LEARNING FROM NES TOGO

GOOD PRACTICES FROM A MULTI-STAKEHOLDER PLATFORM
Good practices in NES TOGO are strictly connected with the genesis of the NES itself. Firstly, the process of setting up a multi-stakeholder platform was strongly shaped by an influential and experienced resource person, hired as a consultant in the initial phase of the NES to support the production of guidelines for stakeholders’ cooperation and a Strategy. This person was an academic, who later on became the director of the drafting team of Togo’s Land Code. Thanks to his knowledge, connections and research, NES Togo could usefully draw inspiration from other NES experiences - for example in Madagascar - and land reforms, such as those in Niger, Benin and Burkina Faso.

An inception workshop was organised, inviting all relevant Government and non-governmental parties. The process leading to the creation of the NES was highly participatory and inclusive. The challenge of achieving the participation of Government representatives - often in conflictive relationships with the civil society - was overcome by sending invitations to targeted individuals with a request to each one of them to contribute on specific and previously identified issues. By nominating representatives, five Ministries participated in the workshop alongside numerous CSOs. They contributed to the formulation of the NES and remained involved in the NES activities after the workshop.

As a result, today the CSOs in the NES engage with Government representatives through both formal and more unstructured channels. NES Togo effectively facilitates dialogue by using a mix of advocacy and collaboration.

The ILC’s Database of Good Practices is an initiative that documents and systematises ILC members and partners’ experience in promoting people-centred land governance, as defined in the Antigua Declaration of the ILC Assembly of Members.

Further information at https://www.landcoalition.org/en/explore/our-work/

The activity of NES Togo supports people-centred land governance as it contributes to:

- **COMMITMENT 1**: Respect, protect and strengthen the land rights of women and men living in poverty.
- **COMMITMENT 2**: Ensure equitable land distribution and public investment that supports small-scale farming systems.
- **COMMITMENT 4**: Ensure gender justice in relation to land.
- **COMMITMENT 9**: Prevent and remedy land grabbing.
THE ORIGIN OF NES TOGO

In Togo the launch of the NES coincides with the beginning of the Land Reform process. In this country land is a very pressing issue, which is responsible for the large majority of legal problems within the justice system.

The NES 2013-2017 reflects the intention of the Togolese civil society to provide assistance to the Government and its partners in finding effective responses to the country’s main land issues, while supporting the preparation of a preliminary draft Code Foncier (Land Code). It is based on four axes, covering the areas emerged as most critical when the Strategy was developed: (i) Promoting equal access to land for women and other vulnerable groups; (ii) Developing and implementing a land and agricultural policy that ensures food security in Togo; (iii) Creating a space for dynamic interaction and multi-stakeholder dialogue around the development and implementation of sectoral policies; (iv) Strengthening the capacity of ADHD and the multi-stakeholder platform as a whole to effectively support the implementation of the NES.

During its first cycle NES Togo engaged policy-makers and grassroots communities on the participatory development of a land and property code, but unfortunately the proposed text has not yet been adopted. However, positive results were obtained regarding awareness raising on equitable access to land between men and women and sensitisation of local and national policy-makers. Building up on the successes of the first cycle a second one was developed in 2016.

In Togo, before the formulation and the implementation of the NES, dialogue between civil society and the Government was a challenge. The NES has brought together stakeholders that did not normally speak with each other, creating an important space for exchange and cooperation.

SETTING UP A MULTI-STAKEHOLDER PLATFORM AND FORMULATING A NATIONAL ENGAGEMENT STRATEGY

Organising an inclusive NES inception workshop involving Government actors and CSOs - Organising a broadly inclusive Workshop for discussing land governance in Togo, was the first fundamental step of the NES formulation process. In 2012, ADHD1, with financial support from the ILC, hired a consultant to assist with the preparation of the workshop by inviting relevant stakeholders and draw from the workshop’s discussions the key points of a framework document (document de cadrage) that could be used later on as a basis for Togo’s National Engagement Strategy.

Identifying a resource person with expertise and contacts - The consultant was a well-positioned and respected Professor. His appointment, at a later time, as the director of the team in charge of drafting the first Land Code of the country proves his recognised expertise and good reputation. While it was unknown - when he was hired - that he would cover this positon in the future, his knowledge, research and advice proved to be key for the elaboration and the launching of NES Togo. His solid network of connections also was an important asset in this initial phase.

Learning from other countries within and outside the NES community - The consultant was extremely knowledgeable of land reform processes in other African countries such as Niger, Benin and Burkina Faso - all of them at a more advanced stage as compared to Togo. He was also familiar with the NES as a global initiative, in particular with the experience of NES Madagascar. He drew inspiration from NES Madagascar while pursuing the establishment of a multi-stakeholder platform in Togo, for instance by organising a broadly inclusive inception workshop as a first step of this process.

Obtaining the participation of Government officials in the inception Workshop - Tension between the Government and Civil Society is a historical factor in Togo’s politics. Obtaining the participation of Government representatives in the NES inception workshop was a considerable challenge. However, due to a) the workshop taking place to ultimately influence land policies and b) the Government’s role to make and change laws and to launch reforms, organisers endeavoured to invite some key Government officials. First of all, the consultant conducted a stakeholder analysis to identify the Ministries that it was worth involving. More specifically, he made a list of individuals to contact within such Ministries, based on a strategic plan and his personal network of connections. In addition, through his analysis, he isolated the critical issues relevant to each Ministry.

