



BORNO STATE GOVERNMENT OF NIGERIA

GAZETTE, 2023

**ESTABLISHMENT, ADOPTION, AND IMPLEMENTATION OF
FRAMEWROK FOR RESPONSIBLE AND INCLUSIVE
LAND-INTENSIVE AGRICULTURAL INVESTMENTS (FRILLA)**

PRINTED BY GOVERNMENT PRINTER, MAIDUGURI



Borno State Of Nigeria Gazette

Published By Authority

No. 8

MAIDUGURI - 28th DECEMBER, 2023

Vol. 48

Borno State Notice No. 8

The following are published in the Supplement to this Gazette:-

ESTABLISHMENT, ADOPTION, AND IMPLEMENTATION OF FRAMEWROK FOR RESPONSIBLE AND INCLUSIVE LAND-INTENSIVE AGRICULTURAL INVESTMENTS (FRILLA)

Printed and Published by the Government Printer GPM 12/2023/500

Annual Subscription: Nigeria N24,000, Overseas N48,000, post free, Present Issue N2000 per copy. Application for the purchase of Gazette and other Government Publication should be submitted to the Government Printer, Post Office Box 179, Maiduguri, Remittance should be in Money or Postal Order crossed and made payable in the Government Printer, Maiduguri, Postage Stamps are NOT acceptable.



OFFICE OF THE EXECUTIVE GOVERNOR

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Borno State -Nigeria

**ESTABLISHMENT, ADOPTION, AND IMPLEMENTATION OF FRAMEWORK
FOR RESPONSIBLE AND INCLUSIVE LAND-INTENSIVE AGRICULTURAL
INVESTMENTS (FRILIA)**

**COMMENCEMENT (18 December 2023)
EXECUTIVE ORDER NO. 6 OF 2023**

WHEREAS, The Borno State Government (BOSG), in a bid to improve the investment climate, intends to develop a Framework for Responsible and Inclusive Land-Intensive Agricultural Investments (FRILIA). The framework ensures that land acquisition and resettlement for large-scale agribusiness investment are undertaken in line with established international best practices and guarantee shared benefits between private investors and surrounding communities;

Whereas The Government of Borno State aims to deepen agribusiness reforms, including a win-win approach to stakeholders on land and investment;

Whereas FRILIA as a framework aims to improve access to large-scale investment, gainful employment on large-scale farms, sufficient income, and protection from the volatility of agricultural labour and product markets. The framework is designed to ensure adherence to principles that cover overarching investment, recognition and protection of land rights, state land acquisition and resettlement, and environmental and social responsibility;

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

ADOPTION OF FRILIA PRINCIPLES

1. Adherence to core principles that mainstream international best practices, such as those based on the Principles for Responsible Investment in Agriculture and Food Systems and related principles and guidance, into agribusiness development in the State for sustainable economic growth and development. These include, but are not limited to:
 - a. The investment plan will consistently support the Government's policy objective.

- b. The investment process will be conducted in a transparent manner, with the aim of avoiding or minimizing land acquisitions that require voluntary or involuntary resettlement. We will also strive to minimize any adverse effects that may arise from land acquisition. In addition, we will consider a range of inclusive investment and production models and subject the investment to consultation and participation with all potentially affected communities. We will ensure that the affected communities have the opportunity and responsibility to make informed decisions regarding land acquisition. Furthermore, we will foster gender equality and empowerment of women and youth. Lastly, the investment will be monitored to ensure that it meets the set standards.
- c. Acknowledge and uphold land rights in the state, encompassing customary, informal, and rights to communal resources. Ensure protection against unjust land dispossession or unfair treatment by promptly offering sufficient compensation in cash, alternative land, or appropriate recompense, including sustaining livelihoods. Establish a strong and efficient grievance resolution system that offers accessible and cost-effective procedures for impartially settling disputes through third-party mediation. This system should also consider the availability of legal recourse, community, and traditional conflict resolution mechanisms.
- d. Ensure fairness and transparency in the acquisition of state land and any resulting resettlement, it is important to disclose and consistently apply compensation standards. This includes identifying and addressing any economic and social impacts with adequate compensation, supplemental livelihood improvement or restoration, public infrastructure and community services, and the option of land replacement, as appropriate.
- e. Ensure environmental and social sustainability by taking measures to prevent any harm to the environment. Before any investment is approved or a final decision is made, an independent assessment will be conducted to evaluate the potential positive and negative impacts on various aspects such as tenure rights, food security, livelihood, environment, the rights and/or status of women and youth, and

physical cultural property. The safety of the community, individuals, and workers will be protected, and they will be treated fairly and equally without any discrimination.

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 Borno State Framework for Responsible and Inclusive Land-Intensive Agricultural Investments (FRILIA).
2. The Governor shall chair the Steering Committee, while the members will include the Commissioner for Agriculture and Food Security; Commissioner for Industry, Trade and Investment; the Commissioner for Finance; Commissioner for Justice; Commissioner for Local Government Affairs; Commissioner for Environment; Commissioner for Land Matters; Chairman Borno Internal Revenue Service; Director-General of Borno State Development and Investment Promotion Agency; Permanent Secretary, Ministry of Agriculture and Food Security as the Secretary to the Steering Committee.
3. 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, including, but not limited to:
 - i. Promote transparency in agri-business investment in the State.
 - ii. Promote the application of inclusive production models.
 - iii. Promote safeguards measures against dispossession of tenure rights holders.
 - iv. Monitor the impact of agri-business investment, including the application of compensation standards.
 - v. Promote environmental sustainability.
 - vi. Promote gender equality and empowerment of women and youth.
 - vii. Review land allocations made to investors on recommendations of the technical committee.

