

INVOLVING GOVERNMENT OFFICIALS IN THE COMMUNITY LAND PROTECTION PROCESS



Depending on the local context, government officials can be powerful allies in the community land protection process. Because community land protection is, by nature, a political and legal process directly related to land governance and administration, communities and facilitators may find it useful - and often necessary - to invite relevant government officials to take part in community land protection efforts. It is often most helpful to seek out trusted officials who can be allies, or to proactively include officials that community members know, trust and respect. The more included and valued local officials feel, the greater likelihood that they will support a community's efforts and help to make the land titling, registration or certification process flow as smoothly as possible.

It is important that facilitators listen closely to community members' concerns and thoughts on the involvement of local officials. Every context is different; oftentimes local officials are the very ones who are themselves grabbing communities' lands, or acting as intermediaries for bad faith land transactions with elites and investors. If a community feels strongly that they want to keep the process internal/private for as long as possible, bringing in government only when it is critically necessary, facilitators should listen to the community and act accordingly; community members often have very nuanced understandings of local power dynamics and will make savvy choices that best support their goals.

HOW TO INTEGRATE GOVERNMENT OFFICIALS INTO THE COMMUNITY LAND PROTECTION PROCESS?

Throughout the Entire Community Land Protection Process:

- Schedule monthly or quarterly meetings with relevant officials that provide: a summary of activities; an overview of all data gathered to date; an explanation of any challenges faced and successes achieved; an overview of all conflicts; stories of impact, and any excellent quotes from community members.
- Attend relevant government meetings and keep officials informed about the work.

During Program Design:

- Involving trusted, knowledgeable government officials in program design and planning discussions can help avoid challenges and foster government support for the project. Government officials might have suggestions where it would be best to work and can often identify potential conflicts or challenges that might arise.
- It may be helpful to hold a stakeholders meeting with all relevant local government departments or ministries (such as forestry, land administration, surveying, wildlife, etc.) to introduce the project, seek their input, and discuss how they would like to be involved in the effort.

When Selecting Communities

- Facilitators should seek an invitation, or at least permission, from local government officials or agencies to work in a given region or community.
- Community selection may be most successful when it is informed by consultations with local governments; local officials often have nuanced and thoughtful analysis of the challenges and opportunities inherent in working with any given community in their region. However, facilitators should keep in mind that some government officials may try to influence plans based on personal motivations rather than thoughtful analysis of the situation.
- When selecting a region or group of communities to work in, it may be useful to learn what the government's plans for that area are: are there any relevant zoning or land use plans in the works? Does the government have any pre-existing development projects planned or on-going? Have any recent projects been completed?
 - For example, if there is a county or district development plan, it may be helpful to review it, use the plan to inform community selection, and then invite relevant government officials to present the plan to the communities selected.
- When researching where to work, various government agencies may be able to provide useful information and tools, such as government maps or satellite imagery that can inform site selection and planning.

When Laying the Groundwork

- Invite leaders to attend the first, opening sessions of the community land protection process, and, if possible, ask them to endorse the project publicly. It can be helpful for community members to see that their leaders are supportive of community land protection efforts.
 - If it is not clear who might be best to invite to these meetings, facilitators may want to undertake a "power mapping" exercise with the community to understand which government actors are trusted and may be good allies. (See Power Mapping exercise on page 44.)
- Visioning often leads to community plans for future development; facilitators may support the community to present some of their ideas for future projects and seek government support.
- Government officials keen on promoting large-scale agriculture development as a poverty alleviation strategy

may be invited to witness valuation activities, to help them understand the ramifications and drawbacks of selling or leasing land to investors at very low rates. Facilitators should think carefully about this, however, as unscrupulous government officials may use the information gathered through the valuation exercise as rationale for claiming common pool resources for personal gain.