1 ADHD (Autopromotion rurale pour un Développement Humain Durable) is an NGO and an ILC member, currently leading the NES in Togo.
Secondly, letters were addressed to the identified people. In these letters ADHD
1. Introduced the organisation showing it had a legally
   recognised status (evidence thereof was included, i.e.
   ADHD’s registration number and the official registration
   certificate);
2. Presented the ILC as a key international partner;
3. Explained the joint plans of ADHD and
   the ILC regarding land governance;
4. Engaged the addressees on specific
   topics, in line with their mandate and expertise.
ADHD asked each Ministry to assign a permanent representative to the NES
 to ensure fruitful and above all continuous
 presence and collaboration within the
 platform. Gender equity was encouraged
 as a criterion for the choice of such
 representatives.
The outcome of this process was
 extremely positive. The first Minister to
 respond was the Minister of Agriculture,
 who nominated a person three days
 after receiving ADHD’s letter. Later on,
 other Ministers reacted. Five Ministers
 participated in the inception workshop,
 contributed to the formulation of the
 NES and are currently still part of Togo’s
 multi-stakeholder platform.

Involving the civil society and the
private sector - A similar process was
applied to the civil society and the private
sector. A list of names and contact details
was compiled. Engaging the Togolese civil society was
not particularly difficult. However, CSOs
in Togo are currently facing severe lack of
funding. In addition, they do not overall
rely on a strong tradition of land-related
work. Nevertheless, the CSOs that were
invited to the workshop were those
focusing on 1) governance issues; 2)
environmental issues; 3) women’s rights.
Although they did not explicitly focus
on land, with the launch of the NES they
discovered the relevance of land issues to
their work and started to show a declared
interest in land matters.

Engaging the private sector was far more
challenging. Some private companies
were contacted but never responded.
CHALLENGES

Although cooperation among different stakeholders is indeed beneficial for the long-term success of activities, it is also time-consuming and challenging. On one hand, each CSO has its own individual agenda; on the other hand, the Government’s decisions are often driven by political forces. Therefore, even after agreeing on an action plan, it can be difficult to implement it in practice and to respect the established timeline.

LESSONS LEARNED

LEARNING FROM OTHER COUNTRIES

• Looking at other countries’ experience, particularly at already existing multi-stakeholder platforms, is very useful. In Togo - through the support of a consultant - land reform processes in other African countries (Niger, Benin and Burkina Faso) were analysed. In addition, the experience of NES Madagascar served as a model. Holding an inception workshop as the first step of the NES creation process was the result of engaging with and learning from NES Madagascar.

ENSURING INCLUSIVENESS AND EQUAL PARTICIPATION

• Organising a broadly inclusive event to discuss land governance and identify key principles for collaboration is fundamental in the process of setting up a multi-stakeholder platform.
• Multiple stakeholders must be engaged in this phase, as well as later on while implementing the NES. In Togo a targeted approach was used for obtaining the participation of Government officials. This consisted of the following steps:
  • Conducting a stakeholder analysis, i.e. identifying the Ministries - and more specifically the individuals - involved in land-related matters in the country and analysing the nature of their involvement. This allowed engagement on specific questions in line with each interlocutor’s focus. A thorough knowledge of land issues and a broad network of connections was indeed useful to effectively carry out this mapping exercise.
  • Contacting each identified person by sending a letter in which main organisations and key partners are presented. It was important that organisations came across as legally recognised and reliable. Including evidence of legal was beneficial in this regard.
  • Addressing each person with targeted requests in line with their role and focus.
  • Following up persistently with those people who did not reply promptly.
  • In Togo, each Ministry was asked to nominate a permanent representative for the NES platform. Representatives currently report to their Ministry of belonging after each NES meeting. This grants continued, consistent and committed participation.
• A similar process was used with CSOs and private sector representatives.
In recent years, equitable access to land, particularly in rural areas, has been high on the international policy agenda and is recognised as a crucial element attributing to sustainable development and poverty reduction. Innovative and progressive land policies and laws, particularly at the national level, are key to determining equitable access to, use of, and control over land and other natural resources. The National Engagement Strategy (NES) is the first step of an approach being promoted by the International Land Coalition at country level, in order to create conditions for inclusive and people-centred land-related policy change. Jointly formulated and co-owned by ILC members and other relevant actors at national level, the NES itself is a framework for identifying key priority areas on which land-concerned actors see opportunities for catalysing change, either at the level of policy formulation or at the level of implementing existing progressive policies. The NES process also involves the establishment of a multi-stakeholder platform that accompanies the implementation of the NES, and makes necessary adjustments on the basis of lessons learned. A NES process is therefore aimed at facilitating collaborative and coordinated action amongst different stakeholders involved with land at the national level to promote people-centred land governance. Through these NES processes, opportunities are increasingly made available to national civil society actors to collaborate among themselves and with international actors, both governmental and non-governmental, and to engage with local and national governments.

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NES are under formulation in Honduras, Jordan, Moldova, Mongolia.

**WHAT IS NES?**

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