



ALLIANCE FOR FOOD SOVEREIGNTY IN AFRICA

# OUR LAND IS OUR LIFE

WHEN SPIDERS UNITE THEIR WEBS, THEY TIE A LION

## TERMS OF REFERENCE

FOR STUDIES OF POLICIES & FRAMEWORKS

RELATED TO LAND USE, LAND RIGHTS, GOVERNANCE,  
MANAGEMENT AND OWNERSHIP

IN FIVE COUNTRIES IN WEST & CENTRAL AFRICA

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CLIENT

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## 1. WHO IS AFSA

Launched in 2011, AFSA is a broad alliance of civil society actors who are part of the struggle for food sovereignty and agroecology in Africa. These include African food producer networks, African CSO networks, indigenous people’s organizations, faith-based organizations, women and youth groups, consumer movements, and international organizations that support the stance of AFSA. Land rights is one of AFSA’s four main advocacy programmes. AFSA’s goal in this area is to empower member networks so that communities, particularly women, have a voice on land rights, innovations and investments related to agroecology.

## 2. CONTEXT

This study is in the context of an African advocacy campaign in collaboration between African Civil Society Organizations (CSOs) and Faith-Based Organisations (FBOs). The Alliance for Food Sovereignty in Africa (AFSA) will lead this process, in collaboration with key actors in the Our Land is Our Life platform. The collaborative process aims to develop a joint analysis, positioning and advocacy campaign on land rights and agroecology. **The lobbying and advocacy work will be evidence-based, informed by rigorous policy study and analysis.** Policy advocacy at the national level will be linked to related sub-regional (RECs), regional (AU), and international advocacy work, strengthening alliances at all levels.

AFSA's work on land issues is firmly locked to the goal of a transition to agroecology, the basis of food sovereignty in Africa. For AFSA, there can be no food sovereignty without secure access to land and natural resources. While strongly supportive of work to directly challenge land grabbing, AFSA is also keen to lobby and advocate for inclusive and equitable land

governance policy and practice. This parallels AFSA's dual approach of questioning and resisting the industrialisation of African food systems while recognising the need to offer a credible alternative – agroecology.

*Land loss has a severe negative impact on livelihoods leading to a loss of agricultural production and other land-based sources of livelihood and thus reduces food security, according to MISEREOR's 2020 report<sup>1</sup> on large scale land acquisitions in Africa. The report also notes that a significant proportion of land grabs are for industrial production of commodity food crops and biofuels, further weakening agricultural biodiversity -the base of climate resilience and healthy balanced diets.*

This new wave of 'land grabs' has been associated with multiple human rights abuses and social injustices, with thousands of communities forcibly evicted and left destitute. Weak land governance in Africa is also associated with persistent poverty, food insecurity, inequality, conflict and land degradation. Women are particularly vulnerable due to their weaker status as land claimants under both customary and formal land governance systems.

Increased political pressure must be brought to bear at all levels to accelerate the uptake of progressive policies to strengthen community land rights. We need governments to enshrine in legislation, and guarantee in practice, the rights of the indigenous peoples, peasants, herders, fishers who are the custodians of richly bio-diverse lands, fisheries and forests. Women must be guaranteed a loud voice, both within their communities and externally, on land rights, land governance and large-scale land acquisitions.

### 3. PURPOSE OF THE STUDY

A series of national policy studies will be commissioned to inform the planning process. This will provide a critical analysis of land governance policies in each of the five pilot countries across West & Central Africa (Ghana, Mali, Senegal, Togo, and Cameroon). The studies will build on existing research.

In each country, the consultant will carry out research and document their findings to meet the following purposes:

- To understand existing customary and statutory land and land-related policies, governance mechanisms and frameworks at the national level, with particular attention to peasants' rights, women's rights and food sovereignty.
- To assess the impact of the current governance frameworks on land users, particularly family farmers, indigenous peoples, women and youth, in terms of human rights, land rights, access and control of land, protecting customary land rights, protection from

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<sup>1</sup> MISEREOR, 2020. Draft report. What are the effects of large-scale land acquisitions in Africa on selected economic and social indicators?

large scale land acquisitions, community involvement in land policymaking and land decisions.

