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# Mainstreaming land in rural development and humanitarian projects design

Guide

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## Introduction

### Why mainstream land in rural development and humanitarian projects

In Cameroon, and particularly in the Far North region, many rural and humanitarian development projects (food security, water, improvement of an agricultural sector, climate change adaptation/mitigation, improvement in the exploitation of natural resources, etc.) are implemented. These projects do not have land-related objectives, but they do face land-related constraints along the way. Indeed, land and resources are the main assets that mobilise farmers, herders and fishermen, major economic actors in rural areas. As a result, many rural development activities involve land matters in one way or another (Sanou, 2015). However, implementers often limit themselves to technical aspects and it is not always easy for these development actors to integrate and foresee land issues when designing projects. This is usually due to a lack of specific knowledge on the issue, time and financial resources to properly take these issues into account. And yet, it is crucial to take them into account. For example, decisions on the construction of water infrastructure, their location and management regime are generally based

on purely hydrological and technical factors. Meanwhile, on the ground, land and water rights are closely linked. First, water points and irrigation tend to boost land values and can therefore exacerbate land competition and thus conflicts between land users. As such, many well-intentioned water projects have weakened land security, fomenting conflict and contributing to resource degradation (IIED, 2004). This has also been the case in relation to water conservation and soil fertilisation activities in the Sahelian zones. The lands concerned gain a new value that stirs up envy, which may lead to land conflicts (Sanou, 2015)



## Box 1: The sole construction of anti-erosion bunds can be a source of land conflict!

The assessment of half a dozen water and soil conservation projects (mainly the construction of anti-erosion bunds) in Burkina Faso concludes that in all the development works undertaken, none took land tenure aspects into account. As a result, there has been an increase in «land plots retrieval» at the end of these projects. These retrievals involve agricultural migrants (generally holders of temporary use rights) and customary rights holders. The latter had authorised the migrants to cultivate the plots, the fertility of which was then improved by the projects' action. The customary rights holders, therefore, wanted their plots back as soon as the projects came to an end. This led to land conflicts brought before the administrative authorities and to the departure of agricultural migrants. The major issue here is clarifying the conditions of access to and use of the land granted and improved by the projects. Prior negotiations between farmers and customary rights holders should have better specified these conditions (Sanou, 2015).

Therefore, poor consideration of land issues increases the risk of creating tensions between rival claimants: between neighbouring villages, between "owners" and tenants, between natives and migrants, between herders, fisherfolks and farmers, and between men and women.

This suggests that land issues need to be taken into account seriously in the design and implementation of rural development and humanitarian programmes and projects. Thus, key decisions in rural development must not only consider technical factors but also land tenure issues.

### Purpose of the Guide

Given that development actors do not need broad general principles, but operationality, it seems appropriate to develop a simple tool through questionnaires that will help analyse the relationship between the action/project and the land. This analysis will be based on the needs of the project and of beneficiaries, on the differentiated impacts on men and women, and the transformation of social relations on land as a result of the project. Such a reflection allows for a better understanding of local realities and land issues in order to ensure a targeted and successful intervention.

### Who should use this guide?

This guide is intended for planners, managers and monitoring-evaluation officers of projects/programmes, whether in civil society organisations, national and international non-governmental organisations, government programmes and donors working on rural development issues. This includes, but is not limited to, actions that address food security, livelihoods development, climate change mitigation and adaptation, access to water and other natural resources.

### Presentation of the mainstreaming tool

«Taking into account» here means questioning the project in order to determine its links with land issues. Some questions will thus be more or less relevant depending on the objectives or effects sought from the project.

The tool is mainly composed of two interconnected parts:

- The first part (Table 1) is based on the link between land and some aspects of the theory of change: land as an input to the project, the relationship between project beneficiaries and land, project activities and impacts on local land governance. Thanks to the questionnaire and assessment factors, this first part alone can be used to draw conclusions and make decisions regarding the project concerned.
- The second part (Table 2) additionally supports the decision-making process through a quantitative exercise that attributes a mark to the project based on eleven indicators

**Table 1: Questions and assessment factors**

Questions	Answers (yes/no/other answer)	Evaluation factors for decision-making
<b>Land as input to the project</b>		
Will the envisaged action require access to land?		The availability of land
If yes, is there land available and where?		Existence of land conflicts before the project starts
If yes, who owns it?		Possibility of generating interest from other actors following developments on the targeted land and, subsequently, conflicts
Is it legal or customary property?		
Who are the current land users to approach, including users that intervene in different seasons during the year?		Consideration of demographic growth when looking at possible extensions
What activities are currently implemented on targeted land(s)?		In view of the response mechanisms given to the questions, is the action still feasible without negative harm/impact?
Does the project target the current land users? If not, have they been consulted <sup>1</sup> ? Have they given their free, prior, and informed consent (see Box 2)? Are compensations possible?		
Are there any ongoing conflicts over this land?		
Could there be disputes over the ownership/use of this land in the medium and long term?		
Will the project need land extensions?		
What will happen to the land at the end of the project and who will it go to?		
<b>Conclusions for this section</b>		

<sup>1</sup>Consultation and participation is an implementation principle which contributes to responsible land governance. The Voluntary Guidelines (VGGT) state that before decisions are made, those with legitimate land rights who may be affected by those decisions should be involved, and their support and input sought. Also, the imbalance of power between different parties should be taken into consideration and the active, free, effective, meaningful and informed participation of individuals or groups in decision-making processes should be ensured.

