land allocation. The meeting agreed that there is the need to design a format to do so, as well as the strategy to use to monitor compliance especially in respect of Large Scale transfer of land to investors.

In order to avoid the endemic problem of having good policies without creating opportunities for their implementation, the meeting urged the government to take necessary steps to implement the proposed actions.

At the end, the members requested that the matrix of policy recommendation should be forwarded to them online for any further comment within a given period. Subject to any comment, the meeting endorsed the recommendations.

The vote of thanks for the conclusion of the meeting was given by Venerable Andrus Ukaejiofo where he acknowledged the contributions of all stakeholders. He specifically thanked the representative of the Senate President – Senator ‘Gbenga Ashafa not only for his presence but also for his passionate contribution. Same gratitude was also expressed to the President of the Nigerian Bar Association, the President of NIESV and the representatives of international organizations present. The promoter of the study and the meeting were equally acknowledged and appreciated. Finally, he noted that the study and its findings and recommendations belong to Nigerians and should be warmly accepted and implemented to the letter.

3.1 The Matrix of Policy Recommendation

At the expiration of the period given to the participants to make comments on the policy recommendation, comments were received from only few of the participants. The received comments, which did not alter the already endorsed policy recommendations, were used to produce the revised matrix of policy recommendations shown in Annex 6.

Annex 1: Attendance List, Technical Validation Workshop

**Improving Land Sector Governance in Nigeria
Implementation of the Land Governance Assessment Framework
LGAF Technical Validation Workshop**

Venue: Lagos Airport Hotel, Ikeja, Lagos

Date: Thursday, November 3, 2011

Attendance List

Participants from Nigerian Institutions

S/No	Name	Organisation
01	IBUOYE Ayo (Mr.)	Ayodele Ibuoye & Co. Suites 1 & 2, Garachi Plaza, Conakry Street, Zone 3, Wuse, Abuja.
02	JOSEPH S. B. (Jnr.) (Mr.)	S. B. Joseph & Co. 140 Borno Way, Ebute Metta, Lagos.
03	AGORO M. (Engr.)	Representative, Engr. S. O. Jayesimi Chairman, Nigerian Society of Engineers, (Lagos Chapter)
04	MUMUNI Adetokunbo (Mr.)	Executive Director, Socio-Economic Rights and Accountability Project (SERAP), Ikeja, Lagos.
05	ACHAKPA Priscilla (Ms.)	Executive Director, Women Empowerment Programme, Gaduwa Housing Estate, Abuja
06	OLUWATOSIN Y. Idowu (Mrs)	Alliance Cornestone Youth Organisation (ACOPO Concepts)
07	UGBAH James (Mr.)	Federation of Urban Poor, Gaduwa Housing Estate, Garki, Abuja.
08	SHAAHU Gladys H. (Lady)	Chair, Benue Non-Governmental Network (BENGONET), Makurdi, Benue State.
09	ETUK Caroline (Mrs)	Director, Lagos Multi-Door Courthouse

10	OFOGBA Valentine (Mr.)	Lawsprings & Co., Akintola Williams Deloitte House, Ikorodu Road, Lagos.
11	KADIRI Waheed (Mr.)	Former National President, Nigerian Institute of Town Planners
12	ATILOLA Sola (Dr)	Former President, Nigerian Institution of Surveyors
13	DOGO David (Mr.)	National Orientation Agency and Representative, Presidential Technical Committee on Land Reform, Abuja.
14	BALAMI John (Barrister)	Private Legal Practitioner and Representative Presidential Technical Committee on Land Reform, Abuja.
15	TABANSI G.T.N. (Sir)	Federal Ministry of Lands, Housing & Urban Development, Abuja
16	UKAJIEFO Andrus N. (Venerable)	Federal Ministry of Lands, Housing & Urban Development, Abuja
17	OMOTAYO Sule Musafau (Mr.)	Federal Ministry of Agriculture and Rural Development, Abuja
18	YASHI Y. U. (Surv.)	Directorate of Survey and Town Planning, Ministry of Lands & Housing, Abubakar Umar Secretariat, Bauchi, Bauchi State.
19	AMIOFORI Dirokweni J. (JP) (Chief)	Director of Lands, Ministry of Lands and Survey, Port-Harcourt, Rivers State.
20	AARON Muttang (Mr.)	Director of Lands, Ministry of Lands and Housing, Jos, Plateau State
21	OGWUNGA Basil Emeka (Mr.)	Director of Lands, Ministry of Lands, Survey and Urban Planning, Owerri, Imo State
22	OLORUNLEKE J. O. (Mr.)	Special Adviser on Land Matters, Lands Bureau, Ekiti State
23	FALODUN O. A. (Mrs)	Lands Bureau, Ekiti State

