



INCEPTION REPORT

Consultant for Stakeholder Engagement (ProSAVANA programme)

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1. Introduction

The agreement between Japan International Co-operation Agency (JICA) and Majol Consultoria & Serviços (Majol) for the development of a Stakeholder Engagement Plan and Toolkit for the ProSAVANA Programme was signed on the 2nd of November 2015. Subsequently, the consulting team was mobilised and started work on the 3rd of November. Tasks were allocated as reflected in the Draft Work Plan (Appendix 1).

The overall objective is to develop a Stakeholder Engagement Plan and Toolkit, which will promote the participation of stakeholders in the development and implementation of the ProSAVANA programme.

2. Work Programme for the consultancy

The preliminary work plan is attached in Appendix 1.

All tasks listed to be completed by 13 November have been completed or are ongoing. The following adjustments were made:

- After discussions with ProSAVANA project staff, campaign branding was cut back. This also removed the necessity to prepare further summaries of the Master Plan Zero.
- Survey instruments were prepared on-line. It was later decided not to provide on-line access to the interview subjects, but do data entry in-house. The on-line facility was maintained to facilitate statistical analysis.
- The interviews field trip was reduced from 3 to 2 weeks. The third week will now be spent in Maputo interviewing national Government departments and preparing for the first Advisory Committee meeting, which has been rescheduled for week 4. This is to allow Civil Society organizations sufficient time for internal discussions, consensus building, and decision making.

3. Activities carried out

The following table shows the various activities carried out so far. A visual representation is found in Appendix 1, the Work Plan, which has been colour coded so progress versus plans can be seen at a glance.

ACTIVITY	STATUS
Literature review	Started and ongoing as per work-related need
Meeting 1 with JICA/ProSAVANA staff	Completed
Meeting 2 with Government ProSAVANA staff	Completed
Draft lists of stakeholders	Completed (Appendix 2)
Arranging meetings with national CSOs	Completed
Survey instruments	Completed (Appendix 3)
Master Plan Zero summaries	Abandoned (see para. 2) , though early drafts already submitted to JICA
Individual consultations civil society	4 held (Action Aid, ADECRU, Oxfam, GMD) , plus preliminary telephone interviews with seven others.
Individual consultations government departments	Rescheduled for week of 30 Nov.
Arrange meetings and trip logistics for stakeholder engagement	Completed
Draft ToR for Advisory Committee	Completed (Appendix 5)
Write and submit inception report	Completed (this document)

4. Methods

The original concept was to administer a questionnaire during a structured interview with CSOs and ProSAVANA-related Government departments. While trying to arrange the initial interviews it became clear that many CSOs were unwilling to be individually interviewed as they considered themselves to be part of larger, collective bargaining units. The questionnaires will therefore be administered chiefly during group meetings. Semi-structured or informal interviews will supply background information about individual stakeholders, which will be included in the stakeholder map. So far, seven of such informal interviews were also held.

5. Results

The genesis of the present situation is becoming increasingly clear from interviews conducted so far. Most CSOs we have spoken to claimed to have learned about ProSAVANA in 2009 through the media, sometimes even foreign ones, or through the rumour circuit. That immediately raised suspicion with them. A common complaint is also, that when they approached Government for clarification very little information was forthcoming and promises of more were not honoured. This further strengthened the impression that there was something being hidden.

The fact that work has started on some of the infrastructure, such as the harbour in Nacala, also increases the perception that Government wants to push the programme through in spite of objections.

Some of the organisations (at least three of them) started trying to collect their own information. For example, a study trip was made to Brasil, based on claims that ProSAVANA was inspired by development in the Brazilian Cerrado. The large scale industrial type agriculture that was seen to dominate there is in stark contrast to the small-scale, family type of agriculture that many of the CSOs promote. This, together with a few unfortunate pronouncements by individual Government persons, started to create a picture with a lot of false assumptions and wrong conclusions. Wildly inaccurate data circulated regarding the affected land area, and land grabs by unrelated people and organisations in the Corridor¹ are widely and wrongly attributed to ProSAVANA by members of the public and civil society even today. Guesswork about the motivations of those seen as the promoters of the programme (the Governments of Mozambique, Japan and Brasil) added more fuel to the fire.

Overall, the CSOs felt that they were not being listened to, were not given information, and were generally treated in an arrogant and obstinate way by the Government. Two specific occasions were cited: a meeting organised by CSOs which was attended by the three provincial directors from the ProSAVANA area, and the public consultation in Maputo presided over by the Minister. In both cases, in the opinion of the CSOs a genuine discussion was not held, and the attitude of Government parties was hostile and arrogant. When in Maputo CSOs were told that those who were not given a chance to speak could submit in writing, many of them decided to abandon the process because of the way it was being held.

The fight hardened. Some leaders left, and were replaced by more hard-line people. This finally resulted in the CSOs breaking into two groups: the hardline “No to ProSAVANA” campaign (a.o. UNAC, ADECRU, J.A., CESC), and a group of CSOs that are not against the programme as such, but want to see it changed in a number of key issues, foremost of which is the forced resettlement aspect (including a.o. OXFAM, ActionAid, CTA, GMD). Some of these are united in ASCUTE (Alliance of Civil Society against Usurpation of Land: ActionAid, OXFAM, Forum Mulher, CARE, Lutheran Federation, CONCERN, Forum of Rural Women), which deals with land rights and land grabbing in general. Their basic principle is empowerment through prior informed consent and free will.

Both campaigns did their own technical analysis of the of ProSavana documents. Based on these analyses, a strategic matrix was drawn up which arranged for lobby and advocacy activities in Japan, Brasil and

¹ <https://www.grain.org/article/entries/5137-the-land-grabbers-of-the-nacala-corridor> See list of land grabbers, Appendix 6.

Mozambique. This explains the growing objections from Japanese CSOs and their representatives in the Diet.

We have spoken to representatives of both camps. The surprising fact is, that even members of the “No” campaign still say that they would be willing to come to the table, provided that they are given a guarantee that their contributions will be considered seriously. Most of them also want such a dialogue to be moderated by a neutral party, since they have lost all confidence in Government’s promises.

In addition, they specifically say that their involvement has to be more than simply ‘commenting on documents’. Many organisations, and even commentators², note that the Zero draft of the Master Plan does not sufficiently safeguard the land and resource rights of the population. Majol consultants would agree that even the most recent excerpt shared with us (DMP_ver1 - Excerpt_Land Use_DUAT_Land Issues) does not resolve anything, despite major efforts of the ProSAVANA team. See our comments on this, Appendix 7.

Please see Appendix 4 for stakeholder map so far.

Individual survey data have not yet reached statistically significant size.

6. Terms of Reference for Advisory Committee

The Terms of Reference for the Advisory Committee are found in Appendix 5. Due to Civil Society comments so far we have changed the name of this committee into the "Working Committee". We acknowledge that JICA was talking about a committee to finalise the draft zero and lead the second round of consultations, but Civil Society sees itself as playing an ongoing role. Thus we have made a two part scope of work, one for finalising the Master Plan, and another for ongoing M and E and strategic input. Without acceptance of the latter, Majol doubts that Civil Society will accept a design role without subsequent involvement.

7. Recommendations so far and next steps

Recommendations

From the interviews it is clear that land concerns and communication style are major stumbling blocks to achieving buy-in from civil society. Both of these must be addressed.

So far, civil society (and the consultant team) feel that the Principles of Responsible Agricultural Investment as divulged up to now by the ProSAVANA team are insufficient (see Appendix 7). Specific recommendations that need to be added follow. Essentially, ProSAVANA must establish project policies (and mechanisms to enforce them) that go above and beyond the Mozambican legal framework, and that guarantee that:

- Land Rights and Access to Natural Resources for all Mozambicans, and specifically rural households, will be defended;
- “Free and prior informed consent” for each transaction of land and for every individual involved in the land transaction will be ensured;
- The right of full access to legal representation for all populations and individuals involved in land transactions will be guaranteed (in the same way that an investor engages advisers and lawyers);
- Strict and transparent implementation of the legal framework regarding land is ensured, with the exception that ..
- ... that "Involuntary Resettlement" is not used within the ProSAVANA programme and all associated projects, except when needed for necessary public infrastructure (e.g. roads, irrigation canals, etc.);
- A transparent and fully accessible Complaints Management System will be created;

2

<http://www.clubofmozambique.com/solutions1/sectionnews.php?secao=business&id=2147488847&tipo=one>

- Mechanisms for access and participation for civil society in the negotiations, claims, and other processes involving lands to ensure the above mentioned items will be created.

Due to the complexity of the material, it is essential that ProSAVANA does not simply try to alter the documents on its own. Rather, Civil Society must be involved and tasked with directly assisting project writers to create sufficient safeguards and appropriate language.

Many parties in civil society also feel that the programme technically needs further development. The path mentioned for doing this is “co-creation” or “joint project development”. The consultant team also feels that the programme could benefit from an improved logical structure (the relationship between objectives, results, and outputs, as well as more specific conceptual detail on market access). The development of a logframe or similar programme planning instrument would go a long way towards correcting this.

Longer term, a need will continue to exist for a mediator with ample experience in lobbying and advocacy. The CSOs themselves have expressed this wish on several occasions.

Next Steps

The next three weeks will be spent on the activities as per the Work Plan. Three team members will visit the ProSAVANA area to conduct interviews with CSOs on the ground. After processing of the results, this will culminate in the first meeting of a provisional Advisory Committee.

8. Documents consulted

Grain (2014): <https://www.grain.org/article/entries/5137-the-land-grabbers-of-the-nacala-corridor>

Ministério da Agricultura e Segurança Alimentar (2015): Plano Director para o desinvolvimento agrario do corredor de Nacala em Mocambique. Esboco versao 0, (sumario). 35 pp.

Ministry of Agriculture and Food Security (2015): Master Plan for the Nacala Corridor. Draft version 1, Triangular Co-operation for Agricultural Development of the Tropical Savannah in Mozambique. 254 pp.

Monjane, Boaventura (2014): Auscultação pública sobre o ProSAVANA: Ministro exige intervenções “patrióticas” e activistas abandonam a sala. boa.monjane@gmail.com

Portucel Mozambique (2015): Stakeholder engagement plan (draft). Majol Consultorio e Servicos, Maputo. 96 pp.

ProSAVANA (2013): Communication strategy September 2013. Version 2, English. 50 pp.

Terrafirma Rural Development Consultants (2013): Land delimitation and demarcation: preparing communities for investment. CARE Mozambique, Maputo. 65 pp.

APPENDIX 1 - ADJUSTED DRAFT WORKPLAN AS PER 13 NOVEMBER 2015

Colour coding shows progress against plans, and is as follows:

- Green** on time
- Yellow** up to one week late
- Red** more than one week late
- No colour not yet scheduled to begin

			Month/Week								
			Novemb er					Decembe r			
Phase	Activity	Lead	2	9	16	23	30	7	14	21	28
Inception	Literature Review	Harry									
	Meeting with ProSAVANA Staff (Meeting 1), agreement on messaging/ partial "rebranding"	Peter, team	4 Nov.								
	Dialogue and briefing with ProSAVANA staff (meeting 2)	Peter, team		9 Nov.							
	Make draft list of Civil Society and National Gov't Stakeholders	Joao, Eduardo	4 Nov.								
	Arrange meetings with national CSO's	Eduardo	4 Nov.								
	Make Survey Instruments	Peter and Harry	4 Nov.								
	Make Prosavana Zero Draft Summaries	Peter and Harry	4 Nov.	After discussions with ProSAVANA project staff, campaign branding was cut back. This also removed the necessity to prepare further summaries of the Master Plan Zero.							
	Individual consultations with civil society (Maputo)	Eduardo, Joao									
	A similar set of interviews with relevant government departments	Eduardo, Joao					Rescheduled in place of 3rd week in provinces (line 19).				
	Write Inception Report	Harry; final draft, Peter									
	Submission of the inception report including the tools and formats.	Eduardo.		13 Nov.							
ToR for Advisory Committee	Draft ToR	Peter		13 Nov.							

