



## NASARAWA STATE GOVERNMENT

### EXECUTIVE ORDER No. 3 OF 2023 ON THE ADOPTION OF A FRAMEWORK FOR RESPONSIBLE INVESTMENT IN LAND-INTENSIVE AGRICULTURE (FRILIA)

- i. WHEREAS, the agricultural sector plays a pivotal role in the economic development of Nasarawa State, providing livelihoods for a significant portion of the population;
- ii. WHEREAS, it is the policy of the Nasarawa State Government to create an enabling environment for agri-businesses to thrive;
- iii. WHEREAS, the Nasarawa State Government is committed to ensuring that land acquisition and resettlement for large-scale agribusiness investments are undertaken in line with established international good practices, to ensure long-term economic, social, and environmental benefits, and to guarantee shared benefits between private investors and surrounding communities;
- iv. WHEREAS, recognising the necessity of developing and implementing a Framework for Responsible and Inclusive Land Intensive Agriculture (FRILIA) to ensure that large-scale agribusiness investments align with established international good practices;

NOW, THEREFORE, PURSUANT TO THE AUTHORITY VESTED IN ME BY SECTION 5(2) OF THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA 1999 (AS AMENDED) AS THE GOVERNOR OF NASARAWA STATE HEREBY ISSUE THIS EXECUTIVE ORDER FOR THE ADOPTION AND IMPLEMENTATION OF FRILIA IN NASARAWA STATE AND ORDER AS FOLLOWS;

#### **Purpose of FRILIA**

1. FRILIA aims to attract large-scale private agricultural investments, ensuring shared benefits for both investors and host communities. It seeks to align the government with best international practices, fostering an environment of sound environmental and social practices.
2. The Framework addresses challenges in land administration for agricultural and non-agricultural purposes, promoting international good practices in land acquisition and resettlement for large-scale agribusiness investments.
3. It will increase Nasarawa State's attractiveness for private investment and minimise potential conflicts between communities and investors, as well as conflicts between farmers and pastoralists in the State.

#### **Principles of FRILIA**

4. Overarching Investment Principles:
  - i. Investments should be consistent with and contribute to policy objectives, including poverty eradication, food security, sustainable land use, employment creation, and support to local communities

- ii. Investments should occur transparently
- iii. Land acquisition and related adverse impacts will, as much as possible, be minimised or avoided
- iv. A range of investments and production models should be considered, including alternatives to large-scale transfer of lands.
- v. Investments should be subject to consultation and participation with affected people and communities, including the disadvantaged and vulnerable, who are informed of their rights and assisted in their capacity to negotiate.
- vi. Communities have the opportunity and responsibility to decide whether to make land available based on informed choices
- vii. Investment should be monitored.

#### 5. Recognising and protecting land rights

- i. Investments should Safeguard against dispossession of legitimate tenure rights holders;
- ii. Existing legitimate rights, including customary and informal, and rights to common property resources, should be systematically and impartially identified;
- iii. Provide the protection of rights through grievance redress mechanisms that provide accessible and affordable procedures for third-party settlement of disputes, including but not limited to disputes arising from displacements or resettlement. These mechanisms should take into account the availability of judicial recourse and community and traditional dispute resolution mechanisms.

#### 6. State Land Acquisition and Resettlement

- i. Compensation standards are to be disclosed and applied consistently
- ii. Economic and social impacts caused by land acquisition or loss of access to natural resources shall be identified and addressed, including people who may lack full legal rights to assets or resources they use or occupy
- iii. Adequate compensation will be provided to purchase replacement assets of equivalent value and to meet any necessary transitional expenses before taking of land or restricting access.
- iv. Supplemental livelihood improvement or restoration measure will be provided, if taking land causes loss of income-generating opportunities
- v. Public infrastructure and community services that may be adversely affected will be replaced or restored
- vi. Displaced persons with land based livelihoods should be offered an option of replacement lands unless equivalent land is not available

#### 7. Environmental and Social Sustainability

- i. Safeguard against environmental damage, including actions that destruct/harm flora and fauna and hydrological formations (surface and ground water), or generate GHG emissions and other climate related impacts
- ii. Investments should be preceded by independent assessment of potential positive and negative impacts on tenure rights, food security, livelihoods, and environment
- iii. Take into account, potential adverse impacts on physical cultural property and, as warranted, provide adequate measures to avoid, minimize, or mitigate such efforts
- iv. Promote community, individual and worker safety
- v. Promote fair treatment, non-discrimination and equal opportunity of workers and prevent all forms of forced and child labor, sexual exploitation, and gender-based violence
- vi. Promote use of recognized good practice related to hazardous materials generated