24	ACHIKE Anthonia Ifeyinwa (Dr)	Department of Agricultural Economics, University of Nigeria, Nsukka.
25	ASAJU Simon (Prof.)	Department of Estate Management, Federal University of Technology, Akure, Ondo State.
26	AYANWALE Adeolu (Prof.)	Department of Agricultural Economics, Obafemi Awolowo University, Ile-Ife, Osun State.
27	ELIAS Peter (Dr)	Department of Geography, University of Lagos, Akoka, Yaba, Lagos.
28	ODUWAYE Leke (Prof.)	Dean, Faculty of Environmental Sciences, University of Lagos, Akoka, Yaba, Lagos.
29	NUHU Muhammad Bashar (Dr)	Department of Estate Management, Federal University of Technology, Minna, Niger State.
30	ADENIYI Peter Olufemi (Prof.)	LGAF Country Coordinator

Participants from International Organizations³

S/No	Name	Organisation
01	DEININGER Klaus	World Bank
02	GHEBRU Hosaena	IFPRI
03	ENDO Victor	LGAF Global Coordinator
04	ALI Daniel	World Bank
05	SHEU Salau	IFPRI
06	SANDALL Richard	Private Sector Development Specialist, GEMS Programme, World Bank, Nigeria
07	ABIMBOLA Adubi	Senior Agricultural Specialist, World Bank, Nigeria
08	ENGLISH Clive	Project Director, HTSPE, UK

³ The invitation sent to Howard Batson of USAID unfortunately did not reach him due to a misspelling of his email address in the outgoing message

09	ADEGOKE Adewale	National Lead Consultant, Land Growth and Employment in States, GEMS 3 DFID
10	AMBURY Martyn	GEMS 3 DFID
11	HALE Rob	DFID
12	EZIGBALIKE Chukwudozie	UNECA
13	OKUMO O. Austen	IFPRI

Secretariat

S/No	Name	Organisation
01	BADRU Gbolahan	Research Assistant to the Country Coordinator
02	OGUNSAKIN Victor Oluwafemi	Secretary to Prof. Adeniyi
03	ADENIYI Olumuyiwa	Support Staff (Technical)
04	ALUKO Opeyemi Michael	Support Staff (Operation)

Annex 2: Attendance List, Policy Dialogue Meeting

**Improving Land Sector Governance in Nigeria
Implementation of the Land Governance Assessment Framework
LGAF Policy Dialogue Meeting**

Venue: Lagos Airport Hotel, Ikeja, Lagos

Date: Thursday, November 3, 2011

Attendance List

**Participants from Nigerian
Institutions**

S/No	Name	Organisation/Address
01	ASHAFA B. 'Gbenga (Senator)	Representative, Senate President, National Assembly, Three Arms Zone, Abuja.
02	DAUDU Joseph Bodunrin (SAN)	National President, Nigerian Bar Association
03	ABDULLAHI Nazifi (Dr)	Director, Economic Growth, National Planning Commission, Abuja
04	ADEDIJI Bode (Mr.)	National President, Nigerian Institution of Estate Surveyors and Valuers
05	TABANSI G. T. N. (Sir)	Federal Ministry of Lands, Housing & Urban Development, Abuja
06	ONABANJO O. O. (Mr.)	Federal Ministry of Lands, Housing & Urban Development, Abuja
07	UKAJIEFO Andrus N. (Venerable)	Federal Ministry of Lands, Housing & Urban Development, Abuja
08	OMOTAYO Sule Musafau (Mr.)	Federal Ministry of Agriculture and Rural Development, Abuja