	Discuss ToR with key CS Stakeholders and revise	Joao, Eduardo									
Stakeholder Engagement and Report	Arrange meetings	Joao									
	Trip Logistics arranged with Prosavana, MASA	Eduardo									
	Interviews with CSO's; provinces	Joao, Eduardo, Harry									
	Data processing and analysis	Joao, Eduardo									
	Preparation of presentations for first meeting	Harry, Peter									
	First meeting, Advisory Committee Founder Members (self selected)	Peter and Team					3 or 4 Dec				
	First draft report	Harry									
	Final draft report (after Comments)	Peter									
Advisory Committee established and functioning	Choose venue, Logistics	Eduardo									
	Invitations (hold the date) and newspaper announcement	Eduardo									
	, which must include organizing second round of consultations	Joao, Peter, Eduardo									
	Detailed reminder with Agenda and draft ToR	Eduardo									
	Meeting (Nampula)	Peter and Team									
	First draft Meeting Report (with photos and video)	Harry									
	Final Draft Meeting Report (after Comments)	Peter									
The rest to be filled in by 15.12.2015 in dialogue with ProSAVANA and MASA.											

APPENDIX 2 - DRAFT LISTS OF STAKEHOLDERS

The table is added as a separate Excel spreadsheet file attached to this email.

STAKEHOLDER SURVEY

1. What is the name of your organisation?

2. Does your organisation operate on a national or provincial level? (More than one answer possible)

- ☐ National
- ☐ Provincial (in Nacala corridor: Nampula, Niassa, Zambezia provinces)
- ☐ Provincial (not in Nacala corridor)

3. As a stakeholder organisation, who do you consider to be your constituents? (More than one answer possible)

- ☐ Rural poor (whether farming or not)
- ☐ Farmers
- ☐ Rural women
- ☐ Youth
- ☐ People with disabilities
- ☐ Other (please specify)

4. What mechanisms do you have in place to keep in touch with them in order to represent their interests?

- ☐ Advisory board of appointed members
- ☐ Advisory board of elected members
- ☐ Strategic community consultations
- ☐ Annual general meeting
- ☐ Extension visits or meetings

Other (please specify)

5. Does your organisation have a formal strategy for rural development? (Could we have a copy?)

- ☐ Yes
- ☐ Yes, not given
- ☐ No

6. What do you consider the best way(s) to advance farmers' interests and address rural poverty, translated into priority institutional strategies? Please rank your answers in order of importance.

Influencing social grant systems

Influencing environmental laws and policies

Influencing land laws and policies

Improve and strengthen security of access to land

Provide market access to small producers

Improve farming and land management methods

Advocate gender equality

Advocate inclusivity for youth and people living with disabilities

Other (please specify)

Other (please specify)

7. How did your organisation become involved with ProSAVANA?

- ☐ Constituents raised issue(s) related to the programme
- ☐ Our project(s) are affected by ProSAVANA (please elaborate below)
- ☐ Our project(s) could be affected (please elaborate below)
- ☐ We learned about ProSAVANA through the media
- ☐ We heard about it through our professional network
- ☐ We were invited to a consultation
- ☐ Other (please specify)

8. Are you in possession of the ProSAVANA planning document?

- ☐ Yes
- ☐ Yes, but not read

- ☐ No longer interested
- ☐ No

9. Which version is this (date)?

10. What other documentation regarding ProSAVANA do you have or have access to?

11. What do you see as potentially beneficial aspects of ProSAVANA?

1.
2.
3.
4.
5.

12. Please indicate to what extent you are satisfied with the above aspects. (5 = very satisfied, 1 = barely satisfied)

	1	2	3	4	5
1.	<input type="radio"/> 1.1	<input type="radio"/> 1.2	<input type="radio"/> 1.3	<input type="radio"/> 1.4	<input type="radio"/> 1.5
2.	<input type="radio"/> 2.1	<input type="radio"/> 2.2	<input type="radio"/> 2.3	<input type="radio"/> 2.4	<input type="radio"/> 2.5
3.	<input type="radio"/> 3.1	<input type="radio"/> 3.2	<input type="radio"/> 3.3	<input type="radio"/> 3.4	<input type="radio"/> 3.5
4.	<input type="radio"/> 4.1	<input type="radio"/> 4.2	<input type="radio"/> 4.3	<input type="radio"/> 4.4	<input type="radio"/> 4.5
5.	<input type="radio"/> 5.1	<input type="radio"/> 5.2	<input type="radio"/> 5.3	<input type="radio"/> 5.4	<input type="radio"/> 5.5

13. What do you see as potentially negative aspects of ProSAVANA?

1.
2.
3.
4.
5.

14. Please indicate to what extent you are dissatisfied with the above aspects. (5 = very dissatisfied, 1 = slightly dissatisfied)

	1	2	3	4	5
1.	<input type="radio"/> 1.1	<input type="radio"/> 1.2	<input type="radio"/> 1.3	<input type="radio"/> 1.4	<input type="radio"/> 1.5
2.	<input type="radio"/> 2.1	<input type="radio"/> 2.2	<input type="radio"/> 2.3	<input type="radio"/> 2.4	<input type="radio"/> 2.5

	1	2	3	4	5
3.	<input type="radio"/> 3. 1	<input type="radio"/> 3. 2	<input type="radio"/> 3. 3	<input type="radio"/> 3. 4	<input type="radio"/> 3. 5
4.	<input type="radio"/> 4. 1	<input type="radio"/> 4. 2	<input type="radio"/> 4. 3	<input type="radio"/> 4. 4	<input type="radio"/> 4. 5
5.	<input type="radio"/> 5. 1	<input type="radio"/> 5. 2	<input type="radio"/> 5. 3	<input type="radio"/> 5. 4	<input type="radio"/> 5. 5

15. How do you think the beneficial aspects could be enhanced?

16. How do you think the negative aspects could be mitigated?

17. Overall, what is your organisation's position on the current state of the programme?

- ☐ We are opposed to it in total and will actively advocate against its implementation
- ☐ We are opposed to its current form and wish to see it changed significantly
- ☐ We agree to the format, but think some operational changes are needed
- ☐ We would like to see a number of smaller adjustments
- ☐ We think that the programme is fine as it stands

18. In what direction would you like to see the programme developing?

19. Would you be willing to enter into a formal dialogue process with ProSAVANA with the aim of improving the programme to better serve the interests of rural Mozambican families and farmers?

- ☐ Yes
- ☐ No
- ☐ Unsure

20. Would you be willing to help establish an advisory committee for ProSAVANA?

- ☐ Yes
- ☐ No
- ☐ Unsure

21. On a scale from 1 to 5, can you indicate if you are now better informed about the ProSAVANA programme?

- ☐ 1 Not at all better
- ☐ 2
- ☐ 3

- ☐ 4
- ☐ 5 Very much better

22. What is your position now towards the ProSAVANA programme?

- ☐ 1 We are completely opposed to the programme
- ☐ 2
- ☐ 3
- ☐ 4
- ☐ 5 We fully support the programme

GOVERNMENT DEPARTMENT SURVEY

1. What is the name of your Government entity?

2. Does your entity operate on a national or provincial level? (More than one answer possible)

- ☐ National
- ☐ Provincial (in Nacala corridor: Nampula, Niassa, Zambezia provinces)
- ☐ Provincial (not in Nacala corridor)

3. In what way does your entity contribute to rural development?

- ☐ Administrative, regulatory and law enforcement
- ☐ Advisory
- ☐ Provision of services
- ☐ Other (please specify)

4. In the course of its work, does your entity engage structurally with civil society and/or communities?

- ☐ Yes
- ☐ No

5. If the answer to question 4 is yes, in which way is this done?

- ☐ Regular surveys or structured interviews with stakeholders
- ☐ Occasional surveys or structured interviews with stakeholders
- ☐ Information gathered from official internal reports
- ☐ Other (please specify)

6. If the answer to question 4 is no, why?

7. In the course of its work, does your entity engage informally with civil society and/or communities?

- ☐ Yes
- ☐ No

8. If the answer to question 7 is yes, in which way is this done?

- ☐ Regular informal interviews with stakeholders
- ☐ Occasional informal interviews with stakeholders
- ☐ Information gathered from internal informal flow of information
- ☐ Other (please specify)

9. If the answer to question 7 is no, why?

10. In what way is your entity involved with ProSAVANA?

- ☐ Active participant in programme implementation
- ☐ Active participant in programme design
- ☐ Advisory role in implementation
- ☐ Advisory role in design
- ☐ We are not involved
- ☐ Other (please specify)

11. As a Government entity, what do you see as your role in the programme?

12. Are you in possession of the ProSAVANA planning document?

- ☐ Yes
- ☐ Yes, but not read
- ☐ No longer interested
- ☐ No

13. Which version is this (date)?

14. What other documentation regarding ProSAVANA do you have or have access to?

15. What do you see as potentially beneficial aspects of ProSAVANA?

1.
2.
3.
4.
5.

16. Please indicate to what extent you are satisfied with the above aspects. (5 = very satisfied, 1 = barely satisfied)

	1	2	3	4	5
1.	<input type="radio"/> 1.1	<input type="radio"/> 1.2	<input type="radio"/> 1.3	<input type="radio"/> 1.4	<input type="radio"/> 1.5
2.	<input type="radio"/> 2.1	<input type="radio"/> 2.2	<input type="radio"/> 2.3	<input type="radio"/> 2.4	<input type="radio"/> 2.5
3.	<input type="radio"/> 3.1	<input type="radio"/> 3.2	<input type="radio"/> 3.3	<input type="radio"/> 3.4	<input type="radio"/> 3.5
4.	<input type="radio"/> 4.1	<input type="radio"/> 4.2	<input type="radio"/> 4.3	<input type="radio"/> 4.4	<input type="radio"/> 4.5
5.	<input type="radio"/> 5.1	<input type="radio"/> 5.2	<input type="radio"/> 5.3	<input type="radio"/> 5.4	<input type="radio"/> 5.5

17. What do you see as potentially negative aspects of ProSAVANA?

1.
2.
3.
4.
5.

18. Please indicate to what extent you are dissatisfied with the above aspects. (5 = very dissatisfied, 1 = slightly dissatisfied)

	1	2	3	4	5
1.	<input type="radio"/> 1.1	<input type="radio"/> 1.2	<input type="radio"/> 1.3	<input type="radio"/> 1.4	<input type="radio"/> 1.5
2.	<input type="radio"/> 2.1	<input type="radio"/> 2.2	<input type="radio"/> 2.3	<input type="radio"/> 2.4	<input type="radio"/> 2.5
3.	<input type="radio"/> 3.1	<input type="radio"/> 3.2	<input type="radio"/> 3.3	<input type="radio"/> 3.4	<input type="radio"/> 3.5
4.	<input type="radio"/> 4.1	<input type="radio"/> 4.2	<input type="radio"/> 4.3	<input type="radio"/> 4.4	<input type="radio"/> 4.5
5.	<input type="radio"/> 5.1	<input type="radio"/> 5.2	<input type="radio"/> 5.3	<input type="radio"/> 5.4	<input type="radio"/> 5.5

19. How do you think the beneficial aspects could be enhanced?

20. How do you think the negative aspects could be mitigated?

21. Overall, what is your entity's position on the current state of the programme?

- ☐ We have grave doubts about its feasibility
- ☐ We would like to see significant changes
- ☐ We agree to the format, but think some operational changes are needed
- ☐ We would like to see a number of smaller adjustments
- ☐ We think that the programme is fine as it stands

22. In what direction would you like to see the programme developing?

23. In which way could your entity contribute to this development?

24. On a scale from 1 to 5, can you indicate if you are now better informed about the ProSAVANA programme?

- ☐ 1 Not at all better
- ☐ 2
- ☐ 3
- ☐ 4
- ☐ 5 Very much better

25. What is your position now towards the ProSAVANA programme?

- ☐ 1 We are completely opposed to the programme
- ☐ 2
- ☐ 3
- ☐ 4
- ☐ 5 We fully support the programme

APPENDIX 4 - PROVISIONAL STAKEHOLDER MAP

Stakeholder Analysis and Mapping, ProSAVANA

"Stakeholder Analysis" is a term used to describe the identification and characterization of individuals and groups of people that impact on or might be impacted by a planned or proposed project. Identification and characterization imply the following:

- Identification of the characteristics of each group, culturally, socially, economically, as well as with the reference to the project;
- Identification of concerns, opportunities, expectations, and potential conflicts or conflicts of interest between the project and particular groups or between the groups themselves;
- Identify and characterize relationships between the stakeholders that may promote or impede the development of alliances and consensus, or alternatively conflict;
- Identification of key groups and individuals who need to be the subject of targeted engagements as well as important messages and objectives of these engagements;
- Necessary mitigation and associated stakeholders;
- Any other relevant information.