## The relationship between project beneficiaries and the land

Will the project beneficiaries need the land individually or collectively to participate in the project?		Sustainability of the effects sought by the project with regard to the types land rights for beneficiaries  Is it possible to continue the project without prejudice given the relationship the beneficiaries have with land and the mechanisms of access to land in the locality concerned?
What types of land rights will the beneficiaries of the project need to ensure the effectiveness and sustainability of the project (access, rights to use, control) and for what duration (short, medium, long term, permanent)?		
Will the beneficiaries of the action have secure access to the targeted land?		
Will women and/or young beneficiaries, in particular, have secure access to the land requested?		
Will supporting access to land for project beneficiaries and particularly women and youth change relationships or create tensions in households and/or the target community?		
Are the mechanisms for accessing land in the locality affordable for the beneficiaries?		

### **Conclusions for this section**

## Project activities and impacts on local land governance

What are the project activities that will have significant impacts on the land rights of members or segments of the community?		Positive or negative consequences of the project on land dynamics
Are there any project activities that could amplify the land-related concerns of the land-using communities?		
How do project activities mitigate these concerns?		
How are they likely to make them worse?		
Is the project likely to change social relations on land?		
Could some project activities have an impact on the dynamics of land transactions in the area?		
Will the project have an impact on the use of land and natural resources by non-beneficiaries (men, women) of the action?		
Would changes in the action make it possible to mitigate the negative impacts or to optimize the positive impacts on the use of the land? What would that entail?		

### ***Conclusions for this section***

## Box 2: Free, Prior and Informed Consent

Free, Prior and Informed Consent (FPIC) is a collective right that belongs to every member of a community and is considered a good practice by the Voluntary Guidelines for Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security. It allows local communities to give consent to a project that may directly affect them or their territories. The term “prior” refers to consent that has been sought and established well in advance of authorisation or commencement of activities and relates to the temporal requirements of community consultation and consensus processes. “Freely given” refers to consent that is given voluntarily and in the absence of coercion, intimidation or manipulation, and is the result of an inclusive dialogue process led by people and stakeholders. “Informed” implies that all information about the activity has been provided to local communities and that this information is objective, accurate and presented in a manner or language that is understandable to all members.

Relevant information includes:

1. The background and characteristics, scope, timing, duration, reversibility and scale of any proposed project or activity;
2. The reason(s) or objective(s) for the project or activity;
3. The areas to be affected;
4. A preliminary assessment of the potential economic, social, cultural and environmental impacts, including potential risks and benefits. (FAO, IPAR, 2019)

Based on the answers given above in Table 1, decisions on the project can be fully taken. Although not absolutely necessary, the following marking exercise can also help base the decision. This decision should be taken in good faith, based on the indicators below in Table 2.

Choose an answer for each indicator. The first choice is always the most favourable and the third is the most unfavourable one. As a result, the most favourable answer gives more points (3) than the third (0 or 1).

On the basis of the answers and conclusions drawn in the previous section, marks should be allotted, and those responsible for marking are encouraged to do so **objectively**

**Table 2: Indicators and marks**

Indicators	Responses	Indicate the answer	Mark corresponding to the answer
Availability of land (considering all types of existing use and occupation)	Good = 3 Sufficient = 2 Poor 1	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
Existence of activities and rights on the land concerned	Non-existent = 3 Undetermined = 2 Existing = 1	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
Free, prior and informed consent given by the current users/rightful owners of the requested land	Consent given = 3 Not Applicable to the project = 1 No consent given = 0	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	



Possibility of future extensions considering the activities planned in the project and the demographic growth	Possible - 3 Neutral = 1 Impossible = 0	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
Existence of conflicts	No conflicts = 3 Latent conflicts = 1 Open conflicts = 0	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
Secure and sustainable access to land by beneficiaries	Good = 3 Average = 2 Poor = 1	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
Potential changes to the land rights of one or more groups within the community as a result of the project	Improvement = 3: Neutral (no change) = 2 Degradation = 0	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
Post-project land use plans	Beneficiaries = 3 Transfer to non-beneficiaries of the project = 2 Transfer to a public or private entity = 1	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
Impact of the project on the use of land and natural resources by non-beneficiaries (men, women) of the action?	Positive = 3 Neutral = 2 Negative = 0	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
Consequences of the project on land dynamics and social relations on land	Positive = 3 Neutral = 2 Negative = 0	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
Possible amplification of existing land tenure concerns	Non-existent = 3 Weak/Average = 1 High = 0	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
<b>Total</b>			

If the total points are between 27 and 18, the project or action appears to be safe for existing land rights holders and can be implemented with a considered and precautionary approach that respects the 'Do no Harm' principle in land matters.

If the total points are between 17 and 10: The project can be implemented but requires adjustments. These adjustments may include good consultation, compensation measures for non-beneficiaries or users whose land rights are undermined by the project, a change in the choice of land, the inclusion of a framework for dialogue and/or consultation in the project activities.

Indicators should be included in the logical framework of the action to monitor the evolution of the land situation in the intervention areas.

If the total points are less than 10, the project is detrimental in terms of respect for land rights within the communities. The project should be completely rethought.

**NB:** It should be noted that the use of table 2 is optional.

*After using this tool, please send us your comments at [skouba@relufa.org](mailto:skouba@relufa.org) for its continuous improvement.*

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