09	OJUOLA Olutunji O. (Dr)	Director, Department of Agricultural Land Resources, Federal Ministry of Agriculture and Rural Development, Abuja.
10	ADEDIRAN Ayo	Representative, Commissioner for Physical Planning and Urban Development, Alausa, Ikeja, Lagos
11	EBIE S. P. O. Fortune (Mr.)	Fortune and Co., 14 Elegbata Street, P.O. Box 1 Festac Town, Lagos
12	IGBOKO Ndubuisi Patrick	Fortune and Co., 14 Elegbata Street, P.O. Box 1 Festac Town, Lagos
13	ATILOLA Sola (Dr)	Former President, Nigerian Institution of Surveyors
14	KADIRI Waheed (Mr.)	Former National President, Nigerian Institute of Town Planners
15	ETUK Caroline (Mrs)	Director, Lagos Multi-Door Courthouse
16	NUHU Muhammad Bashir (Dr)	Department of Estate Management, Federal University of Technology, Minna, Niger State.
17	OFOGBA Valentine (Mr.)	Lawsprings & Co., Akintola Williams Deloitte House, Ikorodu Road, Lagos.
18	ASAJU Simon (Prof)	Department of Estate Management, Federal University of Technology, Akure, Ondo State.
19	IBUOYE Ayodele	Ayodele Ibuoye & Co. Suites 1 & 2, Garachi Plaza, Conakry Street, Zone 3, Wuse, Abuja.
20	ELIAS Peter O. (Dr.)	Department of Geography, University of Lagos, Akoka, Yaba, Lagos.
21	AYANWALE Adeolu (Prof.)	Department of Agricultural Economics, Obafemi Awolowo University, Ile-Ife, Osun State.
22	OLUSHOLA Gbolahan O (Captain)	Network Aviation Service
23	LAWAL Ayodele	National Assembly, Three Arms Zone, Abuja.

24	ENITAN Olusola	Nigerian Institution of Estate Surveyors and Valuers
25	FATOKI Sola	Nigerian Institution of Estate Surveyors and Valuers
26	OYEGBOLA B. A.	Ministry of Lands, Lagos State
27	AGBALAYA T. T.	Ministry of Lands, Lagos State
28	ADENIYI Peter Olufemi (Prof.)	LGAF Country Coordinator

Participants from International Organizations⁴

S/No	Name	Organisation/Address
01	DEININGER Klaus	World Bank
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03	ENDO Victor	LGAF Global Coordinator
04	ALI Daniel	World Bank
05	SHEU Salau	IFPRI
06	ADEGOKE Adewale	GEMS 3 DFID
07	AMBURY Martyn	GEMS 3 DFID
08	EZIGBALIKE Dozie	UNECA
09	OKUMO Austen	IFPRI

Secretariat

S/No	Name	Organisation/Address
01	BADRU Gbolahan	Research Assistant to the Country Coordinator
02	OGUNSAKIN Victor Oluwafemi	Secretary to Prof. Adeniyi
03	ADENIYI Olumuyiwa	Support Staff (Technical)
04	ALUKO Opeyemi Michael	Support Staff (Operation)

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Annex 3: Validated country scorecard for Nigeria – Core set of indicators

LGI-Dim		Topic	Score			
			A	B	C	D
Recognition of Rights						
1	i	Land tenure rights recognition (rural)	√			
1	ii	Land tenure rights recognition (urban)	√			
1	iii	Rural group rights recognition			√	
1	iv	Urban group rights recognition in informal areas			√	
1	v	Opportunities for tenure individualization			√	
Enforcement of Rights						
2	i	Surveying/mapping and registration of claims on communal or indigenous land				√
2	ii	Registration of individually held properties in rural areas				√
2	iii	Registration of individually held properties in urban areas				√
2	iv	Women's rights are recognized in practice by the formal system (urban/rural)				√
2	v	Condominium regime that provides for appropriate management of common property			√	
2	vi	Compensation due to land use changes			√	
Mechanisms for Recognition						
3	i	Use of non-documentary forms of evidence to recognize rights			√	
3	ii	Formal recognition of long-term, unchallenged possession				√
3	iii	First-time registration on demand is not restricted by inability to pay formal fees				√
3	iv	First-time registration does not entail significant informal fees			√	
3	v	Formalization of residential housing is feasible and affordable			√	
3	vi	Efficient and transparent process to formally recognize long-term unchallenged possession			√	
Restrictions on Rights						
4	i	Restrictions regarding urban land use, ownership and transferability		√		
4	ii	Restrictions regarding rural land use, ownership and transferability		√		
Clarity of Mandates						
5	i	Separation of institutional roles		√		
5	ii	Institutional overlap			√	
5	iii	Administrative overlap		√		
5	iv	Information sharing		√		
Equity and Non-Discrimination						
6	i	Clear land policy developed in a participatory manner			√	
6	ii	Meaningful incorporation of equity goals			√	
6	iii	Policy for implementation is costed, matched with the benefits and is adequately resourced				√
6	iv	Regular and public reports indicating progress in policy implementation				√
Transparency of Land Use						
7	i	In urban areas, land use plans and changes to these are based on public input			√	
7	ii	In rural areas, land use plans and changes to these are based on public input				√
7	iii	Public capture of benefits arising from changes in permitted land use			√	
7	iv	Speed of land use change				√