Thus stakeholder analysis develops project understanding of its own neighbours and interested and affected parties, which is an early step in the development of the stakeholder engagement plan. It also attempts to understand and describe the relationships between stakeholders, and, in doing so allows for the creation of management systems, moments, and methods for engagement. The following sub sections provide a profile of the various stakeholders in the project as well their concerns and relative influence in the project.

Definition of 'Stakeholder'

A stakeholder is a 'person, group or organization that has a direct or indirect stake in a project because it can affect or be affected by the project's activities'. Stakeholders thus vary in terms of degree of interest, influence and control they have over the project. While those stakeholders who have a direct influence on or have direct interests in the project are known as **Primary Stakeholders**, those who have indirect influence or indirect interests are known as **Secondary Stakeholders**.

The following section (Stakeholder Mapping) sets out in tabular form ProSAVANA stakeholders identified, their potential issues with the project, their relationship with the project, their concerns, their expectations, and also attempts to characterize the potential influence of the project. The final column of the chart characterizes each stakeholder by their degree of influence over the project (how much their actions, decisions and opinions can affect the project) and the degree to which they are interested (how much project actions decisions and opinions affect their lives). This characterization works as follows.

A national government for example is a **highly influential stakeholder** with respect to the ProSAVANA project; government agricultural and environmental policies as well as taxation regimes, land and labour laws, and others, will directly affect the project profitability and chance of success. On the other hand, the project most likely has very little impact on the government; the success or failure of the project will have only a small impact on government. So a national government with respect to ProSAVANA project is a **high influence/ low interest stakeholder**. Because the influence is direct, the national government is considered to be a **primary stakeholder**.

Village women in Nampula province, are **low influence but high-interest** stakeholders. Their livelihoods patterns are negatively affected by agricultural occupation of forest and bush, with concomitant loss of for example wild foods. They also have little actual voice in male-dominated community affairs. Because the project affects them directly, village women would be **primary stakeholders** as well.

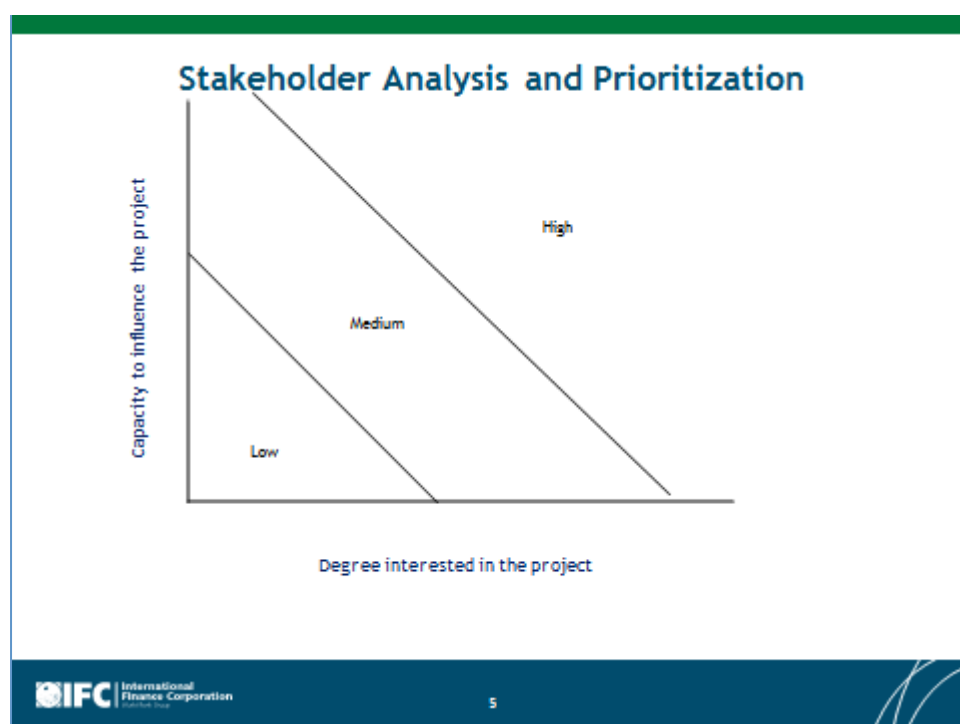
A local environmental NGO, lobbying for protection of land rights for rural people, might be a high influence/ low interest stakeholder. Should ProSAVANA operations impact negatively on these areas, the local NGO

could call on public opinion and mount public campaigns against ProSAVANA. Because their survival is not directly at stake, local NGO's can be considered **secondary stakeholders**.

As mentioned stakeholder mapping is a process of examining the relative interest/influence that different individuals and groups have over a project as well as the impact of the project on them. The purpose of stakeholder mapping is to:

- Identify each stakeholder group;
- Study their profile and nature of stakes;
- Understand each groups issues and concerns and expectations;
- Gauge their influence on the project.

On the basis of such understanding the stakeholders are evaluated on two scales of interest/expectations and influence. Stakeholders are thus categorized into high, medium and low influence and similarly evaluated on a low, medium or high scale of interest.



The stakeholders categorized as high influence are those that can have a high control over the project or likely to be heavily impacted by the project. On the other hand stakeholders with low influence are those that have minimal influence on the decision making in the project.

Relevant Stakeholder	Profile and Status	Project Issues	Project Expectations	Potential Influence on Project	Influence and Interest Rating
National government bodies (mostly MASA)	The national government creates the frame conditions for investments in Mozambique. These are manifest at several different levels, ranging from the Constitution at the uppermost level to the specifics of the project and land authorizations on the other. Perhaps also included in the frame conditions might be even verbal				

Relevant Stakeholder	Profile and Status	Project Issues	Project Expectations	Potential Influence on Project	Influence and Interest Rating
	communications and policy statements from national government.				
Provincial government, especially provincial, representations of the agriculture, planning, and environment ministries	Provincial governments in theory are the provincial arms of the national government and thus their influence is closely aligned with that of the national government. In practice, government is not monolithic, and provincial governments of course will lobby and favor decisions and activities that benefit the provincial situation rather than the nation as a whole.				
District government (including sub-levels such as Administrative Posts)	The district government relates to the provincial government as the provincial government relates to the national one.				
Provincial and district business community, including MSME's and producer organizations.					
Political parties	The ruling party is strongly in favor of the programme, but experience has shown that individual politicians will use any project success to further its own political agenda. Because of this, there have been cases where individual politicians of opposition parties have taken positions against certain investments.	The programme must be aware that it may be used as a political pawn and must maintain a strictly apolitical approach. In the rural areas, resistance from the opposition parties can be overcome through fairness as well as opening lines of direct communication.	Politicians of all parties will use the programme to further their own ends.	Handled badly, any political party could raise opposition to the programme.	High influence, low interest.
Local NGOs	There are a number of local NGOs in the three provinces. Some of these focus on land rights, while others have a generalized focus on one or another aspect of community development. It will be necessary to update this stakeholder engagement plan with a specific list of the most important stakeholders and what is needed to engage with them as well.	Specified below for each NGO.	Specified below for each NGO.	Issues here are ones of reputation, with some local NGOs having good connections with media and other outlets. These are opinion leaders and should be treated as such.	Low interest high influence. Please see initial list of names and contacts in Appendix; this needs to be upgraded regularly.
International NGOs and CSO's	International NGOs and civil society at national	Social justice and land focused NGOs	As of October 2014, land social justice	Land and social justice NGOs could	Interest might be medium,

Relevant Stakeholder	Profile and Status	Project Issues	Project Expectations	Potential Influence on Project	Influence and Interest Rating
	<p>level are opinion makers, with particular influence over public opinion, the news media, and potential partners such as USAID. Some NGOs have a very specific focus on land and social justice issues, while others are more focused on community development or environmental issues.</p> <p>Note again that after Portucel has gained some experience implementing on the ground, it will be necessary to up date this stakeholder engagement plan with a specific list of the most important stakeholders and what is needed to engage with them as well.</p>	<p>will follow Portucel's land acquisition very closely. Development NGOs, if Portucel's corporate social responsibility and community development initiatives become recognized and acknowledged, would most likely be interested in partnerships in the same areas. This could be in the form of sub contracts.</p>	<p>NGOs are concerned about the initial behavior of Portucel during land acquisition. A local activist has published a book which specifically criticized Portucel, and others are tracking closely Portucel's improvements in this area. On the other hand, at the public hearing of the EIA in Maputo, the national capital, the audience seemed to appreciate the land acquisition livelihoods restoration, and community development policies that Portucel is putting in place.</p>	<p>create international reputational issues for Portucel that might lead to FSC or IFC non-compliance. Influence of land and social justice NGOs over government is variable, though the ruling political party has retained publicly a strong populist approach.</p> <p>Community development NGOs have much to offer in the way of experience to Portucel's community development efforts.</p> <p>These organizations can be opinion leaders, and set the tone of the national dialogue.</p>	<p>but influence is high.</p>
Stakeholder NGOs (incl. contacts):					
<i>National (in Maputo):</i>					
<p>Action Aid Country Director Amade Suca, offc (21) 314342/5, 823094310 pers.cel 828671300</p>	<p>Involved in rights-based work, agricultural extension, and many others. Helped convene Portucel Advisory Committee. Links to Action Aid International. Director is a high profile and influential opinion leader in civil society.</p>	<p>Has been involved in attempts to dialogue, and in campaigns against ProSav since beginning. Has process issues with the top-down implementation manner. Against being asked to correct documents, but wants to co-create. Not against aims of ProSav as such, but against implementation style and has serious issues with inadequate safeguards for the land rights of people and other uncertainties.</p>	<p>Liked idea of 3rd party mediation to solve current situation. Has set clear preconditions for involvement in dialogue process. 1: must be genuine openness to co-create ProS, looking at all issues, evrthg must be on the table. 2: discussion must include development model, how/if to involve agrobusiness in devpmt with focus on family sector. 3: doubts if co-create process can be completed within current deadline, even that must be negotiable. 4: communications must be improved at all levels. Clear focal points, moments and mechanisms must</p>	<p>Potnt influence: Is opinion leader and can sway others to cooperate. If conditions are not met, he is quite willing to let ProS die and many will follow. He believes there is already a hard core of NGOs that have written ProS off: Just.Amb., UNAC, OMR and others. Many don't read documents any more, even himself.</p>	<p>Influence rating: high.</p> <p>Interest rating : medium. If dialogue can be created, interst high; but if not couldn't care less (0 interest).</p>