#### **FRILIA Steering Committee**

8. A FRILIA Steering Committee is hereby established to oversee the effective implementation of FRILIA.
9. The Steering Committee shall oversee the implementation of FRILIA and be responsible for providing strategic direction, monitoring progress, and addressing challenges in the implementation of FRILIA.
10. The Steering Committee shall be composed of;
  - i. Deputy Governor of the State who shall be the Chairman;
  - ii. The Commissioners or Heads of Agencies responsible for;
  - iii. Land matters;
  - iv. Investment Promotion and Facilitation;
  - v. Urban Planning and Development;
  - vi. Planning and Budget;
  - vii. Finance
  - viii. Justice
  - ix. Environment
  - x. Agriculture; and
  - xi. Local Government
11. The Steering Committee shall have the following functions:
  - i. Promote transparency in land acquisition and resettlement for large-scale agribusiness investments
  - ii. Promote the application of inclusive agricultural production models.
  - iii. Promote safeguard measures against dispossession of tenure right holders
  - iv. Monitor the application of compensation standards.
  - v. Promote environmental sustainability in the utilisation of land for agribusiness investment; and

- vi. Review land allocations made to investors on the recommendations of the Technical Committee.
- vii. Report to the Governor for all its activities or as the Governor may assign such responsibility.
- viii. Exercise such other powers or perform such other duties as may be directed by the Governor to achieve the objectives of the Committee relating to agribusiness investment in the State.

12. The Steering Committee shall have power to:

- a. Create an administrative unit for the purpose of carrying into effect the provision of this order.
- b. Create such number of sub committees for the efficient discharge of its function; and
- c. Do such other things considered necessary or expedient for the performance of its functions.

13. Where the Steering Committee desire to obtain the advice of any person upon any matter, it may co-opt such person to be a member for such meeting as required and the person whilst so co-opted shall have all the rights and privileges of a member, save he shall not be entitled to vote on any question or count towards a quorum.

14. Subject to the provision of this order, the Governor may give to the Steering Committee directives of a general or specific nature relating to a particular function.

15. The Steering Committee may give to the Technical Committee directives with regards to the discharge of its function.

16. The Committee shall meet quarterly or as may be considered expedient for the effective discharge of its functions to review the progress of relevant projects and investments and to consider any special issue that may be directed by the Governor.

17. The Committee shall have powers to make standing orders to regulate its proceedings.

18. The quorum for meetings of the Committee shall be a simple majority.

#### **FRILIA Technical Committee**

19. A FRILIA Technical Committee is hereby established to provide support, specialized expertise, and guidance on the technical aspects of FRILIA to the Steering Committee.

20. The Head of the Technical Committee shall be the Head of the Agency responsible for Investment Promotion and Facilitation

21. Membership of the Technical Committee shall include the Honourable Commissioner of Lands and Urban Development, and two representatives (one not below the rank of a director, and one principal officer) of the Ministries, Departments, and Agencies (MDAs) responsible for;

- i. Land matters;
- ii. Investment Promotion and Facilitation;
- iii. Urban Planning and Development;
- iv. Planning and Budget;
- v. Finance

- vi. Justice
- vii. Environment
- viii. Agriculture; and
- ix. Local Government
- x. Ministry of Women Affairs and Social Development
- xi. Civil Society

22. The Technical Committee shall:

- i. Conduct thorough technical assessments of proposed large-scale land acquisition to ensure alignment with FRILIA principles and international best practices.
- ii. Review and analyze large scale land acquisition proposals, providing recommendations to the FRILIA Steering Committee on their technical feasibility, environmental impact, and social implications.
- iii. Provide expert guidance on responsible land use practices, ensuring sustainable and efficient utilization of land resources for agricultural purposes.
- iv. Assess the environmental sustainability of proposed land acquisition, recommending measures to mitigate potential negative impacts on ecosystems, water resources, and biodiversity.
- v. Conduct social impact assessments to evaluate the potential effects of large scale land acquisition on local communities, ensuring inclusive development and community well-being.
- vi. Evaluate and recommend best practices in land administration to streamline the land acquisition and resettlement processes in accordance with international standards.
- vii. Identify the technical capacity needs of relevant institutions involved in the implementation of FRILIA and recommend capacity-building initiatives to enhance their effectiveness.
- viii. Facilitate research and development initiatives to stay abreast of emerging trends and technologies in large-scale agribusiness, contributing to the continuous improvement of FRILIA.
- ix. Develop frameworks for monitoring and evaluating the technical aspects of FRILIA implementation, ensuring ongoing effectiveness and adaptability to changing circumstances.
- x. Collaborate with the FRILIA Steering Committee to develop communication strategies aimed at educating stakeholders, including investors, communities, and government agencies, on the technical aspects of responsible and inclusive land-intensive agriculture.
- xi. Identify the need for any amendments to existing policies or regulations to align them with FRILIA principles, presenting recommendations to the FRILIA Steering Committee.