Efficiency of Land Use Planning						
8	i	Process for planned urban development in the largest city				√
8	ii	Process for planned urban development in the 4 largest cities (exc. largest)				√
8	iii	Ability of urban planning to cope with urban growth			√	
8	iv	Plot size adherence			√	
8	v	Use plans for specific land classes (forest, pastures etc) are in line with use				√
Speed and Predictability						
9	i	Applications for building permits for residential dwellings are affordable and processed in a non-discretionary manner.			√	
9	ii	Time required to obtain a building permit for a residential dwelling			√	
Transparency of Valuation						
10	i	Clear process of property valuation			√	
10	ii	Public availability of valuation rolls			√	
Tax Collection Efficiency						
11	i	Exemptions from property taxes are justified		√		
11	ii	Property holders liable to pay property tax are listed on the tax roll				√
11	iii	Assessed property taxes are collected			√	
11	iv	Property taxes correspondence to costs of collection				√
Identification of Public Land						
12	i	Public land ownership is justified and implemented at the appropriate level of government			√	
12	ii	Complete recording of publicly held land			√	
12	iii	Assignment of management responsibility for public land			√	
12	iv	Resources available to comply with responsibilities				√
12	v	Inventory of public land is accessible to the public			√	
12	vi	Key information on land concessions is accessible to the public.		√		
Incidence of Expropriation						
13	i	Transfer of expropriated land to private interests			√	
13	ii	Speed of use of expropriated land			√	
Transparency of Procedures						
14	i	Compensation for expropriation of ownership			√	
14	ii	Compensation for expropriation of all rights			√	
14	iii	Promptness of compensation				√
14	iv	Independent and accessible avenues for appeal against expropriation				√
14	v	Appealing expropriation is time-bounded			√	
Transparent Processes						
15	i	Openness of public land transactions				√
15	ii	Collection of payments for public leases			√	
15	iii	Modalities of lease or sale of public land		√		
Completeness of Registry						
16	i	Mapping of registry records				√
16	ii	Economically relevant private encumbrances	√			
16	iii	Economically relevant public restrictions or charges			√	
16	iv	Searchability of the registry (or organization with information on land rights)	√			
16	v	Accessibility of records in the registry (or organization with information on land rights)		√		
16	vi	Timely response to a request for access to records in the registry (or organization with information on land rights)			√	

Reliability of Records					
17	i	Focus on customer satisfaction in the registry			√
17	ii	Registry/ cadastre information is up-to-date			√
Cost Effective and Sustainable					
18	i	Cost of registering a property transfer			√
18	ii	Financial sustainability of the registry			√
18	iii	Capital investment			√
Transparency					
19	i	Schedule of fees is available publicly			√
19	ii	Informal payments discouraged		√	
Assignment of Responsibility					
20	i	Accessibility of conflict resolution mechanisms		√	
20	ii	Informal or community based dispute resolution	√		
20	iii	Forum shopping		√	
20	iv	Possibility of appeals			√
Low Level of Pending Conflicts					
21	i	Conflict resolution in the formal legal system		√	
21	ii	Speed of conflict resolution in the formal system			√
21	iii	Long-standing conflicts (unresolved cases older than 5 year)			√