Relevant Stakeholder	Profile and Status	Project Issues	Project Expectations	Potential Influence on Project	Influence and Interest Rating
			be created .Under those conditions is willing to help co-create something Govt and Civ Soc can support.		
<u>ADECRU</u> adecru2007@g mail.com Vicente Adriano cel 82 5132059	Advocacy, basic rights, social inclusivity, use of natural resources, grassroots organisation, inclusion of youth and women in development activities. Extensive network of local, district, and provincial community organisations.	Government behaviour and lack of dissemination of information. Imposition of entire program from above, lack of broad dialogue. Wrong choice of development models, methodology not linked to real needs. Broken promises regarding making info available. News about ProS has led to large scale land grabs in the area by high placed individuals with aim to benefit from land deals with foreign investors.	A real development program would first and foremost allow communities to influence the type of development that is chosen.	Broad based grassroots structures could influence implementation of many aspects.	Interest high, as current program runs counter to ADECRU philosophies. Influence on local population medium, on other CSOs low (too leftist).
<u>CESC</u> Paula Monjane	Human and civil rights sensitisation and protection, development of awareness of civil rights and duties.	Against. Want to scrap ProSav. Doubts about use of land legislat for ProSav. Already much land grabbing, not by ProSav but by influential people in anticip of PrSav. Govt lost credibility by breaking up dialogue.	Gaps in land legislation to detriment of people's rights. People are ignorant about laws and are at disadvantage in negotiations. International pressure will leave Govt no way out: either change or stop ProSav.	Working with local NGOs. Want to be involved to protect those who cannot protect themselves.	Interest high. High influence through networks.
<u>CTA</u> Luis Eduardo Sitoe	Federation of private sector trade assoc., aiming to promote good business envir. in Moz through dialogue with Govt. Non-profit, non-partisan. Organises studies + research to influence public policy and business environment.	Concrete action required from Govt to show that they are serious to implement right policies, best practices, create clean environmt, not just promises. Govt image is tarnished and weak.	To be implemented in partnership with priv sect. Will create opportunities for new comp and econ devpt in north Moz. Shift of business emphasis from Maputo, provided business training is undertaken for comp in provinces to be able to compete with Maputo comps. CTA considers new govt more open than old one, CSOs should grab their chance.	CTA is key to private sector involvement. Encourages members to engage in Corp Social Responsib activities, in alliances with Govt or CSOs, e.g. endemic diseases.	Influence high, interest high
<u>CTV</u> Tel.: 21321257 http://www.ctv.org.mz Marcos Pereiro	Environmental advocacy and studies.	ProSav will promote poverty through landlessness. Govt is manipulating to stifle civil society.	Co-create new project, instead of manipulating civil society.	Large network of village paralegals (>600!) who monitor violations of rights.	Influence high through envir. studies Interest moderate, but can become

Relevant Stakeholder	Profile and Status	Project Issues	Project Expectations	Potential Influence on Project	Influence and Interest Rating
					high
Forcom Benilde Nhalvilo		Part of campaign "No to ProSavana"			
<u>Fórum Mulher</u> Graça Samo (incl other org), Directora Executiva Tel.: 21414 037 www.forumulher.org.mz	National org., focus on womens rights and feminism. Strong grassroots network, member organis. in all provinces. Model for other NGOs.	Opposed to ProSav but won't talk in absence of other campaign members.	Want to close it down.	Strong voice because of large membership.	
<u>GMD</u> Eufrigina dos Reis Mandela Tel.: 21419523 divida@tvcabo.co.mz http://internationallbudget.org/groups/grupo-moambicano-da-divida-gmd/ Humberto Zaquieu (intvw)	Platform of CSOs, nationally and in some provinces. Was instrumental in setting up the Development Observatory, a watchdog body in the fields of public debt, development finance, and participatory planning.	Great silence around ProS, no official information. Absence of dialogue, no democratic space, in line with Govt behaviour in many other fields. Against the top-down methods of imposing the programme. Doubts about basic rights and food security issues.	Want a robust discussion on all aims and means, open debate, and real change if the majority demands it.	Have done their own study on agric devpmt issues. Through member orgs on the ground can exert strong influence on implementation.	Interest moderate, more as part of greater issue of style of government. Influence high via member orgs on the ground
<u>Oxfam Moz</u> Adelson Rafael	Internat. org., advocacy and monitoring of programs, agric, nat.res., womens rights. Working with 62 partner orgs in Mozmb.	Oxfam is a co-founder of ASCUTE. They want espec. the land rights aspect of ProSav addressed.	More inclusive. Approach must be changed to assure land rights for the poor.	Financing campaign for land rights	Influence high, partly because of international reach. Interest: medium.
<u>Solidaridad Nampula</u> Antonio Mutoa (vice pres of Nampula platform)	National NGO, works on monitoring of Govt policies and programs in food security and natur., resources	Not against; commented on MasterPlan but have not had a reaction	Expect to have MastP changed according to comments and approved		Influence high because of position in platform, have worked in advocacy and monitoring for a long time. Interest moderate, but only with changes.
<u>Nampula:</u>					
<u>PPOSCN</u> António Muagerene, tel 26218541, 826061426 Antonio Laggres	Large membership of CSOs, monitoring policies and programs of Govt on Distr and Prov level. Also co-ordinating member activities	Not against, submitted comments and waiting for reaction.	Having their comments included		High influence because of large membership Interest moderate.

Suggestions based on world best practice for a

“Charter of Governance: Key terms and conditions of a Civil Society ‘Working Committee’ for the ProSAVANA Programme, Mozambique”

Background

The Japan International Cooperation Agency (JICA) and the GoM are interested in developing a civil society consultative platform to assist in the elaboration of the ProSAVANA Master Plan. It has been suggested that this platform could consist of a representative NGO Working Committee to participate directly in drafting and revision, as well as the development of a consultative process (the “Second Round” of stakeholder consultations) to allow for input from society at large.

All parties involve acknowledge the need for improved stakeholder communication and dialogue in order to develop a Master Plan that addresses the needs of poor Mozambicans while addressing the concerns of all stakeholders. The civil society consultative platform is designed to address communication concerns, create a mechanism for civil society to input into the Master Plan development process, and a forum for the resolution of conflicts that may arise during the Master Plan development process.

The form of this platform is a representative CSO Working Committee that will be created by interested civil society institutions, and paired with a mandated ProSAVANA Planning Team (composed of JICA and GOM planners, authorized to design and negotiate on ProSAVANA’s behalf). An early task in the development of a ProSAVANA Civil Society Working Committee is the participative development of a Charter (including Terms of Reference) for this body. This Charter of necessity must be acceptable to JICA, the GoM, and interested Civil Society stakeholders.

What follows are some suggestions based on world best practice that may serve as a starting point for discussion on how this Working Committee may be chartered. It is meant to be indicative, not definitive, and simply a start to the discussion between JICA, GoM, Civil Society, and other interested stakeholders.

Draft Charter Ideas

I. Preamble

This charter defines the terms and conditions that will guide the activities of the Working Committee established to improve stakeholder communication in order to develop a ProSAVANA Master Plan, by creating a functional institutional mechanism for regular dialogue between civil society organizations and the ProSAVANA Mozambique programme. This body is being established with an initial mandate to support ongoing development of the ProSAVANA Master Plan. Its brief will be expanded to include strategic input during the implementation phase of ProSAVANA, as well as participation in Monitoring and Evaluation. It is expected that the Committee will work for an initial period of 6 years, which can be extended iteratively during the lifespan of the ProSAVANA programme.

The long term vision of the initiative is to create a platform whereby ProSAVANA and civil society organizations and communities can dialogue efficiently and NGO’s are able to provide advice to large

scale projects that can impact communities in terms of environment, economic, social & cultural rights, lands and livelihoods. This will also be a platform for different NGO's to leverage their strengths, experience and expertise to work collectively with ProSAVANA to maximize local benefits and improve transparency and accountability.

A central role of civil society is to disseminate information, develop and test alternative solutions to the various problems that people living in poverty face and serve as "monitoring agents" for the effective implementation of legislation and other agreements. Thus it is critical that civil society organizations participate in the ProSAVANA project in a well-defined role and capacity.

II. Scope of the Working Committee

The purpose of the Working Committee is to advise ProSAVANA independently, and from the Civil Society perspective, on Master Plan Development, implementation, and monitoring including the following areas:

1. Strategy, including models of development and theories of change;
2. Human rights and legal issues, including rights and access to land and resources;
3. Programme Planning, including programme content, coherence, and planning tools (such as logframes);
4. Implementation methodologies and structures;
5. Environmental sustainability and safeguards, including the development of specific, comprehensive, and enforceable Principles for Responsible Agrarian Investment (PIAR's) as well as a grievance mechanism and other tools;
6. Social-economic sustainability and safeguards, including the development of specific, comprehensive, and enforceable Principles for Responsible Agrarian Investment (PIAR's) as well as a grievance mechanism and other tools;
7. Human development and economic, social and cultural rights;
8. Monitoring and evaluation (M and E), including the selection of appropriate indicators and means of verification, as well as the definition of moments and methods for civil society participation in M and E activities;
9. Crosscutting issues including vulnerability and gender equity.

This Scope of Work is divided into two clear phases.

- Phase 1 tasks involve the drafting and finalization of the Master Plan document and securing Civil Society participation, input, and wide stakeholder buy-in.
- Phase 2 involves advising on and monitoring of the implementation of the ProSAVANA Master Plan.

III. Objectives

The Objective of the Working Committee for the first phase is:

1. Design and lead a civil society consultative and planning process that results in:
 - a. a ProSAVANA Master Plan developed with input from all interested parties, that conforms to world best practice environmentally and socially;
 - b. Adequate and agreed social and environmental safeguards and standards;
 - c. Wide stakeholder buy-in for all of the above;
 - d. Government and JICA acceptance as well.

The Objective of the Working Committee for the second phase is:

2. Create an ongoing platform for broad-based civil society input into ProSAVANA operations and implementation that:
 - a. Improves dialogue and feedback mechanisms between ProSAVANA, civil society, and constituent groups and populations;
 - b. Provides an appropriate space for ProSAVANA to discuss issues on the ground with stakeholders and facilitate constructive dialogue to find solutions to problems that may arise throughout the programme life;
 - c. Exchange ideas on strategy, methodology, and approaches to implementing ProSAVANA;
 - d. Provide strategic-level input into scheduled monitoring and evaluation exercises of the ProSAVANA stakeholder engagement policies and plans, including the PIAR's, Grievance Mechanism and the Land Access and management procedure;
 - e. Provide feedback into other monitoring and evaluation processes of ProSAVANA (including environmental and social performance issues and safeguards) with a view toward improving performance, addressing shortcomings, and learning key lessons.

IV. Tasks of the Working Committee

Phase 1 tasks involve the (re-)drafting and finalization of the Master Plan document and securing Civil Society participation, input, and buy-in. Important here are both **product** and **process**. A focused, world class ProSAVANA Master Plan is the **product**, and while it is extremely important to have the highest quality document, it is also important that an inclusive, open, and participatory **process** be followed so that civil society in general support the plan and feel ownership in ProSAVANA. Just, fair, and results oriented negotiation and conflict resolution with Governmental stakeholders and communication with JICA are essential activities to enable this to occur. Skills needed also include the capacity to provide leadership and input into a multi-stakeholder dialogue process. Technical skills in project planning and design are also important.

Outputs of this phase may include:

1. A high quality Master Plan developed with input from all interested parties, that conforms to world best practice environmentally and socially;
2. Planning tools such as logframes attached as Appendices;
3. Specific, comprehensive, and enforceable Principles for Responsible Agrarian Investment (PIAR's);
4. Commitments and ideas to develop grievance procedures and land access procedures and policies;
5. Specific Commitments to international best practice guidelines such as the IFC 2012 Performance Standards;
6. Clear definition of roles and engagement mechanisms for the Civil Society Working Committee in Phase 2;
7. Wide stakeholder buy-in for all of the above;
8. Any others??

Phase 2 involves advising on and monitoring of the implementation of the ProSAVANA Master Plan. Specific outputs of this phase will depend on the actual final form of the Master Plan, but will include at least input into strategy, implementation, adaptive management, stakeholder

engagement and conflict resolution, strategic oversight of the grievance procedure and land access procedure, and participation in M and E, especially with respect to the PIAR's.