When Drafting By-Laws and Electing Leaders

- Although most communities choose to complete the 1st and 2nd drafts of by-laws without government officials being present, some communities may choose to invite government officials to observe or take part in the by-laws discussions, as these actors will likely play a role in by-laws enforcement. Facilitators should follow community members' instincts about how and when to involve local government actors in their by-laws drafting process. For example, local governments often have zoning plans and/or local development plans; government actors might be invited to explain these plans to communities, so that the community's efforts does not contradict the local government's plan.
- Government officials might be invited to take part in the "legal check" of the by-laws, before the 3rd draft is completed. Such officials will be able to check for compatibility with local ordinances or county/provincial laws, which facilitators may not always be aware of.
- Communities may choose to invite government officials to their by-laws adoption ceremonies; official endorsement by local or regional government can help to underscore the power of the by-laws and ensure these officials' commitment to helping to enforce them.
- Once adopted, community leaders can personally deliver copies of their by-laws to relevant government officials, administrators, local judges, and police who may be helpful in ensuring that the by-laws are implemented and enforced. When providing these copies, it can be helpful to ask them to sign and add their stamp to two copies – one they will keep, and one that the community can keep for its records.
- Once a Land Governance Council is elected, local government officials may be invited to help train them how to best undertake their responsibilities. Including local government in the training of newly elected officials can help to build relationships and promote beneficial synergies between community land administration and local/district government.

When Harmonizing Boundaries and Mapping Community Lands

- Communities might invite local surveyors to observe or take part in the boundary harmonization process; their “witnessing” may help strengthen their sense of involvement and commitment to the community’s land protection efforts and may help to ensure that the community’s land is mapped and registered without bureaucratic obstacles. Surveyors may also be able to provide pre-existing official maps, which can inform the harmonization process and the GPS data collection process.
- In cases of entrenched boundary disputes, well-respected government authorities can act as mediators. However, these officials must remain neutral and not take sides; should they appear to support one community’s stance over the other, it can deepen the conflict and inflame tensions further.
- Once boundaries are fully harmonized, communities may want to invite government officials to witness their MOU-signing ceremonies and sign all boundary harmonization MOUs; their endorsement can help to make the MOUs into stronger legal documents.
- It may be necessary to consult with relevant government officials about *what* is necessary to map; what does the government require be on any community-produced map? What protocols and procedures must be completed to ensure that the government will approve a community-made map? Government officials can also advise communities on the degree of technical accuracy necessary for the map to be approved.
- Once a map is made (even a sketch map), community members might ask government officials to stamp or sign it to increase its legal legitimacy.
- Facilitators and communities may offer to help government mapping officials with their own work: after learning what information is missing from government maps, communities could gather that data and provide it, thus showing government that communities have knowledge that can help to solve problems they struggle with. For example, community members might offer to “ground truth” a government map.
- Some local governments have budgets for mapping community lands; in such instances, facilitators and communities may ask the government for direct assistance with their mapping efforts, including the provision of funding, field support, digitization, and equipment, or for government officials to survey the land formally.

Formal Titling, Registration or Certification of Community Land

- If facilitators and community members have properly cultivated the support of relevant government actors, these individuals can be particularly helpful in:
 - Signing or processing necessary forms;
 - Initiating a formal land survey or government-led GPS survey;
 - Ensuring that the community’s land registration application is processed quickly and according to proper administrative protocols; and
 - Issuing the title or registration certificate (if this is within their domain) and formally presenting it to the community.

At the Completion of the Community Land Protection Process

- Facilitators and communities should develop a plan on how to best involve local government after the community land protection process is over. In the process, facilitators and community members should analyze whether local government is truly interested in supporting the community’s land protection efforts. If the community foresees future challenges to its land tenure security, it may be necessary for facilitators to remain involved to help community members navigate government systems and advocate for their interests.
- Local government officials will be called upon to support the ongoing enforcement of the community’s by-laws; facilitators may work with community members to train local officials about their by-laws and proactively request any support they anticipate needing.
- Facilitators may also want to plan for a formal “handover” of technical support to the community by inviting the government to an official meeting, briefing them in detail on what has been done and accomplished, and brainstorming ways forward together.
- It may be useful to involve supportive, helpful government actors in future policy advocacy efforts; these individuals can be instrumental in the development of land-related policies and regulations.

HOW TO MOTIVATE GOVERNMENT OFFICIALS TO SUPPORT COMMUNITY LAND PROTECTION EFFORTS?

Government officials often have full schedules, and may be too busy with their existing work to be involved in communities' community land protection efforts. Alternatively, they may demand fees and/or bribes to attend meetings. To address this, facilitators might:

1. Ensure that the terms and conditions of government officials' involvement are clearly agreed before asking for their time.
2. Schedule key meetings with communities when government officials are already planning to visit the community on their own business.
3. Demonstrate that community land protection efforts will make their jobs easier or otherwise benefit them professionally.
4. Schedule meetings during working hours in their offices, so they are not required to make special arrangements.
5. Attend pre-existing government meetings, as a special guest or presenter, rather than invite officials to community meetings;
6. When necessary, plan in advance for the logistics required to support government involvement.