EUROPEAN UNION

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RECONCILE

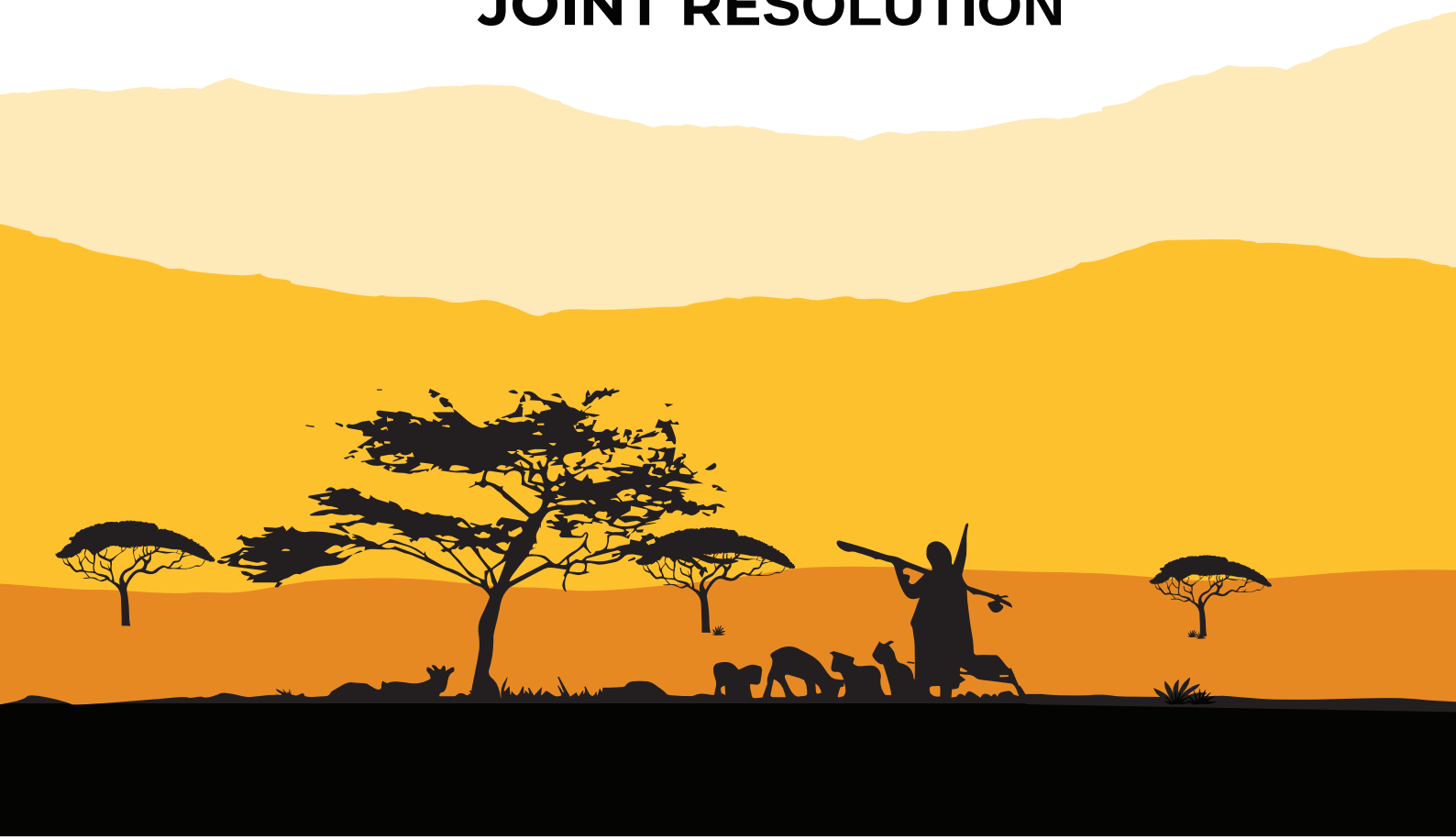
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HIGH LEVEL CONFERENCE ON CUSTOMARY TENURE RIGHTS IN EASTERN AFRICA

17th - 19TH October 2023
NAIROBI, KENYA

THEME:
Making Land Policy Reforms Work for Communal Land Rights in Eastern Africa