- xii. Provide technical expertise in resolving conflicts related to land use and agricultural practices, promoting harmonious relationships between investors, communities, and other stakeholders.
- xiii. Collaborate with relevant entities to conduct financial assessments, evaluating the budgetary implications of FRILIA implementation and proposing funding mechanisms.
- xiv. Continuously assess and enhance the technical components of FRILIA to ensure that the framework remains adaptive, effective, and responsive to the evolving landscape of large-scale agribusiness investments.
- xv. Coordinate the development of land bank for agric-business investment.
- xvi. Coordinate the development of a stakeholder engagement framework
- xvii. Coordinate the development of toolkits/guidelines/policies or equivalent to guide investors throughout the development of land-intensive agricultural projects in the state that are consistent with the FRILIA principles and international best practices. The framework toolkits to be developed include:
  - a. Stakeholder Engagement Toolkit
  - b. Environmental and Social Risk Management toolkit
  - c. Land Access, Easement and Involuntary Resettlement Management toolkit
  - d. Valuation and Compensation toolkit
  - e. Global Memorandum of Understanding toolkit
  - f. Grievance Redress Mechanism toolkit
  - g. Community Needs Assessment and Development toolkit
  - h. Out-growers and Food Security toolkit

23. The Technical Committee shall meet at least once every month to consider reports from stakeholders, assigned tasks and any special issue as may be directed by the Steering Committee.

24. The quorum at the meeting shall be a simple majority

25. The Technical Committee shall submit a monthly report to the Steering Committee

26. In processing applications for large scale land acquisition, the Technical Committee shall as much as possible ensure;

- a. Citizen involvement
- b. Gender and social inclusion
- c. Access to information

#### **Grievance Redress Committee**

27. A Grievance Redress Committee is hereby constituted to address grievances, concerns, and disputes that may arise during the implementation of FRILIA.

28. The Grievance Redress Committee (GRC) which shall be constituted by the Steering Committee shall consist of representatives from the following institutions;

- i. The Ministry responsible for Lands;

- ii. The Investment Promotion and Facilitation Agency;
- iii. The Ministry responsible for Budget and Planning;
- iv. The Ministry responsible for Justice
- v. The Ministry responsible for Local Government Affairs; and
- vi. Community Based Organisation or Civil Society Organisation.
- vii. Ministry of Women Affairs and Social Development

29. The functions of the Grievance Redress Committee (GRC) shall be to;

- i. Receive and document grievances from affected parties, including but not limited to community members and investors, related to the land acquisition and utilisation.
- ii. Facilitate mediation and appeals processes to resolve disputes amicably, encouraging open dialogue and consensus-building among parties involved.
- iii. Conduct thorough and impartial investigations into the nature of grievances, gathering relevant information and evidence to inform the resolution process.
- iv. Provide recommendations for fair and equitable resolutions, considering the interests of all parties involved, to the FRILIA Steering Committee.
- v. Submit periodic reports to the Steering Committee detailing the nature of grievances received, actions taken, and resolutions achieved.
- vi. Conduct awareness campaigns to educate affected communities about the existence and functions of the Grievance Redress Committee, fostering transparency and trust in the resolution process.

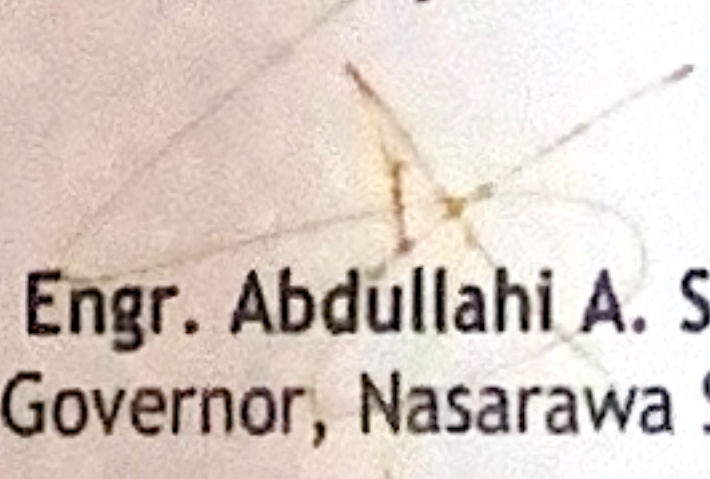
30. There shall be appointed a social officer who shall receive, coordinate and transmit all complaints/appeals to the Grievance Redress Committee (GRC) within 48 hours of receipt as well as seek feedback from GRC after 14 days for onward transmission to the complainant and logged complaints outcome.

#### Cooperation

31. Government agencies and stakeholders are directed to provide necessary support and cooperation to ensure the success of the implementation of FRILIA.

32. This Executive Order takes immediate effect.

Dated this .....<sup>29<sup>th</sup></sup>.....day of .....<sup>December</sup>..... 2023

  
Engr. Abdullahi A. Sule,  
Governor, Nasarawa State