Examples of tasks that might be included for phase 2 are:

1. Collect information on the ground and from constituent organizations, groups, and communities;
2. Recommend studies to provide specialized research and technical advice to ProSAVANA on environmental and social performance issues and the Master Plan;
3. Prepare written opinions on ProSAVANA implementation and activities, and share with JICA, the government, constituents, and other members of civil society whenever need be.
4. Maintain regular contact with district and provincial Civil Society platforms.
5. Provide regular inputs to ProSAVANA through established mechanisms and moments for participation, namely:
 - a. Quarterly Working Committee meetings;
 - b. Regular monitoring of Environmental Management Plans by MITADER (programme and associated investments) ;
 - c. Annual Environmental and Social monitoring activities of ProSAVANA;
 - d. Annual participatory performance review leading to annual planning recommendations as a part of the ProSAVANA Adaptive Management cycle;
 - e. Extraordinary meetings on specific issues as requested by ProSAVANA;
 - f. Extraordinary meetings on specific issues as requested by 2/3 of the Working Committee members;
 - g. In situations of *force majeure* (such as natural disasters or social crises) a meeting can be requested by any member using the most efficient mechanism of communication.

V. Structure and Functioning of the Working Committee

1. The Working Committee is conceived as a representative entity, composed of and selected from civil society institutions concerned with and interested in the co-creation (with GoM and JICA) of a ProSAVANA Master Plan that has broad-based stakeholder acceptance and support.
2. In order to establish the Working Committee, Civil Society will need to agree on its own methods for selection of representative members.
3. To be efficient the Working Committee will not have more than seven (nine???) members representing different CSO's. The various representatives will be chosen by civil society, using its own mechanisms, based on expertise and specific 'niche' areas such as livelihood development, land based consultations, community development projects, monitoring and working on human rights experience and environment sustainability.
4. The selection criteria should also include:
 - a. Ability to share information within its thematic network and bring perspectives from the CSO/NGO network to the Working Committee;
 - b. Institutional existence;
 - c. Demonstration of organizational interest to take part;
 - d. At least 80% (60%???) of members of the Working Committee must be national (as opposed to international) organizations;
 - e. Have regular contact with provinces and districts where ProSAVANA investments are active.

5. Organizations that are receiving funds in the context of ProSAVANA may be a part of the Working Committee, under the following conditions:
 - a. Any organization receiving funds and sitting on the Working Committee must immediately declare its interest to the rest of the Board.
 - b. Any organization receiving funds and sitting on the Working Committee must recuse itself from all decision making processes of the Committee that relate to its ProSAVANA-funded activities. In this case the representative of the organization in question will only serve as a resource person during debate and decisions on those activities.
6. For the first selection of Working Committee members, interested Civil Society Organizations will come together in a Constituent Assembly to define their own mechanisms for selection of their representatives to sit on the Working Committee. It should be clear that all interested institutions are invited to participate in the ProSAVANA Master Plan Development Process; the Working Committee is conceived with a coordination function, not one of gate keeping.
7. Working Committee members will serve for three years, renewable for one term only.
8. To ensure continuity, every two years new selection/elections will be held, with winning candidates serving as observer/alternates for one year to ensure continuity. The incoming representatives will step up after year three with the outgoing ones stepping down. The incoming will then serve for two additional years.
9. Members of the Working Committee will serve on a voluntary basis.
10. The Working Committee will elect a chair that will lead the proceedings for a 3 year period, which can be renewed once. A vice-chair will also be selected for a 3 year period, also renewable once.
11. The Working Committee will convene open meetings of interested CSO's and NGO's as necessary to fulfill its functions. It is expected that there will be a natural progression from an initial flurry of design and planning meetings in the First Phase, followed by more regularly scheduled strategic and monitoring meetings and activities in the Second Phase.
12. The Working Committee should develop a schedule of its own ordinary meetings as soon as possible and inform members well in advance.
13. A representative who is unable to attend a particular Working Committee meeting may then nominate a candidate (Alternate) for attending. Alternates must be indicated at the beginning of each calendar year. In order to maintain continuity of the working groups, such replacements should be minimized. Alternates may attend with members but in an observer (non-contributing) capacity.
14. The Working Committee will prepare agendas for the meetings and the minutes of the Working Committee meetings will be done for each meeting and will be shared with all members not later than a week after the meeting. Approved minutes to be shared with ProSAVANA no later than 10 working days after the meetings.
15. The Working Committee will inform ProSAVANA when selecting new members and when changing representation.
16. There will be MoU that formalizes the Working Committee (signed by the three parties: the GoM, ProSAVANA, and CSOs).
17. Government and JICA will select a team of ProSAVANA planners to work with the Working Committee on Master Plan design and finalization. These will be nominated in advance and publically mandated to undertake design decisions and negotiations.
18. The Working Committee and ProSAVANA planning team will establish a schedule of joint design meetings as soon as possible.
19. Matters will be discussed in a free and transparent manner between all parties.
20. The Working Committee will understand that their advice is not necessarily binding on the mandated ProSAVANA planning team. However, the ProSAVANA team will understand that

arbitrary refusal to accept advice will reduce the chances of successful buy-in by Civil Society. Negotiation is the preferred mechanism for conflict resolution.

21. In cases where negotiation does not result in conflict resolution between the Working Committee and the nominated ProSAVANA planning team, all parties (including GoM, JICA, and Civil Society Working Committee member institutions) agree to mediation by an independent institution, for example the *Centro de Arbitragem, Conciliação e Mediação (CACM), Moçambique*. The independent institution shall be agreed by all parties as the first order of joint business.
22. The media policy is that an issue be raised first within joint planning meetings, and time allows for dialogue and mediation (??) before going public.
23. The Working Committee members are independent organizations and therefore can do advocacy and campaign actions on different topics at various levels including on ProSAVANA's thematic area as long as they do not violate the articles stipulated in the present agreement.
24. There will be a paid secretary for ensuring smooth running of the Working Committee activities. The secretary will be located in one of the Working Committee CSOs members.
25. The Working Committee will have an annual plan and budget to be funded among others by ProSAVANA Moçambique.
26. One output of the Phase 1 Scope of work is clear agreement on Roles of the Working Committee for Phase 2. An MoU will be signed establishing these as well.
27. Civil Society organizations might want observer seat(s) for someone from the ProSAVANA managing team and/or GoM and /or JICA on the Working Committee? Over and above minutes and planning meetings this would allow for better communication.)

VI. Decision-making processes

1. The Working Committee will work to maintain and enhance the participative democratic and shared transparency and clarity in decision-making.
2. Any conflicts or strong difference of opinion within the Working Committee will be put to vote and will need at least 2/3 (??) majority to be carried forward as recommendation. Views of those not in agreement can also be transmitted to ProSAVANA as part of this procedure at the request of the minority.
3. The members are expected to work in a collegial fashion and reach consensus or broadly majority views on issues that the body is raising with or conveying to ProSAVANA.

VII. Dissolution of the Working Committee

The Working Committee will function for an initial period of 6 years (two mandates). After this time the Working Committee, CSO's involved, and ProSAVANA will conduct a joint monitoring and evaluation exercise on the Working Committee performance. If success merits, the Committee will be extended for an additional 6 years period. At this time any changes to the mandate and or charter can be agreed upon between the parties. This process will continue iteratively for the life of the Project, or until the decision to terminate the Committee is taken.

VIII. Other relevant aspects

All other relevant aspects not covered in the present Charter will be described in an internal operating code (Internal Regulations) to be approved by the Working Committee.

APPENDIX 6 - LAND GRABBERS IN THE NACALA CORRIDOR

From Grain, <https://www.grain.org/article/entries/5137-the-land-grabbers-of-the-nacala-corridor>

According to this site, *“This report looks at the companies already setting up agribusiness operations in the Nacala Corridor, an area that the government has prioritised for agribusiness development. These companies, typically structured through offshore tax havens and often connected to Mozambican political elites, have been grabbing lands and extracting wealth in ways reminiscent of the country's colonial days.”*

A list of companies cited in the article as land grabbers is found in the chart below. In many cases, and in the opinions of the consultant team, many of the land transactions did not comply with standards of “free and informed prior consent, and with the various clauses of Mozambican Land Law.

This table is added as a separate Excel spreadsheet file attached to this email.

Land Use and Coverage

Present Land Use and Potential Farming Land

(1) Present land use

The present land use in the Study Area was estimated based on the land cover map prepared by the Integral Assessment of Mozambican Forest (AIFM) Project in 2007. The AIFM aimed to evaluate the extent and composition of forest resources in the entire country. The AIFM Project produced a land cover map at a scale of 1:1,000,000 based on the interpretation of satellite imagery (LANDSAT 5TM of year 2003-2005). The FAO/ United Nation Environment Programme (UNEP) standard definitions of the Land Cover Classification System (LCCS) were approved and adopted with some modifications to suit the national conditions and requirements.

More recently, the National Agro-Ecological Zoning (ZAEN) Program conducted by MASA in 2012-13, identified and classified the land cover for the preparation of agro-ecological zoning for agricultural development.

The area of classified land coverage in the Study Area was estimated by AIFM Project and by the ZAEN Program and is summarized below:

Table 0.1 Land Use in the Study Area

Classification of land use		AIFM (2003-05)		ZAEN (2012-13)
		Area (000ha)	. (%)	. (%)
Agricultural land	Arable land ¹	3,745	35	-
	Grass land ²	1,070	10	-
	Total agricultural land	4,815	45	46 ³
Forest		5,778	54	50
Others		107	1	4
Total area ³		10,700	100	100

1 Arable land: Including field crops, shifting cultivation and tree crops according to the AIFM Project land use map

2 Grassland: Including grassland, shrub land, and thicket land, according to the AIFM Project land use map

3 Cropped land + potential farmland

Source: Estimated by the Study Team (from the land use map of the AIFM and ZAEN)

(2) Farm land potential

According to the analysis of the collected information, it is estimated that out of the Study Area's total of 10,700,000 ha, the potential land for agriculture is around 3,222,000 ha, as shown in Table 2.3.2

Table 0.2 Potential Agricultural Land in the Study Area

Land Classification	Area (thousand ha)
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1. Uncultivable area (partly covered by forest vegetation)	2,775
1.1 Conservation area	936
1.2 Steep slopes, bare land (rocky), barren zones, towns, etc.	1,839
2. Cultivable area (exclude the uncultivable areas)	7,925
2.1 Forest vegetation area *	3,910
2.2 Non-forest vegetation area	4,015
2.2.1 Existing DUAT (Land use right) /concession area, other than community DUAT (outside of forest vegetation area)	793
2.2.2 Potential farmland area	3,222
Total	10,700

Note: * The forest vegetation area shown in this table includes only the present land use of forests within the cultivable area. The conservation area, steep slopes, bare land (rocky), barren areas, towns, etc. are not included.

Source: The Study Team (modified AIFM Land Cover Map by CENACARTA, and DUAT data by National Directorate of Land and Forestry (DNTF) and Provinces)

However, not all of the potential land can be used for agriculture because it includes communal lands (used for firewood, herb collection, hunting, fishing, etc., estimated to be ten percent (10%) of the potential farming land) and land with poor soil. Therefore, the approximate figure of the actual potential land for farming in the Study Area can be estimated to be as small as 2.0 to 2.5 million ha³ when the communal lands and the non-suitable lands with poor soil are deducted from the 3.2 million ha of the potential land, assuming that the present forest vegetation area is maintained and not counted as new land for farming development.

According to the ZAEN Program conducted by MASA between 2012 and 2014, unused available arable land is estimated at 1.5 million ha, including some areas in the Study Area. Study results indicate that the eastern districts of Nampula Province have only a few areas for farmland expansion, while the districts in Niassa Province still have a considerable potential for the development of land for agriculture.

Hence, the annual cultivated area is estimated to be about 930,000 ha in the Study Area based on the number of farm households (about 692,000) and their average cultivation area of 1.34 ha/household. Furthermore, the total area of fallow land is estimated to be 1.86 million ha, or twice the cultivated area. In total, the farmland area, which consists of cultivated and fallow lands, is estimated to be about 2.8 million ha.

These calculations imply that the present farming area, including fallow land, may exceed the area of actual potential land for farming. It can be concluded that the area of actual potential land area for farming is almost entirely used because of the predominant practice of extensive farming. This conclusion is also shown by population density of the Study Area (40.1 people/km²) which is close to the allowable limit for the practicing extensive farming on a sustainable basis. It also should be concluded that due to the high population pressure the region is rapidly losing its potential for extensive farming.

