

THE INVESTMENT COMPLIANCE TOOL & PRACTICAL GUIDEBOOK 2.0

A PRACTICAL MONITORING TOOL TO
MEASURE PERFORMANCE ON PRINCIPLES
FOR RESPONSIBLE INVESTMENT IN
AGRICULTURE AND FOOD SYSTEMS

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ENGLISH VERSION

With Support from



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Foreword

The **Investment Monitoring Compliance Tool** was developed by the partners of the Promoting Responsible Governance of Investments in Land (RGIL) project component. Under the umbrella of Responsible Land Policy in Uganda (RELAPU). RGIL is implemented within the Global Program on Responsible Land Policy as part of the German Special Initiative "One World – No Hunger" of the German Federal Ministry for Economic Cooperation and Development (BMZ). RGIL is co-funded by the European Union.

Implementing partners of the RGIL Consortium:



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PART 1: Introduction

Commercial investments in agriculture and forestry are increasingly exerting pressure on land as a resource. These investments can lead to loss of access to land, conflicts and forced evictions, thereby restricting and preventing inclusive and sustainable development pathways. Commitments have been made for sound land governance, but there are still considerable challenges for its implementation. Therefore, there is considerable need for monitoring compliance to the local and internationally established standards for responsible investment in land.

The Investment Compliance Tool provides an opportunity for Government Representatives and Regulatory authorities, Investors, Land users, as well as Civil Society (CSO) partners active in the area of investments in land **to measure and assess compliance for responsible investments** based on the **international CFS-RAI principles in Responsible Investments in Land**. The objective of this document is to guide assessors while collecting information on compliance for investments in agriculture and forestry.

The Tool was developed Mid 2021 by the RGIL project in Uganda with inputs from various stakeholders and land actors. The Tool was validated by representatives from Ministry of Land, Housing and Urban Development (MLHUD), Uganda Investment Authority (UIA), Representatives from District Local Governments (DLG) from Central and North-eastern Uganda and Civil Society Organization (CSO) partners such as Eastern and Southern Africa Small-scale Farmers' Forum (ESAFF), The Land and Equity Movement in Uganda (LEMU) as well as Participatory Ecological Land Use Management (PELUM) Uganda.

The CFS-RAI

*The PRINCIPLES FOR RESPONSIBLE INVESTMENT IN AGRICULTURE AND FOOD SYSTEMS (CFS-RAI) are the guiding document for the Investment Compliance Tool. The voluntary principles are based on an inclusive consultation process led by the Committee on World Food Security (CFS) and were endorsed on October 15th, 2014. The objective of the principles is **"to promote responsible investment in agriculture and food systems that contribute to food security and nutrition, thus supporting the progressive realization of the right to adequate food in the context of national food security"** (CFS-RAI).*

CFS-RAI Principles:

Principle 1:	Contribute to food security and nutrition
Principle 2:	Contribute to sustainable and inclusive economic development and the eradication of poverty
Principle 3:	Foster gender equality and women's empowerment
Principle 4:	Engage and empower youth
Principle 5:	Respect tenure of land, fisheries, and forests, and access to water
Principle 6:	Conserve and sustainably manage natural resources, increase resilience, and reduce disaster risks
Principle 7:	Respect cultural heritage and traditional knowledge, and support diversity and innovation
Principle 8:	Promote safe and healthy agriculture and food systems
Principle 9:	Incorporate inclusive and transparent governance structures, processes, and grievance mechanisms
Principle 10:	Assess and address impacts and promote accountability

For the Investment Compliance Tool, the ten CFS-RAI principles have been combined into the following seven main sections clustering the principles one and eight, three and four as well as nine and ten.

The Seven Sections of the Investment Compliance Tool:

Section 1:	Contribute to food security and nutrition, promote safe and healthy agriculture and food systems (CFS-RAI principles 1 & 8)
Section 2:	Contribute to sustainable and inclusive economic development and the eradication of poverty
Section 3:	Promote gender equality, women empowerment, youth engagement and support to the disabled (CFS-RAI principles 3 & 4)
Section 4:	Respect tenure of land, fisheries, and forests, and access to water
Section 5:	Conserve and sustainably manage natural resources, increase resilience, and reduce disaster risks

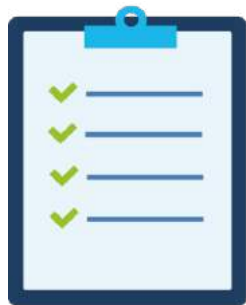
Section 6:	Respect cultural heritage and traditional knowledge, and support diversity and innovation
Section 7:	Incorporate inclusive and transparent governance structures, processes, grievance mechanisms and assess and address impacts and promote accountability (CFS-RAI principles 9 & 10)

How to use the Investment Compliance Tool?

The Tool allows to be used by different stakeholders manually as well as digitally as Word or Excel document or as Online Survey (e.g. KoBo Collect) on either laptops, smartphones, tablets or as printed hardcopy to be moved with to the investment site. The Tool is to be used as a qualitative survey with the investor, documenting the investor's self-reported assessment of the investment. After completion of the survey (app. 60 min.), a site visit can be conducted to jointly verify some of the statements made by the investor.