Country Scorecard for Nigeria – Large Scale Acquisition of Land Rights

LSLA	Topic	Score			
		A	B	C	D
1	Most forest land is mapped and rights are registered				√
2	Conflicts generated by land acquisition and how these are addressed				√
3	Land use restrictions on rural land parcels can generally be identified.				√
4	Public institutions in land acquisition operate in a clear and consistent manner.				√
5	Incentives for investors are clear, transparent and consistent.			√	
6	Benefit sharing mechanisms for investments in agriculture			√	
7	There are direct and transparent negotiations between right holders and investors.			√	
8	Information required from investors to assess projects on public/community land.			√	
9	Information provided for cases of land acquisition on public/community land.			√	
10	Contractual provisions on benefits and risks sharing regarding acquisition of land				√
11	Duration of procedure to obtain approval for a project		√		
12	Social requirements for large scale investments in agriculture				√
13	Environmental requirements for large scale investments in agriculture				√
14	Procedures for economically, environmentally, and socially beneficial investments.			√	
15	Compliance with safeguards related to investment in agriculture				√
16	Procedures to complain if agricultural investors do not comply with requirements.				√

Annex 4: Implementation of the LGAF, Syndicate Groups

Legal and Institutional Framework

- 1) James Ugbah
- 2) Chief D. J. Amiofori (JP)
- 3) Valentine Ofogba
- 4) Richard Sandall
- 5) Klaus Deininger
- 6) Dozie Ezigbalike

Land Use Planning, Management and Taxation

- 1) Gladys H. Shaahu
- 2) Waheed A. Kadiri
- 3) Engr. Agoro M. Olalekan
- 4) Remi Olorunleke
- 5) P. O. Elias
- 6) Prof. A. S. Asaju

Public Land Management

- 1) Ayodele A. Ibuoye
- 2) Ogwunga D. E.
- 3) Yashi Y. U
- 4) Ven. A. N. Ukaejiofo
- 5) Falodun Olufunke (Mrs.)
- 6) Sule Musafau Omotayo

Public Provision of Land Information

- 1) Dr. M. B. Nuhu
- 2) Sir. G. T. N. Tabansi
- 3) Salua Sheu
- 4) David Dogo
- 5) Victor Endo
- 6) Martyn Marbury
- 7) Adewale Adegoke

Dispute Resolution and Conflict Management

- 1) Caroline Etuk
- 2) Adetokunbo Mumuni
- 3) Hosaena G
- 4) Achakpa Priscilla

Large Scale Land Acquisition

- 1) Dr. (Mrs.) A. I. Achike
- 2) Adeolu Ayanwale (Prof.)
- 3) Atilola O.
- 4) J. K. Balami
- 5) A. A. Adubi
- 6) Rob Hale
- 7) Clive English

Improving Land Sector Governance in Nigeria

Implementation of the Land Governance Assessment Framework

Speech delivered by Senator ‘Gbenga B. Ashafa on behalf of the President of the Senate, Senator A. B. David Mark on Land Governance Assessment Framework at Ondo Hall, Lagos Airport Hotel, Ikeja on 4th November, 2011

Distinguished Ladies and Gentlemen, I say a warm good morning to you all and I carry with me, the greetings, and goodwill of the President of the Senate and other Senators of the Federal Republic of Nigeria. I will like to start by expressing gratitude to the organizers of today’s event and for their choice of the theme - Land Governance Assessment Framework. I received the invitation to participate in today’s Policy dialogue meeting with some measure of profound interest and excitement having recently retired as a Permanent Secretary on Land matters in Lagos State.

Demands for resources are unlimited but the means through which these demands can be met are limited. This necessitates strategic management of available scarce resources. Governance is the way resources are controlled and managed; it is at the heart of responsible and effective management. Among the factors of production, Land is perhaps the scarcest and it remains fixed since creation. This silent but salient fact calls for conscious and quality attention in the ways Land — a factor of production — is managed to achieve agricultural revitalization, job creation, crop diversification, housing, construction and infrastructural optimization and other myriads of uses that guarantee posterity and preservation of life.

Land Governance is central to sustainable development of the real sector of the economy and must be elevated to the level of strategy through initiatives of this sort.

I am happy to be part of the dialogue session and I am determined to make meaningful impact leveraging on the many years of experience that I have in the Land sector. Besides, it would be my delight to present the imperatives of today’s dialogue to the Upper Chamber of the National Assembly for any legislative inputs that may be required in moving the country to the next level.