- To assess the extent of large-scale land acquisitions by national and international investors, and their impact on land users.
- To assess to what extent progressive guidance from UN, AU and RECs on land governance is being implemented at the national level, e.g. VGGTs, F&Gs, UNDROP, AfCHPR.
- To provide a stakeholder analysis: who are the main stakeholders in land policy - for and against. Who could be allies for protecting and securing small-scale farmers/pastoralists rights to land and resources? How influential are these potential allies? Who is pro privatization of land rights, pro investment? What is their narrative? How could the narrative publicly be challenged? By which strategies and channels?
- To identify policy barriers to land rights along with opportunities for policy advocacy.
- To provide recommendations to inform land rights advocacy strategy, including identification of policy spaces, entry points and advocacy opportunities, and best placed advocacy actors.
- To identify key components of a Land Rights Charter for Women and Youth.

#### 4. EXPECTED OUTPUTS

- A comprehensive study report (15-30 pages)
- A 2-4 page executive summary including key findings and recommendations
- A PowerPoint presentation summarizing the study findings to be customized to various target groups/policy makers
- Ultimately the reports will be published in both English and French
- The suggested format for the report is attached as Annex 1.

The consultants shall be expected to prepare draft and final study reports, incorporating feedback comments from Client representatives and partners.

#### 6. PROFILE OF THE CONSULTANT

It is proposed for each study to be carried out by a consultant that has a close linkage to or is directly engaged in the existing land policy-making spaces and policy environment in that country.

The consultant should have the following minimum qualifications:

- Postgraduate qualifications in a relevant discipline, and significant research experience in this sector;
- Considerable experience and detailed knowledge of the land rights sector in Africa;

- Excellent writing and communication skills in the language/s of the policy frameworks.

## 7. INDICATIVE TIMESCALE

Date (2021)	Action
28 February	Submission of proposals
3 March	Commissioning of the work
21 March	Submission of draft report of findings to AFSA
26 March	Validation meeting
31 March	Final report submitted with all annexes

## 8. PAYMENTS

A total of US\$ 3,000 will be provided for each country study to cover fees and expenses. Payments will be made as follows: 50% upon contract signature, 50% upon satisfactory conclusion. Fee payments will be subject to a 15% Withholding Tax at source.

The consultant is expected to present their findings at a validation meeting in country. Logistical costs associated with the validation meeting/s will be met from a separate budget. e.g., room hire, refreshments, travel allowance for participants.

## 9. TENDERING PROCEDURES

Eligible consultants are invited to submit technical and financial proposals to undertake this work. Proposals should be sent to [afsa@afsafrika.org](mailto:afsa@afsafrika.org) indicating 'Proposal – Land Policy Study' in the subject line. Proposals should include the CV/s of the proposed Consultant/s and the proposed timeline.

Deadline for proposals: 29 February 2021

## 10. OWNERSHIP OF THE FINAL PRODUCTS

The final products and the intellectual property rights therein shall be the property of the Alliance for Food Sovereignty in Africa.

## ANNEX 1. PROPOSED FORMAT FOR THE STUDY REPORT

Title Page, including project title and number, date of report, authors and their affiliations;

## EXECUTIVE SUMMARY (2-4 PAGES)

- Brief project description and context
- Purpose and expected use of the study
- Principal findings and conclusions
- Key recommendations

## MAIN REPORT

- Table of Contents
- List of Abbreviations
- Purpose of the Study
- The findings of the study (structured according to the Purpose statement - section 3)
- Recommendations
- Conclusions

### Annexes to the study report:

- Terms of Reference for the study
- List of documentation reviewed
- List of people consulted