Nevertheless, there are still opportunities for developing cultivated area if farmers change their cultivation system from extensive to intensive farming.

³ Including the present cultivated area

The actual potential land for farming is estimated at 2.0 to 2.5 million ha with the total number of farming households slightly exceeding one million in 2030. This figure imply that small-scale family farmers will remain the overwhelming majority in 2030, and medium to large-scale farming will not be a much prevailing farming practice, even in 2030. Considering this situation, this Agricultural Development Master Plan should forecast the development of such family farmers.

DUAT and Land Issues

(1) Legal Land System

According to the Constitution of the Republic of Mozambique, land is state property and cannot be sold, alienated, mortgaged or confiscated. The Constitution also declares that all Mozambican people have the right to use and benefit from land, under the conditions determined by the State. Land use rights (DUAT) can be given to natural persons as well as legal entities.

The Land Law and its regulations provide that land use right can be acquired by means of: (i) customary occupation by a local community and/or individuals, (ii) good-faith occupation for at least 10 years, or by (iii) inheriting from individual nationals. In these cases, cadastral registration or property registration are not mandatory but voluntary. DUATs acquired through occupation or inheritance are recognized and protected by the State.

It is also legally recognized that communities in rural areas participate in the management of natural resources and settlement of conflicts, using their customary norms and practices for these purposes. Communities also take part in the DUAT entitlement, in order to confirm if the land in question is free of any occupants, prior to the confirmation by local administrative authorities. DUAT obeys the principles of co-entitlement, and members of the community may request individual titles after the breakup of their land from communal areas. The use of land is free of charge for family farming and for the use of local communities.

(2) Community Land Delimitation

Several communities engaged in delimitation of land as a means of proclaiming and visualizing their DUATs obtained through customary (traditional) occupation (Refer to Table 2.4.10 below), though this initiative does not legally impede the development of economic activities therein if there is consensus. Important observations by Ministry of Agriculture (MINAG, at that time) /National Directorate of Land and Forestry (DNTF) on the experience of community land delimitation from 2000 to 2010 included the following: (i) Weak capacity of the government in budget allocation; (ii) Huge difference in areas (from 300 to 364,000 ha); (iii) Weak capacity of service delivery; (iv) Overlap of DUATs.

Table 0.3 Community Land Delimitation at Province Level, as of March 2010

	Nampula	Niassa	Zambezia	Total Mozambique
Number of Delimited Communities	94	8	73	231
Number of Communities in Process	3	2	18	92
Approximate Area of Delimited Communities (ha)	734,000	342,000	3,620,000	7,044,000
Number of Cases < 1,000 ha	10	0	0	15
Number of Cases 1,000 to 10,000 ha	70	1	45	154
Number of Cases 10,000 to 100,000 ha	17	8	42	122
Number of Cases > 100,000 ha	0	1	4	32

Source: MINAG/DNTF “Balanço dos 10 anos de delimitação de terras comunitárias (March 2010)”

Communal land delimitation is progressing slowly, despite being promoted by MASA, NGOs and donors⁴. Also, DUAT entitlement by individual farmers or rural households is still unusual⁵. Underlying reasons may include: (i) limited dissemination of the land law among rural communities and farmers (ii) there is no compulsory system of land registration, and (iii)

⁴ MINAG/DNTF “Balanço dos 10 anos de delimitação de terras comunitárias (March 2010)”

⁵ MASA “PNISA 2013-2017”

little perception of the urgent need for DUAT entitlement in areas where land has not yet become a cause of conflict.

The existence of communities or individuals who have acquired the right of land use without owning the property title is a concern, as their rights remain invisible and there is the need to assure their protection against and the prevention of conflicts, particularly given the current trend of population growth and the increasing number of investment projects.

To cope with such challenges, Ministry of Land, Environment, and Rural Development (MITADER), the newly created ministry in charge of land issues from January 2015, launched the “Terra Segura” program in April 2015, which aims at entitling DUAT for five million Mozambicans, including individuals, associations and communities, in the period of five years until 2019. Principal beneficiaries of this program will be non-registered, non-certified DUAT holders through customary or good-faith occupancy in rural areas.

(3) DUAT for investment

Investment projects to be implemented on a plot of land by a corporate entity cannot start before acquiring a DUAT, through application to the State. The DUAT remains provisional for two years until authorization of the “exploitation plan” of that plot of land, and a granted DUAT by this way is valid for up to 50 years and renewable for the same period. According to the Land Law, investors must hold at least two community consultations during the process of applying for a DUAT, with the participation of the District Administrator, a representative of the Geography and Cadaster Service, members of the local consultative councils, community members, and DUAT holders or occupants of neighboring lands. The consultations should theoretically allow for clarification of the availability of the requested area, as well as the definition of the partnership terms between the investor(s) and the community members. The conversion process from provisional DUAT to definitive DUAT requires the demarcation of the requested area and registration in the cadaster.

(4) Conflict between investment projects and local communities

In spite of these legal stipulations, several cases of conflicts between investors and local communities related to large-scale agricultural or forestry projects, around the Nacala Corridor, have been reported⁶.

The main reasons⁷ may be: (i) insufficient community consultations in terms of true representation of participants, openness and transparency of meetings, clear records and information gaps between investors and communities; (ii) insufficient agreement and/or incomplete implementation of the compensation and resettlement plan; and (iii) weak capacity of local government institutions in terms of budget, number of trained staffs, equipment and skills, to supervise law enforcement and provide solutions to the parties in conflict.

Though large-scale agriculture investments in the Nacala Corridor are limited in number, cases of conflict between investors and communities have been reported, most of which occurred when delimiting the concession area. The following table summarizes land conflicts with communities resulting from agricultural investments in the Nacala Corridor and surrounding areas.

Table 0.4 Land Conflicts in the Nacala Corridor in relation to Investment Projects

Investment Project	Location (Province)	Area (ha)	Details of Conflicts	Measures
Commercial Farm	Zambezia	10,000	- 240 farmers who have lived in the concession area and who have not been re-located. - Only 500 out of 10,000 ha of the	- Local district offices have tried to mediate the case with local traditional leaders.

⁶ Justiça Ambiental and UNAC “OS SENHORES DA TERRA: Análise Preliminar do Fenómeno de Usurpação de Terra em Moçambique (March 2011)”, among others.

⁷ The refer to Annex 3.12.2

Investment Project	Location (Province)	Area (ha)	Details of Conflicts	Measures
			concession area was cultivated due to land conflict with communities.	
Fruit Plantation	Nampula	3,500	- Local communities claimed that the agreed compensation payment for the land had not been paid by the investor.	- The community brought the case to the district attorney's office.
Forestry	Zambezia	150,000	- The planned area was densely populated and most of the land was utilized by local communities to cultivate food crops. - Communities questioned risks of impacts on food security and environment.	- The investor decided to withdraw from the plantation project.
Forestry	Niassa	30,000	- The community claimed that the investor planted trees in farmlands (outside the delimited area) of local farmers. - The investor ran into a serious conflict with communities.	- A continuous dialog involving concerned stakeholders has been engaged in to mediate the conflict.
Commercial Farm	Niassa	16,000	- Though no conflict has yet been reported as the project remains in the preparatory stage, the investor is anxious about procedures for accruing the DUTA.	

Source: 1) The Study Team, 2) "Confrontation between peasant producers and investors in Northern Zambezia, Mozambique, in the context of Profit Pressures of European Investors", Simon Norfolk and Joseph Hanlon and 3) "Study on Community Land Rights in Niassa Province", Gunilla Akesson, A Calengo, C Tanner

It should be pointed out that Land Law and its regulations are still deficient in some key definitions about community consultations, more specifically the lack of rules of prior announcements, duration and place of consultation meetings, as well as the lack of grievance mechanisms for consultation results. Moreover, the "investor-community partnership terms" are not a legally binding contract, and no sanctions are in place in the event that investors or communities or both sides do not respect the promises made. Such structural weakness will need to be addressed in accordance with the "Guidelines for Strengthening of Land Tenure Security of Rural Communities and Partnerships between Communities and Investors", which was approved by the Land Consultation Forum created in 2010 as a mechanism of dialogue between the Government of Mozambique and civil society on the policies and laws pertaining to land issues. The guidelines recommend 10 principles and 11 directions to be followed by all the actors involved in the management and administration of land.

Table 0.5 Recommended Principals and Directions in "Guidelines for Strengthening of Land Tenure Security of Rural Communities and Partnerships between Communities and Investors"

Principles	Directions
<ol style="list-style-type: none"> Human Dignity, Social Stability and Right to Progress Law and Order, Transparency and Responsibility Justice and Equity Gender Equality Holistic Vision of Land and other Natural Resources Consultation and Participation Exceptionality of Community Resettlement Fair Compensation for Expropriation and Resettlement Procedural promptness Corporate Social and Environmental Responsibility 	<ol style="list-style-type: none"> Protection of Rights Zoning and Land-use Planning Economic Valuation of DUAT Social Preparation and Technical/Legal Assistance for Rural Communities Consultation and Rural Communities' Prior and Informed Consent in the Decisions about Award of DUATs Negotiation and Formalization of Partnerships Prevention of Conflicts and Access to Justice Intra-Community Good Governance Independent Follow-up and Monitoring of Consultations, Partnerships and Resettlements Fair and Timely Compensation Investment and Rural Development

Also, it is expected that local government institutions, especially the SDAE, will play a more effective leading role in collaboration with traditional local authorities, in order to facilitate the relationships

between communities and investors and maintain good communication and coordination with the goal to eventually provide land conflict arbitration. However, most SDAEs face difficulty in adequately managing their small budgets, and their staff has little experience and knowledge to cope with such situations, resulting in the urgent need for capacity.

Land Management

Development Strategy

The strategy for land management will adhere to the National Land Policies, Land Law and its Regulations, PEDSA, PNISA and discussions held by the Land Consultation Forum. It is also duly recognized that customary land tenure systems do still prevail in the rural society. The principal pillars of the land management strategy consist of the following four topics: 1) dissemination of the Land Law; 2) protection of land rights for communities and family farmers; 3) prevention of conflict, and 4) optimum use of land.

Government institutions, NGOs and CSOs should promote the dissemination of the Land Law and its application to rural communities, including family farmers. By promoting community land delimitations, it is expected that boundaries of neighboring communities will become defined and agreed upon, and the DUATs certificates of communities will be properly issued. Customary systems of land management under the direction of traditional leaders will be respected at the community levels. However, necessary interventions will be enacted to achieve better governance of land in respect of its allocation, gender equality, dispute settlement and negotiations with investors. Inside the territorial boundaries of communities, lands that do not belong to any household will be primarily reserved for common use or for the expansion of land for future generations. Nevertheless, the possibility to formalize partnerships and agreements with investors are not ruled out, but will be based on community consensus for the benefit of its own members.

Regularizing DUATs for individual family farmers, both male and female, will contribute to the intensification of agriculture and the reduction of potential land conflicts. Participation, however, should be voluntary.

Land management committees should be established at community levels, following the experiences and lessons obtained through iTC (iniciativa para Terras Comunitárias: the Community Land Initiative)⁸, which has been a project co-financed by Department for International Development of United Kingdom (UK-DFID), the Netherlands and Denmark, Irish Aid, Swedish International Development Agency (SIDA) and the Swiss Agency for Development since 2006, to which MCA was joined subsequently. The committees will be formed by community members, in which half of them should be women, in order to maintain gender equality.

The strengthened capacity of the government's land administration institutions will contribute to the prevention of potential conflicts among farmers, as well as between communities and investors, and making optimal use of the limited land resources for development purposes, through interventions such as land inventory, zoning or land-use planning such as PDUT, information disclosure, timely and effective supervision, among others.

