

EXECUTIVE ORDER

No. 20 OF 2024

FOR THE ESTABLISHMENT, ADOPTION, AND IMPLEMENTATION OF FRAMEWORK FOR RESPONSIBLE AND INCLUSIVE LAND-INTENSIVE AGRICULTURE (FRILIA)

BACKGROUND

- (1) Anambra State Government (ANSG), in a bid to improve the investment climate, intends to develop a Framework for Responsible and Inclusive Land-Intensive Agricultural Investments (the Framework). The Framework ensures that land acquisition and resettlement for large-scale agribusiness investments are undertaken in line with established international good practices and guarantee shared benefits between private investors and surrounding communities.
- (2) ANSG is desirous of deepening the State's agribusiness reforms including delivering a win-win approach to all the relevant stakeholders on agricultural land matters and investment opportunities.
- (3) The Framework will enhance access to large-scale investments, gainful employment on large-scale farms, sufficient income, and protection from the volatility of agricultural labour and product markets.
- (4) The Framework will ensure adherence to guiding principles covering overarching investment, recognition, and protection of land rights, state land acquisition and resettlement, and environmental and social responsibility.

To achieve the Government's objective of creating an enabling, responsible, and inclusive business operating environment for large-scale agribusiness investments in Anambra State, there is a need for the following:

1. ADOPTION OF FRILIA PRINCIPLES

Adherence to core principles and mainstream international best practices, such as those based on the Principles for Responsible Investment in Agriculture and Food Systems and related principles and guidance in agribusiness development in the State for sustainable economic growth and development. These include, but are not limited to:

- (a) that overarching investments will be consistent with and contribute to the policy objective of the government;

- (b) that the investment will be conducted transparently, avoid or minimize land acquisitions requiring voluntary or involuntary resettlement, minimize adverse effects from land acquisition, ensure a range of inclusive investment and production models are considered, subject the investment to consultation and participation with all potentially affected communities, ensure the affected communities have opportunity and responsibility to make informed decisions regarding land acquisition, foster gender equality and empowerment of women and youth and lastly, the investment will be monitored;
- (c) recognizing and protecting land rights (including customary, informal, and rights to common property resources) by safeguarding against the dispossession of legitimate tenure rights holders or partial treatment through: prompt payment of adequate compensation in cash, alternative land, or other forms of compensation, including supplementation livelihood restoration; and a robust and effective grievance redress mechanism that provides accessible and affordable procedures for third-party settlement of dispute while considering the availability of judicial recourse, community, and traditional dispute resolution mechanisms;
- (d) ensuring transparent and fair State land acquisition and any resulting resettlement by disclosing and applying consistently, compensation standards as described above. Require that economic and social impacts be identified and addressed with adequate compensation, supplemental livelihood improvement/restoration, public infrastructure, and community services, the option of a land replacement, as may be appropriate; and
- (e) ensuring environmental and social sustainability by observing safeguards against environmental damage. Prior to approval or any final decision to proceed, investments will be subjected to independent assessments of potential positive and negative impacts on tenure rights, food security, livelihood, environment, the rights and/or status of women and youth, and physical cultural property. Community, individual, and worker safety will be protected, as well as their fair, non-discriminatory, and equal treatment.

2. ESTABLISHMENT, POWERS, AND FUNCTIONS OF THE FRILIA STEERING COMMITTEE

- (1) The constitution of a high-level Steering Committee is responsible for the overall coordination of the establishment, adoption, and implementation of the Anambra State Framework for Responsible and Inclusive Land-Intensive Agricultural Investments (FRILIA). The Deputy Governor shall Chair the Steering Committee, while members will include the Commissioner for Lands, Commissioners for Industry; Commissioner for Finance; Commissioner for Agriculture; Commissioner for Local Government and Chieftaincy Affairs; Commissioner for Justice; Managing Director, Physical Planning; Commissioner for Women Affairs; Chairman Anambra Internal Revenue Service; Managing Director, Anambra State Investment Promotion and Protection Agency; Permanent Secretary, Ministry of Agriculture as the secretary to the Steering Committee.

- (2) The functions and powers of the Steering Committee shall be to:
- (a) ensure that agri-business investments in the State are consistent with the FRILIA principles and international best practices;
 - (b) promote transparency in agri-business investment in the State;
 - (c) promote the application of inclusive production models;
 - (d) promote safeguards measures against the dispossession of tenure rights holders;
 - (e) monitor the impact of agri-business investment, including the application of compensation standards;
 - (f) promote environmental sustainability;
 - (g) promote gender equality and empowerment of women and youth;
 - (h) review land allocations made to investors on recommendations of the technical committee;
 - (i) approve for adoption of a Grievance Redress Mechanism (GRM) and review GRM reports;
 - (j) approve for adoption and implementation of a Framework for Responsible and Inclusive Land-Intensive Agricultural Investments (FRILIA);
 - (k) approve for adoption and dissemination of toolkits/guidelines/policies or equivalent to guide investors throughout the development of land-intensive agricultural projects in Anambra State in a manner consistent with the FRILIA principles and international best practices;
 - (l) co-opt such persons or create such number of committees on the recommendation of the Technical Committee as may be necessary to execute its function;
 - (m) meet quarterly or as often as may be considered expedient for the effective discharge of its functions to review the progress of the projects, and investments and to consider any specific issue(s) that may be directed by the Governor; and
 - (n) do such other things considered necessary or expedient for the performance of its functions.