This initiative is coming at the nick of time. As you are probably aware, the Senate is currently working on the review of the 1999 Constitution, which includes but not limited to the Land Use Act. A Senate Committee has already been constituted with membership cutting across the six geo-political zones of the Country. I have no doubt in my mind that the take-out from today's session would form a critical input in the Constitution review exercise.

On behalf of the President of the Senate of the Federal Republic of Nigeria, I once again welcome you all to the session that promises to be highly enriching and impactful.

Thank you and God bless.

Senator 'Gbenga B. Ashafa
Federal Republic of Nigeria

Improving Land Sector Governance in Nigeria

Implementation of the Land Governance Assessment Framework

Matrix of Policy Recommendations

POLICY ISSUE	ACTION PLANS	MONITORING INDICATORS
1. LEGAL AND INSTITUTIONAL FRAMEWORK		
<ul style="list-style-type: none"> ▪ More than 30 years after its passage, none of the key pieces of regulation envisaged in the Land Use Act (LUA) (Sections 3 and 46) has been passed. This has seriously undermined good land governance and effective land use planning in the country. ▪ A high degree of vertical and horizontal overlap among land institutions creates confusion, high levels of transaction costs, and undermines good governance in the sector. 	<ul style="list-style-type: none"> ▪ To enable the National Council of States to pass needed regulations and to monitor land system performance on a regular basis, a National Land Commission as a technical body with representation from key actors needs to be established. Pending the establishment of the National Land Commission, the Presidential Technical Committee on Land Reform (PTCLR) should carry out the tasks below. ▪ Conduct and carefully evaluate pilot studies in relevant areas to provide evidence to inform the drafting of key regulations for land registration and survey/mapping in two states within one year. ▪ Carry out a study to identify horizontal and vertical overlaps in the land system and recommend solutions. 	<ul style="list-style-type: none"> ▪ Establishment of the Commission ▪ Evaluation of results of the pilots available ▪ Regulations drafted ▪ Provision of information and institutional arrangements to monitor outcomes. ▪ Study conducted and recommendations disseminated & discussed. <ul style="list-style-type: none"> - % increase of land registration, leases and land transfers, C of Os - reduced boundary conflicts - reduction in transaction costs and time - reduction of vertical and horizontal overlaps
2. LAND USE PLANNING, MANAGEMENT AND TAXATION		
<ul style="list-style-type: none"> ▪ While land use plans are necessary to guide development in urban and rural areas, they are mostly unavailable leading to haphazard growth. ▪ Absence of property tax administration, assessment and collection hinders decentralization and effective provision of local services. 	<ul style="list-style-type: none"> ▪ Prepare strategic land use development plans with adequate implementation and enforcement regulations; sensitize the public on their existence, importance and use of the same. ▪ Review planning standards, plot size, land use class, and adoption of model plans for public use. ▪ Develop, disseminate, and help implement transparent systems for property tax administration, assessment, and collection for use by local governments at different sizes. 	<ul style="list-style-type: none"> ▪ Initial establishment of land use development plans. ▪ Mechanism to monitor compliance with plans in place and results monitored/publicised. ▪ Property tax guidelines available, explained to and understood by citizens, professionals (e.g. estate surveyors and valuers), and local governments. ▪ Increase in property tax assessments and actual collection. ▪ Number of states that have land use plans, land administration machinery and property tax rolls.