Necessary Measures

To ensure the consistent implementation of the above strategies, the following measures to improve land management will be taken:

- 1) Protection of land use rights for rural communities and family farmers: Provide DUAT for rural communities and individual family farmers in order to reduce the threat of land conflicts, and also accelerate their applying improved farming. It should be voluntary interventions and maintain gender equality.
- 2) Application enforcement of land and environmental laws and support for improved land governance at community level: Strengthen enforcement of the existing supervision mechanism of the Land Law and Environment Law in harmony with development at local communities and environmental conservation in compliance with the Principles of Responsible Investment for Agriculture and Food System (rai). Meanwhile, conduct dialogues and workshops with local

⁸ José Monteiro, Alda Salomão, Julian Quan, Community Land initiative (iTC), Mozambique, for 2014 Annual World Bank Conference on Land and Poverty "Improving land administration in Mozambique: a participatory approach to improve monitoring and supervision of land use rights through community land delimitation (March 2014)"; Julian Quan, José Monteiro and Paulo Mole for Annual World Bank Conference on Land and Poverty "The Experience of Mozambique's Community Land Initiative (iTC) in Securing Land Rights and Improving Community Land Use: Practice, Policy and Governance Implications (April 2013)"

communities in cooperation with NGOs and CSOs in order to disseminate Land Law, to create awareness about their rights of appeal and grievance redress mechanism, as well as to promote gradual modernization of the customary land administration system.

Components of the Agricultural Development Master Plan

To ensure the implementation of the above strategies, the following components for the improvement of land management will be implemented:

III-1: Promotion of Land Registration for Communities and Family Farmers

Objectives	<ul style="list-style-type: none"> - To mitigate land insecurity and vulnerability of family farmers and ensure the rights related to the use of the land and ownership of their properties on the land. - To enact proper land management at the local government and communities. 														
Goals	To strengthen the land rights of farmers by promoting the registration of DUAT for individual and community lands. Community land is to be utilized for the common benefit on a sustainable basis; hence, the conservation and improvement of land fertility should be promoted and protected to increase productivity. Moreover, unnecessary land conflicts stemming from agricultural development will be avoided by the formation of a database of potential land for development based on the delimitation of community DUATs.														
Expected Outputs	<ol style="list-style-type: none"> 1. Legally identifiable boundaries and representatives of land of communities and of family farmers (by legally obtaining DUAT for communities and farmers); 2. Strengthening the capacity of the government by preparing a database of potentially available land for development based on the distribution of community DUATs. 														
Main Activities	<ol style="list-style-type: none"> 1. Preparatory Planning <ul style="list-style-type: none"> - Reviewing past projects, and enact coordination with relevant agencies; - Selecting target communities and conducting preparatory field surveys - Dissemination of DUAT and surveys, determine the level of surveys (i.e., community DUAT or/and individual DUAT), and making an activity plan with community members during meetings in the intervention areas. - Train several community members, which should include women, who support the activities of land titles in technical and in legal knowledge aspects. 2. Issuing land titles (DUATs) to communities or/and individual farmers: <ul style="list-style-type: none"> - Making an inventory and distribution map of users of farmland through participatory communication processes; - Conducting community consultations, formation processes and consolidation of each DUAT. - Cost-free land registration for communities and individual or small farms (up to 5 ha). 3. Institutional strengthening of government implementation agencies; <ul style="list-style-type: none"> - Establishing land management commissions/committees in each community, and providing training for its members; - Developing the capacity of relevant local government agencies (Provincial Section for Geography and Cartography (SPGC), SDAE, among others); - Preparing a land information database for land management and agricultural development; 4. Actively monitoring the use of land. 														
Implementation Period	2016	'17	'18	'19	'20	'21	'22	'23	'24	'25	'26	'27	'28	'29	2030
Priority Areas (candidate)	The activities in Zone I and Zone V are to be implemented first.														
Expected Beneficiaries	Direct Beneficiaries					Indirect beneficiaries					Others				
	Approx. 500,000 family farming households in 2030					Approx. 1,000,000 household in 2030 (all households in 19 districts)					-				

Implementing Agency and Related Organizations	DNTF, SPGC in Nampula, Niassa and Zambezia provinces
Remarks	It is expected that DUATs will be prepared for a total of 1,000,000 ha. DNTF and SPGC belong to Ministry of Land, Environment and Rural Development (MITADER), therefore inter-ministerial coordination is required with MASA.

III-2: Strengthening the Supervision Mechanism for Land and Environmental Law Enforcement

Objectives	<ul style="list-style-type: none"> - To harmonize agribusiness investment with the development of local communities; - To promote environmental conservation through compliance with the Principals of “rai” (Responsible Investment for Agriculture and Food Systems); - To provide legal instruments for spatial planning to the 19 districts.
Goals	All agricultural investment projects in the Nacala Corridor (especially large-scale projects covering areas over 1,000 ha or falling under Category A or B) are implemented in conformity with PDUTs under proper supervision and corrective guidance by relevant government authorities, thus contributing to avoiding conflicts with local communities and serious negative impacts on the environment.
Expected Outputs	<ol style="list-style-type: none"> 1: PDUTs are elaborated, ratified and properly revised in the 19 districts; 2: Government officials are trained, equipped and funded to provide improved services for law enforcement supervision, using partial support of NGOs, CSOs and private service providers. 3: Monitoring and supervision missions are properly conducted in a timely and effective manner, and corrective sanctions and penalties according to current laws - including revocation of DUATs and other licenses - are put into practice for cases of non-compliance or violation; 4: All documented information, including PDUTs, is accessible by the general public; 5: Local people understand the process of grievance redress, in relation to “rai”.
Main Activities	<ol style="list-style-type: none"> 1. Providing assistance to accelerated elaboration, harmonization and revision of PDUTs: <ol style="list-style-type: none"> 1-1: Providing equipment such as Global Positioning System (GPS), motorbikes, cameras, computers and GIS software along with technical training in priority districts (Cuamba and N’Gauma), and the province of Niassa; 1-2: Providing budget support for contracting engineers and field operations’ costs (for priority districts Cuamba and N’Gauma); 1-3: Conducting technical meetings to harmonize PDUTs based on the results of agro-ecological zoning as well as other inter-district plans (mainly between DPCA, DPASA and neighboring districts); 1-4: Assisting in the revision of PDUTs after the first five and 10 years in all 19 districts. 2. Providing technical assistance for the training of government officials aimed at improving the basic conditions of law enforcement. <ol style="list-style-type: none"> 2-1: Conducting seminars, OJTs, and training courses on the lawful and effective means of the supervision of agricultural investment projects in accordance with the principles of “rai”; 2-2: Providing vehicles and Information and Communication Technology (ICT) equipment for the exclusive use of inspectors and auditors; 3. Disseminating Land Law and principles of “rai” among local communities and assisting in improving land governance: <ol style="list-style-type: none"> 3-1: Conducting a series of dialogues with the local people of the 65 administrative posts to explain the essence of the “rai Guidelines” and to raise awareness of their rights to appeal grievance redresses and settlements of disputes; 3-2: Conducting workshops in cooperation with NGOs/CSOs at the 65 administrative posts on the gradual modernization of the customary land administration system to disseminate Land Law, better comply with the stipulations of the Law, especially in terms of gender equality, democratic consensus building, and negotiating capacity with outsiders.

Implementation Period	Initial Intensive Intervention: 2015 – 2016, Revision of PDUTs: 2018 – 2020, 2022 – 2025															
	2016	‘17	‘18	‘19	‘20	‘21	‘22	‘23	‘24	‘25	‘26	‘27	‘28	29	2030	
Priority Areas (candidate)	All zones. As for the elaboration of PDUTs, priority will be given to the districts of Cuamba and N’Gauma.															
Expected Beneficiaries	Direct Beneficiaries					Indirect beneficiaries					Others					
	Local governments of three (3) provinces and 19 districts; MASA, CPI, CEPAGRI, MITADER, and Basin Water Management Agency (ARA).					Local communities and small-scale farmers in particular along the Nacala Corridor.					-					
Implementing Agency and Related Organizations	MITADER: National Directorate of Land Planning and Management (DNAPOT), National Directorate of Environmental Impact Assessment (DNAIA), General Inspection MASA: DNTF, CEPAGRI Provincial governments: DPASA (SPGC, Provincial Service of Forest and Wildlife (SPFFB)), Provincial Directorate for the Coordination of Environmental Action (DPCA) District governments: SDAE, SDPI Other institutions with authorization competence and supervision: CPI, ARA, among others.															

Realization of Appropriate Investments by the Private Sector through the Adoption of Principals of “rai”

Development Strategy

(1) Establishing rules and systems for the Responsible Investment for Agriculture and Food Systems “rai” Compliance

The Master Plan is expected to establish a model of Responsible Investment for Agriculture and Food Systems (rai) to better distribute the benefits, and balance opportunities with risks of agricultural investment projects, paying special attention to the protection of the rights of local communities and individual farmers, as well as using private sector resources to benefit the family farmers. This will be achieved through the following approaches: 1) environmental and social considerations in the Master Plan, and 2) establishing “ProSAVANA Guidelines on the rai” and its applications. It should be emphasized that the “ProSAVANA Guidelines on the rai” do not attempt to create new, original principles, which may govern the design and/or prioritize the components of the Master Plan. They rather aim at translating internationally discussed principles and guidelines into more specific actions to better correspond with the reality/conditions of the Nacala Corridor when the proposed components of the Master Plan are implemented.

The targeted main users of the Guidelines on the “rai” include:

- (1) The Government of Mozambique on the central and local levels;
- (2) Investors, including corporations and financial institutions;
- (3) Local stakeholders, including communities (for consulting purposes);
- (4) Independent, neutral players such as NGOs, civil society and academic institutions; and,
- (5) Bilateral/multilateral donors and, to the extent possible, governments of countries that offer investment initiatives.

Emphasis was placed on the fact that the Government of Mozambique already has a number of laws and regulations, which require obligatory compliance and respond to most principles of “rai”, if properly enforced. The contents may be summarized as follows: (i) key principles and guidelines of the rai; (ii) legal regulations for the “rai” in Mozambique; (iii) recommended

codes of conduct and good practices for investors; (iv) self- check list; (v) useful links; and, (vi) remarks for government officials (Annex).

The Master Plan component “Incorporation of the “rai” in legal structure and administrative system of government institutions” will help the process of the internalization of the principals of “rai” by relevant institutions and the consolidation of the legal and lawful status of the “rai” under current Mozambican legislation.

(ii) Principal Legal Instruments for “rai” in Mozambique	
<p><u>Laws</u></p> <ul style="list-style-type: none"> - Environment Law - Land Law, and its Regulations - Forest and Wildlife Law, and its Regulations - Water Law - Cultural Heritage Protection Law - Territorial Planning Law, and its Regulations - Investment Law, and its Regulations - Labor Law 	<p><u>Regulations</u></p> <ul style="list-style-type: none"> - Process of Environmental Impact Assessment - Environmental Inspection - Environmental Audit - Standards of Environmental Quality, Emissions and Effluents - Waste Management - Pesticide Management - Phyto-sanitary Inspection and Plant Quarantine - Control of Invasive Exotic Species - Bio-safety related to the Management of GMO - Seeds - Fertilizer - License and Concession of Water - Small Dams - Survey and Exploitation of Groundwater - Process of Resettlement caused by Economic Activities - Licensing of Industrial Activities

(iii) Recommended codes of conduct and good practices for investors (final draft)
<ol style="list-style-type: none"> 1.(1) Studying and identifying of tenanted land, local characteristics and activities carried out by people for enterprise development; 1.(2) Introduction of new cultivation technologies and practices, such as direct planting techniques; 1.(3) Maintaining community access to natural resources; 1.(4) Prioritizing project implementation in already consolidated areas to avoid deforestation and opening of new areas; 1.(5) Elaborating compensation plans for families that will be affected during the project; 1.(6) Settling disputes on rights of land use. 2.(1) Ensuring food production to secure dietary and nutritional food intake in the project area; 2.(2) Adapting production processes to Mozambican environmental conditions; 2.(3) Elaborating a contingency plan for natural disasters.