- viii. Approve for adoption a Grievance Redress Mechanism (GRM) and review GRM reports.
- b. Approve for adoption and implementation of a Framework for Responsible and Inclusive Land-Intensive Agricultural Investments (FRILIA)
- c. Approve for adoption and dissemination of toolkits/guidelines/policies or equivalent to guide investors throughout the development of land-intensive agricultural projects in Borno State in a manner consistent with the FRILIA principles and international best practices.
- d. Co-opt such persons or create such a number of committees on the recommendation of the Technical Committee as may be necessary to execute its functions.
- e. Meet quarterly or as often as may be considered expedient for the effective discharge of its functions to review the progress of the projects, investments and to consider any specific issue(s) that may be directed by the Governor.
- f. Do such other things consider necessary or expedient for the performance of its functions.

ESTABLISHMENT, POWERS, AND FUNCTIONS OF THE FRILIA TECHNICAL COMMITTEE

4. 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 Executive Secretary of Borno Geographic Information Service (BOGIS) as Chairman and other two representatives (one not below the rank of a Director and one principal officer) of the following Ministries, Departments and Agencies: Borno Geographic Information Service (BOGIS), Borno State Development and Investment Promotion Agency; Ministry of Industry, Trade and Investment; Ministry of Finance; Ministry of Environment; Ministry of Agriculture and Food Security; Ministry of Justice; Ministry of Local Government Affairs; Office of Surveyor General; Borno State Agricultural Development Project, Fadama Project, Representatives of the private sector and a Civil Society Organization with Land investment expertise; Directorate of Farms Settlement and Peasant Farmers Development, afforestation, Borno State

Internal Revenue Services, SABER Program Manager, Agribusiness Officers and Director of Agriculture Services (Secretary).

5. The function and powers of the Technical Committee shall be to:

- i. Develop a Framework for Responsible and Inclusive Land-Intensive Agricultural Investments (FRILIA).
- ii. Prepare an implementation plan for FRILIA.
- iii. Develop toolkit/guidelines/policies or equivalent to guide investors throughout the development of land-intensive agricultural projects in Borno State that are consistent with the FRILIA principles and international best practices.
- iv. Conduct risk or benefit assessment that will assist the Government in the implementation of agri-business projects particularly land-based investment.
- v. Advise and assist the Government in creating sustainable land-use and agri- business policy.
- vi. Monitor all land-based investment in the State and their compliance with FRILIA.
- vii. 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.
- viii. Publish periodically information on agri-business investments.
- ix. Establish a framework for community and stakeholder consultations and engagement.
- x. Provide a monthly report to the Steering Committee
- xi. 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.
- xii. Perform such other functions as the Steering Committee may occasionally deem necessary to achieve its function.

ESTABLISHMENT OF A GRIEVANCE REDRESS MECHANISM

6. 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 Borno State. The GRM will be such that it consults and makes enquiries 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 30 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.

DEVELOPMENT AND ADOPTION OF FRILIA TOOLKITS GUIDELINES/POLICIES OR EQUIVALENT

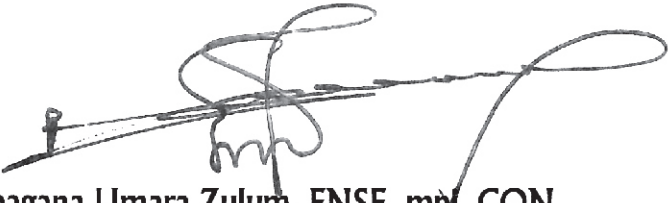
The Technical Committee is empowered by this order to develop a toolkit, guidelines, policies or equivalent for approval by the Steering Committee. These tools will assist investors in developing land-intensive agricultural projects in Borno State. They will ensure that investors and the responsible MDAs have access to adequate information to comply with FRILIA principles and international best practices.

The toolkit/guidelines/policies or equivalent will cover various aspects such as 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. Additionally, it will enable investors and responsible MDAs to consult with communities, including local land rights holders, effectively.

Now, Therefore I 'Prof. Babagana Umara Zulum, Governor of Borno State, By the Authority Vested in Me by The 1999 Constitution of The Federal Republic of Nigeria as amended and the Laws Of Borno State, including but not limited to the BOGIS Law hereby Order as follows:

- I. That it shall be Government policy to accelerate large-scale agribusiness investments based on international best practices of land principles and guidelines to improve the business enabling environment for the state's economic development.
- II. FRILIA would address critical challenges in the agricultural value chains, financial sector regulatory reforms, and land reforms to facilitate investment opportunities in both agricultural and non-agricultural sectors.
- III. FRILIA shall specifically bridge the gap between investors and host communities by laying down investment procedures to ensure a win-win approach to all the stakeholders and environmental and social sustainability management.
- IV. 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.
 - (a) This order shall be implemented consistent with applicable Laws of Borno State
 - (b) This 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 Borno State, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

ISSUED UNDER MY HAND THIS 18th DAY OF DEC, 2023, WHICH SHALL COME INTO OPERATION IMMEDIATELY.



Prof. Babagana Umara Zulum, FNSE, mn, CON,
Executive Governor
Borno State