3. ESTABLISHMENT, POWERS, AND FUNCTIONS OF THE FRILIA TECHNICAL COMMITTEE

- (1) The constitution of a Technical Committee to support the Steering Committee in performing its function and meeting the objective of this Order. The Committee shall include the Commissioner for Lands as chairman and two representatives (one not below the rank of a director and one principal officer) of the following Ministries, Departments, and Agencies: Ministry of Lands; Anambra State Investment Promotion and Protection Agency; Ministry of Industry; Ministry of Finance, Ministry of Environment; Ministry of Agriculture; Ministry of Justice, Ministry of Local Government and Chieftaincy Affairs; Physical Planning Agency; Office of Surveyor General; Anambra State Agricultural Development Project; FADAMA; Desk Officer of Farms Settlement; Bureau of Public

Procurement (BPP); Anambra State Internal Revenue Service (AIRS); Director of Agric Services (Secretary).

(2) The function and powers of the Technical Committee shall be to:

- (a) develop a Framework for Responsible and Inclusive Land-Intensive Agricultural Investments (FRILIA);
- (b) prepare an implementation plan for FRILIA;
- (c) develop toolkit/guidelines/policies or equivalent to guide investors throughout the development of land-intensive agricultural projects in Anambra State that are consistent with the FRILIA principles and international best practices;
- (d) conduct risk or benefit assessments that will assist the government in the implementation of agri-business projects particularly land-based investment;
- (e) advise and assist the government in creating sustainable land use and agribusiness policy.
- (f) monitor all land-based investment in the State and their compliance with FRILIA;
- (g) assist the development of a land bank for agri-business investment in the State, in particular seeking to ensure that acquisition of land for the land bank is done in a manner that is consistent with the FRILIA principles and international best practices;
- (h) publish periodically information on agri-business investments;
- (i) establish a framework for community and stakeholder consultations and engagement;
- (j) provide a monthly report to the Steering Committee;
- (k) meet at least every month to consider reports from stakeholders, assigned tasks, and any special issue(s) as may be directed by the Steering Committee; and
- (l) perform such other functions as the Steering Committee may from time to time deem necessary to achieve its function.

4. ESTABLISHMENT OF A GRIEVANCE REDRESS MECHANISM (GRM)

The Technical Committee shall develop effective grievance and dispute resolution processes with appropriate appeal mechanisms for claimants, landowners, host communities, and investors. The mechanisms shall be consistent with the FRILIA principles and international best practices. The Secretary of the Technical Committee shall also function as the desk officer for the Grievance Redress Mechanism (GRM) on FRILIA in Anambra State. The GRM will be such that it consults and makes inquiries within the areas of grievance, deliberates on complaint(s)/appeal(s), appraises the complaint(s)/appeal(s) against relevant guidelines and procedures, and resolves all complaint(s)/appeal(s) within 7 days of receipt with the responsible authority within the concerned Ministry, Department or Agency. The Technical Committee, as part of its monthly report to the Steering Committee, will include a briefing on issues/complaint(s)/appeal(s) resolved and those pending.

5. DEVELOPMENT AND ADOPTION OF FRILIA TOOLKITS/GUIDELINES/POLICIES OR EQUIVALENT

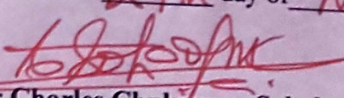
The Technical Committee as part of its responsibility, shall develop a toolkit/guidelines/policies or equivalent for approval by the Steering Committee. These will guide investors throughout the development of land-intensive agricultural projects in Anambra State, ensuring investors and the responsible MDAs are provided with adequate information to comply with FRILIA principles and international best practices. This shall include, but not be limited to, enabling investors and responsible MDAs to effectively engage in consultations with communities, including local land rights holders. Among other things, the toolkit/guidelines/policies or equivalent will cover stakeholder engagement; environmental and social impact assessment and risk management; land access, easement, and involuntary resettlement management; gender equality and the empowerment of women and youth; valuation and compensation; Global Memorandum of Understanding; community needs assessment and development; out-growers and food security.

NOW THEREFORE I, Professor Charles Chukwuma Soludo, CFR, GOVERNOR OF ANAMBRA STATE, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE 1999 CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA AND THE LAWS OF ANAMBRA STATE INCLUDING BUT NOT LIMITED TO THE LAND USE CHARGE LAW, 2012 HEREBY ORDER AS FOLLOWS:

- (1) It shall be Government policy to accelerate large-scale agribusiness investments based on international best practices of land principles and guidelines to improve business enabling environment for the economic development of the State.
- (2) FRILIA would address critical challenges, reforms, and investment priorities required in the agricultural value chains, financial sector regulatory reforms, and land reforms to facilitate agricultural and non-agricultural investment opportunities.
- (3) FRILIA shall specifically bridge the gap between investors and host communities, to put in place laid-down procedures for investments to ensure a win-win approach to all the stakeholders as well as management of environmental and social sustainability.
- (4) To ensure the implementation and operationalization of FRILIA in line with the Business Enabling Reform Action Plan (BERAP), the Government, Departments, and Agencies shall collaborate to achieve the result area to remove obstacles to agribusiness investment opportunities.
- (5) The order shall be implemented consistent with applicable Laws of Anambra State.
- (6) The order is not intended to and does not create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the Government of Anambra State, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

(7) This order shall take effect immediately.

Made at Awka this 29th day of November 2024.


Professor Charles Chukwuma Soludo, CFR
Governor of Anambra State.