3. PUBLIC LAND MANAGEMENT		
<ul style="list-style-type: none"> ▪ Lack of information on the location and extent of public land makes it impossible to properly manage and protect this critical asset. ▪ A large number of acquisitions occurs without prompt and adequate compensation, thus leaving those losing land worse off, with no mechanism for independent appeal even though the land is often not utilized for a public purpose. ▪ Divestiture of public land is less transparent and therefore does not generate revenues for the public sector. 	<ul style="list-style-type: none"> ▪ Undertake a comprehensive inventory of land owned by all tiers of government. ▪ Harmonize various legislations into a clear single simple process for acquisition of land by all government agencies to ensure due process for land acquisition by requiring publicity, adequate and prompt compensation in line with global best practice and ensure availability of independent avenues for appeal. Put in place sanctions for misbehaviour. ▪ Ensure publicity of the detailed agreement, including schedules of applicable charges. 	<ul style="list-style-type: none"> ▪ Inventory has been established and mechanisms to maintain it currently exist. ▪ Legislation to regulate expropriation has been enacted and is effectively applied. ▪ Share of allocations of government (public) land and transactions that are advertised.
4. PUBLIC PROVISION OF LAND INFORMATION		
<ul style="list-style-type: none"> ▪ The low level of registered parcels (less than 3% of the country covered) and the incomplete spatial reference of registry information fosters conflict, corruption, undermines investment, land market functioning, and housing finance. ▪ Lack of processes for automatic updating undermines the value of the land registry as a tool for private sector development. 	<ul style="list-style-type: none"> ▪ Establish software tools to manage textual and spatial data jointly and to link existing ones. ▪ Building on the pilot study results, develop procedures for systematic expansion of registered areas. ▪ Study and recommend processes and requirements to streamline and control different registration services and based on this, establish a registry service charter (including sanctions and avenue for appeal) that is publicly available and binding on both user and officials. ▪ Design and implement awareness campaign as well as training programs for officials. ▪ Make transparency issues more comprehensive by publishing list of all allottees upon or at allocation. ▪ Ensure implementation of global best practice on 	<ul style="list-style-type: none"> ▪ Share of registry records with textual and spatial information integrated. ▪ Share of the land under private use that is registered and mapped. ▪ Implementation of service charter leads to higher levels of customer satisfaction.

	access to public land information.	
5. DISPUTE RESOLUTION AND CONFLICT MANAGEMENT		
<ul style="list-style-type: none"> ▪ Lack of awareness of the rights and avenues to enforce them reduces the ability to access and properly utilize land especially for vulnerable groups. ▪ High level of pending conflicts undermines investment and efficiency of land use. 	<ul style="list-style-type: none"> ▪ Disseminate existing laws and sensitize different groups about their rights under the law and ways to enforce them. ▪ Link spatial and textual data (see above) to reduce boundary disputes. ▪ Mainstream traditional institutions and the Alternative Dispute Resolution (ADR) into the justice system to reduce backlogs and improve access to justice, especially for vulnerable groups. ▪ Increase the ability of formal institutions to speedily resolve dispute by building capacity and rationalizing assignment of responsibilities. 	<ul style="list-style-type: none"> ▪ Knowledge of relevant legal provisions and avenues for enforcement in the population and specific groups (e.g. women). ▪ Reduction of backlog of conflicts. ▪ Number of new conflicts reaching the formal system decreases.
6. LARGE SCALE LAND ACQUISITION		
<ul style="list-style-type: none"> ▪ Lack of clear and efficient procedures for large scale investment in land reduce Nigeria's ability to attract technically qualified investors. ▪ Realized investments often are technically, environmentally, and socially unsustainable. ▪ The need for government to expropriate land before it can be transferred to investors opens space for discretionary behaviour and, due to procedural weaknesses (see up), often undermines the livelihood of local people. ▪ Lack of local involvement, non-transparent contracts, and lack of monitoring undermine the scope for Foreign Direct Investment (FDI) potential to provide benefits to locals and contribute to development. 	<ul style="list-style-type: none"> ▪ Review and streamline regulations for land-related foreign investment. Create a one-stop shop/intervention and conduct publicity campaigns among potential investors. ▪ Adaptation of existing EIA and SIA mechanisms to the needs of land-related investment, mandatory publication of these documents, and increased efforts at enforcement. Review of other relevant procedures in light of international standards and best practice. ▪ Ensure those affected by large scale land acquisition have the choice of receiving compensation in kind and provide options for direct negotiation between investors and local communities. ▪ Ensure arrangements for large scale land transfer are negotiated and agreed upon by local land users, that mechanisms for benefit sharing and arbitration are specified, and that contract terms are publicly available to facilitate monitoring. 	<ul style="list-style-type: none"> ▪ Establishment of the one stop intervention for large scale land acquisition. ▪ Number of viable investment proposals increases. ▪ Number of failed projects due to technical, environmental, or social problems and conflict decreases. ▪ Living standards in areas affected by FDI improve.