



**TARABA STATE GOVERNMENT OF NIGERIA
OFFICE OF THE GOVERNOR**

EXECUTIVE ORDER NO. 6 OF 2023

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

WHEREAS:

1. The Taraba State Government (TSG) is committed to creating a framework friendly environment responsible for an inclusive land-intensive agricultural investments in this Order referred to as the ("FRILIA").
2. The Taraba State Government recognizes the importance of streamlining regulatory processes and reducing bureaucratic barriers to ensure that land acquisition and settlement for large scale agricultural business investment in the State are undertaken in line with the established International best practices and at the same time guaranteed shared benefits between private investors and the host communities.
3. The Taraba State Government (TSG) aims to improve the state's agricultural business reforms, improve the investment climate and attract responsible investment for its agric-business value chains, including delivering a win-win to all the relevant stakeholders on agricultural land matters and investment opportunities.

4. It is necessary to establish a framework that ensures responsible and inclusive land-intensive agricultural investments.
5. The Taraba State Government shall ensure that all land-intensive agricultural investments are aligned with its overall development objectives, including but not limited to: –
 - a. Improvement of agricultural investments, stimulating economic growth and development in line with the policy objective of the government;
 - b. Transparency in the conduct of the investment, minimizing adverse effect on the process of land acquisition by removing bottlenecks associated with the land acquisition processes requiring voluntary of involuntary resettlement through the involvement of the affected communities by ensuring that the affected community have a role to make informed decisions regarding land acquisition, foster gender equality and empowerment of youth and women through monitoring;
 - c. Recognize and protect land rights both customary and informal rights to common property resources, by safeguarding against disposition of legitimate tenure right holders through payment of adequate compensation;
 - d. The State Government shall ensure that all land acquisitions for agricultural investment are conducted in a transparent, fair and accountable manner;
 - e. The State Government shall conduct thorough Environmental Impact Assessments (EIAs) for all land acquisitions, in accordance with National and International Standards. And prior to approval, investments will be subject to assessment of tenure rights, food security, livelihood, environment, right and status of youth and women, physical cultural property, community and safety of workers shall be adequately protected; and

- f. The State Government shall ensure that all land acquisitions are designed and implemented to minimize deforestation, habitat, destruction and pollution.

SECTION 1: PURPOSE AND SCOPE

This Executive Order sets forth the State's policy and strategy for implementing business enabling reforms to improve the ease of doing business in the state.

SECTION 2: ADOPTION OF FRILIA PRINCIPLES

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 the development of agribusiness in the State for sustainable economic growth and development. These include, but are not limited to:

- a. That overarching investment will be consistent with and contribute to the policy objective of the government;
- b. 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 that 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. Recognize and protect land rights (including customary, informal and rights to common property resources) by safeguarding against 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. Ensure 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, option of land replacement, as may be appropriate.
- e. Ensure 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 workers' safety will be protected as well as ensuring their fair treatment, non-discriminatory and equal treatment.

SECTION 3: ESTABLISHMENT, POWERS, AND FUNCTIONS OF THE FRILIA STEERING COMMITTEE

- 1. The Constitution of a high-level Steering Committee responsible for the overall coordination of the establishment, adoption, and implementation of the Taraba State Framework for Responsible and Inclusive Land-Intensive Agricultural Investments (FRILIA).
- 2. The Steering Committee shall be chaired by the Governor, while the members will include: Commissioner for Agriculture and Food Security; Commissioner for Industry, Trade and Investment; Commissioner for

Finance and Economic Development; Attorney General & Commissioner for Justice; Permanent Secretary, Bureau for Local Government, Tradition and Chieftaincy Affairs; Commissioner for Rural and Urban Development; Commissioner for Women Affairs and Social Development; Special Adviser on Land Matters; Chairman Taraba Internal Revenue Service; Chairman/Secretary Taraba State Investment Promotion Agency; Permanent Secretary, Ministry of Agriculture and Food Security as the Secretary to the FRILIA Steering Committee.

3. The functions and powers of the Steering Committee shall be to:
 - i. Ensure that agri-business investments in the State are consistent with the FRILIA principles and international best practices, including, but not limited to:
 - a) Promote transparency in agri-business investment in the State;
 - b) Promote the application of inclusive production models;
 - c) Promote safeguards measures against dispossession of tenure rights holders;
 - d) Monitor the impact of agri-business investment, including the application of compensation standards;
 - e) Promote environmental sustainability;
 - f) Promote gender equality and empowerment of women and youth;
 - g) Review of land allocations made to investors on recommendations of the Technical Committee;
 - h) Approve for adoption of a Grievance Redress Mechanism (GRM) and review GRM reports;

- ii. Approve for adoption and implementation of a Framework for Responsible and Inclusive Land-Intensive Agricultural Investments (FRILIA);
- iii. Approve for adoption and dissemination of toolkits /guidelines / policies or equivalent to guide investors throughout the development of land-intensive agricultural projects in Taraba State in a manner consistent with the FRILIA principles and international best practices.
- iv. Co-opt such persons or create such number of committees on the recommendation of the Technical Committee as may be necessary to execute its functions.
- v. 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.
- vi. Do such other things considered necessary or expedient for the performance of its functions.