JOINT RESOLUTION



THE CHRISTENSEN FUND

german cooperation
DEUTSCHE ZUSAMMENARBEIT

INTERNATIONAL LAND COALITION | AFRICA AFRIQUE

JOINT COMMUNIQUE OF THE REGIONAL CONFERENCE ON CUSTOMARY TENURE RIGHTS IN EASTERN AFRICA

INTRODUCTION

The regional conference on customary tenure rights for Eastern Africa under the theme "Making Land Policy Reforms Work for Communal Land Right" brought together Government officials, United Nations, Development partners, intergovernmental organizations, Civil Society Organizations, international non-governmental organizations, academia, research institutions, private sector and community representatives from Kenya, Uganda, Somaliland, Somalia, Ethiopia, Sudan, and Tanzania.

We in this conference held on 17th -19th October 2023, having discussed the following thematic areas;

1. Status of regional instruments for promotion of communal land rights
2. Land and conflicts
3. Policy legal and institutional reforms to secure pastoral land lights for enhanced productivity and sustainable livelihoods.

ACKNOWLEDGING our role in recognizing, protecting, and securing customary tenure rights, for sustainable, efficient, equitable and productive use and management of land. Our call to promote, enhance and advocate for customary land administered in accordance with the customs and statutory frameworks.

RECOGNIZING the existing regional policies, frameworks and guidelines such as; Framework and Guidelines on Land Policy in Africa, AU Policy Framework on Pastoralism, Agenda 2063, and IGAD Transhumance Protocol as well as National policies, strategies, guidelines, laws and frameworks.

APPRECIATING that Land is a key factor of production, identity, and cultural heritage for communities.

NOW THEREFORE ADOPT AND COMMIT TO THE FOLLOWING:

A. Regional level:

1. Invest in implementation of policies and laws that seek to secure tenure rights in communal land.
2. Develop conflict sensitive tools and guidelines for investments in customary land.
3. Strengthen community collective rights to increase inclusion and participation in policy formulation and implementation.
4. Making the language of the law accessible and relatable for land dependent communities.
5. Deliberate effort to strengthen the functionality of existing regional specialized agencies, regional economic committees and regional blocs to ensure seamless policy implementation.
6. Provide adequate finances by member states towards securing customary land tenure.
7. Fastrack the integration and mainstreaming the IGAD Transhumance Protocol and the AU Policy framework on pastoralism into national policies and frameworks. I.e., Allowing Free, Safe, and orderly cross border mobility of transhumance livestock and herders in search of pasture and water as an adaptation mechanism.
8. Support sensitive infrastructure development and investments in customary lands.
9. Promote regional rangelands restoration and protection programs/ initiatives by member states.
10. Recognize the vulnerability of rangelands and pastoralists to climate change and therefore initiate deliberate measures to promote resilience and adaptive capacities for customary land rights holders.
11. Recognize, adopt, and use Alternative Dispute Resolution (ADR) to solve conflicts such as intercommunity conflicts, boundary conflicts and other related disputes.
12. Use Alternative Justice Systems (AJS) as the first option in determining and resolving land disputes among communities.
13. Establish engagement frameworks as special vehicles for stakeholders in customary lands governance and management.

14. Strengthen and integrate indigenous traditional knowledge into the statutory system and modern technology.
15. Support further research, documentation, and dissemination of community experiences across the region.
16. Derive clear mechanisms and frameworks for communities to draw benefits from the land-based resources and public investments.
17. Support member states to document and ascertain the percentage of land recognized as customary land in the region.
18. Adopt participatory land use planning in areas occupied by customary/ communal land.
19. Mainstream gender components in the implementation of customary land tenure processes.
20. Governments to recognize customary rules and community by-laws.
21. Align and strengthen the role of subnational governments with national policies and regional frameworks to secure customary tenure.

B. Advocacy

22. Facilitate continuous capacity building, sensitization, and awareness campaigns on customary tenure rights.
23. Hold biennial regional forums and annual pastoralists week for regional and national dialogues with communities to provide a platform for sharing and learning on best practices.

Hon. Alice M. Wahome
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Mr. Gershom Otachi
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Amb. Carla Mucavi
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Ms. Myra Bernardi
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Mr. Audace Kubwimana
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Mr. Richard Blane
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Mr. Ken Otieno
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Dr. Hassan Roba
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Mr. Christian Friedman
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