- 3.(1) Ensuring information disclosure and dissemination:
- 3.(2) Involving other actors, such as the media, in important events during the process of project design as well as project implementation.
- 4.(1) Motivating communities to participate in the project through appropriate communication channels.
- 5.(1) Internalizing social and environmental costs:
- 5.(2) Analyzing and adapting enterprises to local legislation and global good practices relating to the labor force;
- 5.(3) Avoiding the use of involuntary and/or child labor;
- 5.(4) Implementing good agricultural practices (BPA) and labor norms of the country;
- 5.(5) Training local workers;
- 5.(6) Installing institutional infrastructure for technological assistance and development;
- 5.(7) Complying with the terms of agreement for contract farming with communities.
- 6.(1) Creating mechanisms to cope with and settle possible conflicts of interest between investors and communities;
- 6.(2) Providing social services to the communities;
- 6.(3) Adapting investment projects into the districts' development context.
- 7.(1) Conserving biodiversity.
- 7.(2) Promoting soil conservation and improvement techniques, and the appropriate use of farm inputs;
- 7.(3) Promoting efficient use of irrigation water;
- 7.(4) Promoting good agricultural practices aimed at reducing environmental impacts;
- 7.(5) Restoring ecosystems at project sites in case of expiration or revocation of DUATs, or cancellation of projects.

(iv) Self check list (final draft)

(Concept Stage)

- 1. Did you read and/or agree with the “Principles for responsible investment in agriculture and food systems” by the Committee on World Food Security (CFS) and “Voluntary Guidelines on the Responsible Governance of Tenure of Land (VGGT)” by FAO?
- 2. Did you study the policies of the Mozambican central and provincial governments on food and agriculture to decide on crops, products, and value chains for your business?

(Site Identification and Preliminary Survey Stage)

- 3. Did you make sure to avoid disturbing the nationally designated environmentally protected areas?
- 4. Did you refer to the PDUTs for the identification of potential project sites?
- 5. Did you consider how to avoid or minimize the clearing of forests and/or disturbing the traditional

community's access the right to forest resources?

6. Did you consider the possibility of the occurrence of threatened animal species and their habitats inside and/or around the project site?
7. Did you consider the possibility of cultural heritage sites or national liberation heritage sites inside and/or around the project site?
8. Did you consult the Cadaster Services about existing DUAT holders and concessions inside and around the project site?
9. Did you consider how to identify and respect the "invisible" (i.e., existing but not demarcated nor registered) DUAT holders inside and/or around the project site?
10. Did you make sure to avoid disturbing "zones for partial protection"?
11. Did you consider how to avoid or minimize involuntary resettlement and/or land acquisition?

(Assessment and Consultation Stage)

12. Did you confirm which environmental category your project might fall under?
13. Did you take into account the costs and time of conducting an EIA in the project planning?
14. Did you align correctly the schedule of three different application procedures (Investment proposal for CPI; DUAT application for SPGC or MASA; EIA for DPCA or MITADER)?
15. Did you start mobilizing and preparing enough resources for community consultations in the DUAT application process?
16. Did you start mobilizing and preparing enough resources for public consultations for the EIA process?
17. Did you start mobilizing and preparing enough resources for public consultation for the resettlement planning process?
18. Did you consider how to maintain the Investor-Community Partnership Agreement as an effective, practical and acceptable tool?
19. Did you consider how to design a fair, prompt and agreeable modality for compensation to be given to resettled people, loss of land, loss of assets, and/or disturbance to graves (if any)?
20. Did you hold participatory discussions with the district government and local communities to explain the Social and Environmental Responsibility Program?

(Technical Project Design Stage)

21. Did you consult ARA about the water resources in and around the project site?
22. Did you consider how to avoid or minimize the negative impacts on, or conflicts with traditional water users and former holders of water use rights?
23. Did you consider how to avoid or mitigate the negative impacts on the environment of surface water, groundwater, riverbanks, bottom sediments and/or aquatic biota?
24. Did you study Mozambican standards on irrigation water quality and land use on different slopes, and did you take them into account in the technical design of your project?
25. Did you study Mozambican legislation on the introduction of new species, varieties, and GMOs, and make a commitment of its fulfillment in the project?
26. Did you study Mozambican legislation on the management of pesticides, fertilizer and waste, and make a commitment of its fulfillment in the project?
27. Did you study Mozambican industrial guidelines on the hygiene, healthiness, safety and environment in/of factories, and make a commitment to its fulfillment in the project?

28. Did you consult professionals or preceding cases on the fair and enforceable win-win contractual arrangements with out-growers?

(Operation Stage)

29. Did you study Mozambican legislation on labor and social security, and make a commitment to its fulfillment in the project?

30. Did you make voluntary arrangements for the grievance redress to any affected people, as well as information disclosure related to the project?

31. Are you aware of the risks of non-compliance with Mozambican legislation, which might result in penalty, sanction, revocation of licenses, and closure of the project?

32. Do you understand what obligations you have in terms of self-monitoring of environmental management and reporting the findings to the authorities?

33. Do you understand the frequency and objectives of the different supervisory missions by government institutions?

(2) Application and enforcement mechanisms of systems and rules

For the ProSAVANA Guidelines on the “rai” to become truly effective, it is essential to devise good mechanisms for its application and enforcement; which may include the following elements:

- Disseminating the guidelines among a wide range of users, and help them to better understand it;
- Strengthening law enforcement by the Government through the Master Plan’s components for this specific purpose;
- Creating an autonomous agency or unit with specialized functions to address the “rai” issues; and, if possible,
-
- Set up financial conditions to induce or restrict the behavior of private investors.

The guidelines will be distributed to local governments (three provinces and 19 districts) and central government institutions such as CPI, GAZEDA, MASA, CEPAGRI and MITADER. For the central and local government officials in charge of evaluation and supervision of the investment projects, a series of seminars on the interpretation and utilization of the guidelines will be organized. Such activities will be supported by the Master Plan component plans: 1) Incorporation of the “rai” in the legal structure and administrative system of government institutions (III-3), 2) Strengthening of the Supervision Mechanism for Land and Environmental Law Enforcement (III-2), and partly, 3) Establishment of a Proper Legal Framework for Out-grower Scheme (II-1). Active involvement of civil society and other platforms (for example, the Land Consultation Forum, local councils, provincial platforms of civil society organizations, etc.) in the policy dialogue process should also be encouraged.

Establishing an autonomous organization with specialized functions to address the “rai” issues or as a unit under the execution agency of the Agriculture Development Master Plan for the Nacala Corridor will deserve an in-depth discussion. This entity should contribute to strengthening and complementing the functions of other government institutions in the provision of services. One feasible recommendation is that this entity will be legally authorized to carry out independent monitoring, request the disclosure of any necessary documents or information, support the inspection activities by government officials, and facilitate the process of mediation or grievance redress in case of conflict (refer to Chapter 5 for the proposed idea on an independent committee, which may assume such roles and responsibilities). Also, it is strongly desired that the guidelines be utilized for the selection process of investment project proposals by financing agencies that may handle loan schemes for private investors in the Study Area, by providing favorable conditions in terms of project financing for investors who are committed to comply with the principles of “rai”, or by rejecting any proposal that does not meet the requirements of the principles.

Necessary Measures

To ensure implementation of the above strategies, the following measures regarding the realization of appropriate investments by the private sector through the adoption of the principals of “rai” will be taken:

- 1) Promoting the ProSAVANA guidelines of “rai” for harmonious development, ensuring transparency on the implementation of investment projects by appropriate mechanisms for monitoring agricultural investments, and institutional strengthening for the administration of the application of rai.

Components of the Agricultural Development Master Plan

In order to ensure the implementation of the above strategies, the following component regarding the realization of appropriate investments by the private sector through the adoption of the “rai” will be implemented:

III-3: Incorporation of the “Responsible Investment for Agriculture and Food Systems - rai” in Legal Structure and Administrative System of Government Institutions

Objectives	For the purpose of ensuring agricultural investment projects’ adherence to the principle of “rai”, its application should be on a national scale, and the functions and operation mechanisms of the responsible entity would become strengthened in the Nacala Corridor.
Goals	Principals of “rai” becomes applicable and supported by a legal structure and administrative system, in order to prevent potential negative impacts of agricultural investment projects on the environment and communities, both in the Nacala Corridor and Mozambique as a whole.
Expected Outputs	<ol style="list-style-type: none"> 1: Legal and lawful status of the principals of “rai” in Mozambique is acquired to a certain extent; 2: Elements of principals of “rai” become internalized as procedures or guidelines by institutions related to agricultural investment projects; 3: Monitoring and supervision are properly functioning under the structure to be created to promote agricultural development in the Nacala Corridor.
Main Activities	<ol style="list-style-type: none"> 1. <u>Technical Assistance to MASA:</u> <ul style="list-style-type: none"> - Technical assistance to MASA, which is responsible for the Draft Law on Agriculture, Food Security and Nutrition in the process of being revised and debated, as well as in the negotiation and coordination with other ministries, parliament and donor agencies; - Providing support for coordination and operational tasks for the above-mentioned Draft Law, in order to guarantee its concord with principals of “rai” to the extent possible. Identifying the necessity of new legislation or amendments to existing laws for the realization of the principals of “rai”, in addition to the above-mentioned Draft Law, and suggest ways and means to forward them to the Government; - Collecting and analyzing information related to the programs or projects of the agricultural sector - either planned or ongoing, public or private - from the perspective of detection of potentially threatening elements to the protection of small scale farmers’ rights, and make timely suggestions to MASA. 2. <u>Dissemination of the principals of “rai” at relevant government institutions:</u> <ul style="list-style-type: none"> - Collecting and analyzing the internal rules, guidelines or procedures of government institutions in charge of evaluation, authorization and supervision of agricultural investment projects at the central, provincial and district levels and, elaborate proposals for their revision through workshops with government officers, from the perspective of justifying and incorporating the elements of principals of “rai”; - Support drafting and issuing ministerial orders or resolutions to endorse the effectiveness of revised internal rules/guidelines/procedures; - Involving financial institutions (both public and private) in the awareness campaigns for the principals of “rai”, and discussing the possibilities and steps to be taken for the principals of “rai” applications in the evaluation criteria of loan proposals, or setting of loan conditions. 3. <u>Strengthening of “rai”-related units of the implementation structure of the Master Plan:</u>

	<ul style="list-style-type: none">- Dispatching a team to the supposed Monitoring and Supervision Unit for capacity development in terms of function, structure, principles, action plan, budget planning and execution. Also, systematize the division of roles as well as partnerships with the existent government institutions or consultation mechanisms (such as Land Consultation Forum);- Establishing methodologies for the control of agricultural investment projects by the Consultative Council and Independent Committee for the evaluation of proposals, supervision of the implementation phase, and application of corrective measures;- Providing technical and financial assistance to conducting monitoring, inspection, grievance redress, etc. from the principals of “rai” perspective, on the sites of agricultural investment projects (either in the preparation phase or implementation phase), aiming at strengthening the supervisory functions of the Agency, Council, Committee, provincial/district governments and their respective units in charge.														
Implementation Period	2016	‘17	‘18	‘19	‘20	‘21	‘22	‘23	‘24	‘25	‘26	‘27	‘28	‘29	2030
Priority Areas (candidate)	Activity 1, 2: All of Mozambique Activity 3: The Nacala Corridor														
Expected Beneficiaries	Direct Beneficiaries						Indirect beneficiaries				Others				
	MASA and other relevant institutions such as CPI, CEPAGRI, MITADER, ARA, local governments, and financial institutions; Nacala Corridor Development Coordination Agency for implementation of the Master Plan.						Local communities and small-scale farmers in particular along the Nacala Corridor.				-				
Implementing Agency and Related Organizations	Activity 1: MASA (cabinet of minister or Economic Directorate (DE)) Activity 2: CPI, CEPAGRI, DNTF, MITADER, ARA, Provincial/District Government, Financial institutions Activity 3: Structure of Implementation of the Master Plan														

APPENDIX 8 - ANALYSIS OF LAND LAW

The document: '*Land Delimitation & Demarcation: Preparing Communities for Investment*'

is attached to this email.