SECTION 4: 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/Special Adviser on Land Matters as Chairman and two representatives (one not below the rank of a director and one principal officer) of the following Ministries, Departments and Agencies: Bureau of Land Services; Taraba State Development and Investment Promotion Agency; Ministry of Industry, Trade and Investment; Ministry of Finance, Budget and Economic Planning; Ministry of Environment

and Climate change; Ministry of Agriculture and Food Security; Ministry of Justice; Bureau for Local Government, Tradition and Chieftaincy Affairs; Ministry of Rural and Urban Development; Ministry of Women Affairs and Child Development; Bureau for Lands and Survey; Taraba 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, Forestry Commission, Taraba State Internal Revenue Services, SABER Program Manager, Agribusiness Officers and Director of Agriculture Services (Secretary).

2. The function and powers of the Technical Committee shall be to:
 - i. Identify the States' main concerns, priorities and principles related to land-based investments.
 - ii. Conduct stakeholder mapping analysis that identifies all the relevant stakeholders related to land-based investments.
 - iii. Identify and classify relevant existing and required policies, laws and incentives related to land-based investments.
 - iv. Develop a Framework for Responsible and Inclusive Land-Intensive Agricultural Investments (FRILIA).
 - v. Prepare an implementation plan for FRILIA.
 - vi. Establish a framework for community and stakeholder consultations and engagement.
 - vii. Develop toolkit/guidelines/policies or equivalent to guide investors throughout the development of land-intensive agricultural projects in Taraba State that are consistent with the FRILIA principles and international best practices.

- viii. Conduct risk or benefit assessment that will assist the government in the implementation of agri-business projects / initiatives particularly land-based investment.
- ix. Advise and assist the government in creating sustainable land-use and agri-business policy.
- x. Monitor all land-based investments in the State and their compliance with FRILIA.
- xi. 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.
- xii. Publish periodically information on agri-business investments.
- xiii. Provide a monthly report to the Steering Committee
- xiv. 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.
- xv. Perform such other function as the Steering Committee may from time to time deem necessary to achieve its function.

SECTION 5: STATE ACTION

The State Government shall take the following actions in the implementation of FRILIA principles.

SECTION 6: COLLABORATION

The Committee shall collaborate with relevant government agencies, civil society organizations and other stakeholders to achieve its functions and powers.

SECTION 7: RESPONSIBILITIES OF MEMBERS OF THE COMMITTEE

The members of the Committee shall have the following responsibilities –

- a) To attend meetings and participate in decision-making processes;
- b) To provide expertise and guidance on responsible and inclusive land-intensive agricultural investments;
- c) To promote the objectives and principles of the FRILIA; and
- d) To maintain confidentiality and avoid conflict of interest.

SECTION 8: BENEFIT FOR INVESTORS

A.

1. FRILIA provides a clear and transparent framework for investment, reducing the risk of conflicts and disputes;
2. Increase efficiency through the promotion of sustainable agricultural practices;
3. Improve reputation: investors who adhere to the FRILIA framework demonstrate their commitment to responsible and inclusive investment, by enhancing their reputation.

B. Benefits for Local Communities

1. Inclusive decision-making: FRILIA ensures that local communities are involved in decision-making processes related to land acquisition and investments;
2. Fair compensation and benefit: FRILIA promotes fair compensation for land to ensure that local communities benefit from investment; and
3. Environmental protection: by promoting sustainable agricultural practices, FRILIA helps protect the environment and preserve natural resources for future generation.

SECTION 9: IMPLEMENTATION

The Taraba State Government (TSG) shall implement this Executive Order through the following mechanisms:—

1. The implementation of allocation of necessary resources and funding to support the implementation of FRILIA framework;

2. Collaborate with the private sector, Civil society organizations and other stakeholders to support this framework

SECTION 10: EFFECTIVE DATE

This **EXECUTIVE ORDER** shall take effect immediately and shall remain in effect until amended or rescinded.

DEFINITION:

"Agricultural Investment" means any investment made in agricultural land, including the acquisition of land, the development of infrastructure and the production and processing of agricultural product;

"Affected Community" means any community that may be impacted by an agricultural investment, including communities that may be displaced, communities that may be affected by changes in land use of water availability and communities that may benefit from employment or other economic opportunities;

"Free, prior and informed consent (FPIC)" means the process of obtaining the consent of affected communities before an agricultural investment is made. This process must be free from coercion, prior to the investment being made and informed, meaning that affected communities have been provided with all relevant information;

"FRILIA" means framework for responsible and inclusive land-intensive agricultural investments;

"Inclusive Investment" means an agricultural investment that takes into account the needs and interests of all stakeholders, including affected communities and provides benefits to this stakeholders;

"Land-intensive Agricultural Investment" means an agricultural investment that requires the use of large areas of land, such as plantations, ranches or large-scale farming operation;

"Responsible Investment" means an agricultural investment that is made in a way that respects the rights and interests of all stakeholders and minimizes harm to the environment;

"Sustainable Agriculture" means agricultural practices that prioritize the long-term health and productivity of the land as well as the well-being of people and community;

"Transparency" means the quality of being open and honest in all dealings, including the provision of accurate and timely information to all stakeholders; and

"Accountability" means the state of being responsible for one's actions and decisions and being answerable to others for those actions and decisions.

IN WITNESS WHEREOF, I have hereunto set my hand and cause the Seal of the State (Taraba) to be affixed.

ISSUED UNDER MY HAND THIS 4TH day of JULY 2023

AND EFFECTIVE IMMEDIATELY.



DR. AGBU KEFAS
Governor
Taraba State, Nigeria