

## **We Effect regional office of Southern Africa**

**What are the most appropriate policies (and gaps in existing policies) along the rural-urban continuum to address issues of land tenure, urban expansion into farmland and the growing competition for natural resources?**

- The land tenure on customary land still has challenges as most of the traditional land does not have land parcel certification and this affects development due to lack of security to the holder. The land title overrides the customary certificate, they do not talk to each other.
- When one acquires state land and decides not to cut trees to conserve it, the state will turn around and repossess it, arguing that you have not developed it.
- Policy coherence between conservation, such as forestry preservation, agriculture, and game management is important.
- Land policies' biggest problem is implementation. One institution to handle land policy (currently local govt, ministry of land and tradition leaders) should have an agency.
- As rural areas are becoming smaller, policy coherence between town planning and agricultural policy is needed.
- Extraction and mining in Zambia has led to the destruction of extensive parts of agricultural land as well as the illegal conversion of customary land to state land ([www.southernaficalitigationcentre.org/2023/03/07/the-supreme-court-of-zambia-to-hear-a-critical-land-case-on-whether-the-conversion-of-customary-land-to-state-land-without-consulting-the-community-was-lawful/](http://www.southernaficalitigationcentre.org/2023/03/07/the-supreme-court-of-zambia-to-hear-a-critical-land-case-on-whether-the-conversion-of-customary-land-to-state-land-without-consulting-the-community-was-lawful/)). With the forced eviction of communities and constructing on traditional land without consent and without investment in the local community, there needs to be tighter restrictions on companies and enforcement of commitments for re-housing communities etc.
- Lack of government regulation of foreign companies' impacts on smallholder farmers. Such as the case of Amatheon Agri Zambia Ltd, which is Africa's largest German agribusiness in Mumbwa ([www.fian.org/en/press-release/article/zambian-farmers-livelihoods-threatened-by-german-agribusiness-3047](http://www.fian.org/en/press-release/article/zambian-farmers-livelihoods-threatened-by-german-agribusiness-3047)). There needs to be increased regulation and higher rate of taxation for foreign companies.
- ZEMA needs to be better resourced and more autonomous with more power to make decisions and enforce them (addressing issues of corruption)

**In what ways can incorporation of climate resilient agriculture and circular economy practices in urban and peri-urban agriculture provide climate co-benefits for all and enhance climate resilience?**

- We need to promote environmentally friendly agricultural practices which preserve all natural resources like forest, soil, water, and soil living organisms. The benefits are favourable rain distribution made available for crop and livestock production. Improved or enhanced household income for farmers. Conservation agriculture and other practices will enhance climate resilience.
- Government while promoting smart agriculture as business must find better ways to deal with offloading fertilizer through Climate FISP.
- Does not enforce harvesting technology-Low budget on dams.
- Benefit should trickle down to the people to encourage implementation- carbon cover pay outs.
- Agriculture land and human activity conflict lack of policy implementation
- Depends on how it is done – need to regulate private sector managing commercial farms to use climate resilient agriculture as well as regulating chemical use.

- Subsidised chemicals provided by government should be safe and not on the list of banned chemicals.
- Approach to incorporation of climate resilient agriculture needs to be collective – most effective way of changing farming norms and practices is through collective leadership and collective action through cooperatives or associations.
- Limited promotion or support for local farmers and local markets – excessive imports to Zambia limit the opportunities for local markets.

## SOME POLICIES AND LAWS THAT NEED INTEROGATION IN THE PROCESS

### **Draft Land Policy, 2017**

This is the first comprehensive land policy framework since independence. To date, land policy was in form of Ministerial Statements in Parliament, Presidential pronouncements, the Administrative Circular No 1, 1985 that has guided the system of land allocation and the principal land legislation, Lands Act of 1995. Lack of a coherent national policy and the ad hoc guidance of land management and administration have left several issues and challenges without adequate policy direction.

### **SECOND NATIONAL AGRICULTURAL POLICY 2016**

The National Agriculture Policy (NAP) 2004-2015 was developed to guide the development of the agriculture sector. As we came to the end of the period 2004-2015, it became imperative to develop a Second National Agricultural Policy to guide the agricultural sector over the next period. In arriving at this Policy, the NAP 2004-2015 had to be reviewed with particular attention to the concerns raised by various stakeholders, regarding the failure to increase rural incomes and reduce poverty, failure to achieve inclusive growth, the perpetual agricultural financing and marketing challenges; and climate change associated with erratic rainfall patterns and the change of Government which necessitated new policy guidelines that are in line with the Government of the day

### **Public-Private Partnership policy of August 2009**

The Act seeks to promote and facilitate the implementation of privately financed infrastructure projects and effective delivery of social services by enhancing transparency, fairness and long term sustainability and removing undesirable restrictions on private sector participation in the provision of social sector services and the development and operation of public infrastructure; establish a Public Private Partnership Unit and provide for its functions; establish the Public-Private Partnership Council and provide for its functions.

### **THE URBAN AND REGIONAL PLANNING ACT, 2015**

The Act aims to provide for development, planning and administration principles, standards and requirements for urban and regional planning processes and systems; provide for a framework for administering and managing urban and regional planning for the Republic; provide for a planning framework, guidelines, systems and processes for urban and regional planning for the Republic. On a low call, it sought to repeal the Town and Country Planning Act, 1962, and the Housing (Statutory and Improvement Areas) Act, 1975.

### **The Chiefs Act November 1965**

The Act to make provision for the recognition, appointment and functions of Chiefs and Deputy Chiefs; for the exclusion of former Chiefs and Deputy Chiefs from specified areas in the

interests of public order; for the appointment and functions of kapasus; and for matters incidental to or connected with the foregoing.

**BIOSAFETY ACT, 2007**

<https://leap.unep.org/countries/zm/national-legislation/biosafety-act-2007-no-10-2007#:~:text=The%20rules%20intend%20to%20ensure,and%20the%20Scientific%20Advisory%20Committee.>

<https://faolex.fao.org/docs/pdf/zam78318.pdf>