It is recommended to supplement the Investment Compliance Tool with other research tools to allow for verification and capturing of additional perspectives, e.g. surveys with communities that are affected by the investment. Documented shortcomings of the investment provide an opportunity to establish dialogue fora on the investor and community level, involving local authorities such as respected leaders, representatives on village, sub-county or district level, etc.

Examples for means of data collection:



Collect on Paper



Collect on Tablet



Collect on Smartphone

- The Tool comprises the mentioned Seven Sections including different statements 1.1, 1.2, etc. to be read out loud to the investor.
- In the column **Expected standards/ Check List** the assessor can verify his/her understanding of the statements and if necessary explain them to the investor using the information provided.
- Every section includes different answer possibilities a), b), c), etc. Every answer possibility a), b), c), etc. that applies to the investor is to be scored with one point. Example: Section 1, Statement 1.2: If only a) is applicable to the investor, the investor scored one point (out of max. three points).
- The maximal score that can be reached is mentioned in the column **Max. score**.

1. Basic Excel skills are required for the following computations.

2. The scores of every section in the Investment Compliance Tool are summed up under **Score (A)** (example **score** Table 1).
3. The **scores** are divided by the **Max. score (B)** and multiplied times the **Weight (C)**.
4. The result is the **percentage score** per section.
5. The weights are percentage points based on the average ranking for the sections. All weighting percentages add up to a maximum of **100%**.
6. The RGIL weighting is based on inputs from the validation and consultation workshops held with different stakeholders and can be adapted based on the assessors' priorities.
7. In **Section specific percentage** the **percentage score** is divided by the **Weight (C)** and multiplied times 100 to generate the final **section specific percentage** or in other words - the performance per section.
8. The overall performance rating is graded using performance dashboard colors as shown in Table 2.

Table 1: Summary of the assessment:

Sections	Score (A)	Max. score (B)	Weight (C)	Percentage score [(A/B) * C]%	Section specific percentage (Percentage score/Weight (C)*100)
Section 1	2	8	18	$[(2/8) * 18] = 4.5\%$	$(4.5/18 * 100) = 25\%$
Section 2	2	8	19	$[(2/8) * 19] = 4.8\%$	$(4.8/19 * 100) = 25.3\%$
Section 3	2	12	12	$[(2/12) * 12] = 2\%$	$(2/12 * 100) = 16\%$
Section 4	2	27	20	$[(2/27) * 20] = 1.5\%$	$(1.5/20 * 100) = 7.5\%$
Section 5	2	10	15	$[(2/10) * 15] = 3\%$	$(3/15 * 100) = 20\%$
Section 6	2	5	10	$[(2/5) * 10] = 4\%$	$(4/10 * 100) = 40\%$
Section 7	2	6	6	$[(2/6) * 6] = 2\%$	$(2/6 * 100) = 33.3\%$
Overall score			100%	21.8%	

Computations:

- **Percentage:** (Score per section / Max score) * weight
- **Overall score:** Sum of percentage scores

Table 2: Overall Performance rating:

Score	Rating	Color code
Up to 49%	Low Compliance	Red
50% to 69%	Medium Compliance	Orange
70% to 84%	High Compliance	Yellow
85% to 100%	Very high/Excellent Compliance	Green

What to do with the Tools' outputs?

The results of data collection (Table 3) can be used in various ways depending on the intended use or purpose of data collection.

- The Tool will be most effective establishing a picture of the Is-Situation from the investor's perspective in terms of compliance to the CFS-RAI principles.
- Considering the limitation of data collection in capturing the investor's perspective, the advantage of this individual interaction is the simultaneous awareness raising and capacity building of the investor, allowing for individual coaching and agreements for planned actions with the purpose of improving weak compliance areas (e.g. red and yellow areas).
- The progress and the improvements over time when continuously documented allow, with prior consent from the investor, for documentation, presentation and sharing of results to broader audiences.
- In this scenario best practices and high performers can be easily identified and shared with others with the potential of broader outreach, inspiration and replication.

Table 3: Sample dashboard showing results for investors assessed for compliance:

Percentage scores per section									
Investor	District	Section 1	Section 2	Section 3	Section 4	Section 5	Section 6	Section 7	Overall average score
Investor 1	Dokolo	92%	83%	85%	83%	100%	67%	69%	85%
Investor 2	Dokolo	50%	58%	54%	58%	67%	100%	56%	63%
Investor 3	Dokolo	75%	50%	31%	58%	42%	33%	50%	52%
Investor 4	Dokolo	100%	83%	46%	33%	33%	67%	50%	63%
Investor 5	Kassanda	58%	58%	69%	83%	75%	67%	50%	70%
Investor 6	Mubende	75%	67%	38%	100%	75%	33%	75%	72%
Investor 7	Mubende	50%	67%	38%	75%	42%	33%	56%	58%
Investor 8	Mubende	42%	42%	31%	67%	50%	67%	25%	56%
Investor 9	Mubende	67%	75%	85%	50%	50%	67%	44%	71%
Investor 10	Mityana	92%	100%	77%	100%	83%	67%	63%	96%
Investor 11	Mityana	33%	50%	69%	67%	75%	33%	50%	59%
Investor 12	Mityana	75%	58%	77%	100%	75%	67%	50%	83%
Investor 13	Kasanda	25%	42%	8%	50%	50%	67%	31%	47%
Investor 14	Kasanda	33%	42%	38%	50%	58%	67%	31%	54%
Investor 15	Kasanda	33%	42%	31%	58%	33%	67%	25%	50%
Investor 16	Kasanda	42%	50%	23%	50%	42%	67%	38%	53%
Investor 17	Mubende	50%	50%	54%	100%	67%	67%	94%	75%
Investor 18	Mubende	42%	58%	85%	100%	83%	67%	94%	82%
Investor 19	Amolatar	67%	92%	23%	50%	42%	67%	44%	66%
Investor 20	Amolatar	33%	42%	23%	25%	33%	100%	38%	51%
Investor 21	Amolatar	83%	117%	69%	50%	83%	67%	44%	85%
Investor 22	Amolatar	83%	58%	15%	67%	58%	100%	63%	76%
Investor 23	Dokolo	58%	75%	23%	75%	67%	67%	56%	71%
Investor 24	Dokolo	67%	83%	69%	83%	83%	33%	56%	76%
Investor 25	Dokolo	92%	83%	100%	67%	92%	67%	69%	90%
Investor 26	Katakwi	100%	92%	62%	83%	83%	100%	81%	99%
Investor 27	Kassanda	50%	75%	62%	67%	67%	100%	94%	82%
Investor 28	Kassanda	42%	38%	31%	71%	58%	67%	72%	60%
Investor 29	Mityana	67%	79%	65%	92%	67%	100%	69%	89%
Investor 30	Mubende	50%	63%	62%	92%	67%	67%	75%	76%
Investor 31	Mubende	83%	67%	69%	100%	67%	100%	69%	92%

Part 2: The Investment Compliance Tool

Details of the investor

Name of investor:		District:	
Sub-county:		Parish:	
Village:		Telephone Number:	
Type of investment:		Investment activity:	
Land acreage		Land Tenure system	
Date of the assessment:		GPS Location	

Section 1: Contribute to food security and nutrition; promote safe and healthy agriculture and food systems.

Section	Statements relating to compliance	Expected standards/ Check List	Max. score	Investor score	Comment
1.1	The investor has put in place systems to produce food that is safe and healthy.	<p>a) Use of correct or recommended pesticides or chemicals, drugs or growth promotion supplements. These can include: insecticides, herbicides, rodenticides, and fungicides.</p> <p>b) Proper use of pesticides, chemicals and recommended drugs</p> <p>c) The investor promotes access to sufficient, safe, and nutritious food, creates conditions and practices that preserve the quality of food to prevent contamination and foodborne illness; not to cause harm to the consumer.</p> <p>Efforts can include:</p> <ul style="list-style-type: none"> • Selecting the right land to be cultivated for food crop production; • Planting the best-quality seeds of the most appropriate varieties; • Using authorized and acceptable chemical inputs (fertilizers, pesticides) according to approved directions (e.g. Concentration, frequency, timing of use); • Controlling the quality of irrigation water (if used); • Using appropriate harvesting and post-harvesting handling techniques; processing and value addition • Using appropriate methods for transporting to markets or food processors. 	5		

Section	Statements relating to compliance	Expected standards/ Check List	Max. score	Investor score	Comment
1.2	<p>The investor enhances food utilization through;</p> <ul style="list-style-type: none"> a) Access to clean water or sanitation; b) Access to energy (technology); c) Knowledge sharing on nutrition and safety. 	<ul style="list-style-type: none"> a) Efforts to improve access to clean water or sanitation, such as digging wells, harvesting water, providing the community access to water sources; b) Efforts to improve rural electrification or access to energy-producing technology, e.g. solar; c) Efforts to provide education on how to prepare, provide and maintain a safe and balanced diet. 	3		

Section 2: Contribute to sustainable and inclusive economic development and the eradication of poverty.

Section	Statements relating to compliance	Expected standards/ Check List	Max. score	Investor score	Comment
2.1	<p>When employing casual or permanent workers, the investor recognizes and respects:</p> <ul style="list-style-type: none"> a) No use of child labour; b) No form of discrimination; c) No forced or compulsory labour; d) Freedom of association. 	<ul style="list-style-type: none"> a) The investor does not employ children below 13 years, children above 13 years are only employed under the supervision of an adult considering health, safety, morals and education of the child; b) No discrimination against gender, age, origin or other, no harassment or violence (physical, sexual, economic and psychological) is practiced at the workplace. A notice to employees that sexual harassment at the workplace is unlawful. Information is displayed in an accessible place and format, preferably in the local language of the area. Reporting and taking action on Sexual and Gender-Based Violence cases. Employment of community members (incl. vulnerable groups) and preferential procurement from host communities. c) Workers work without force at most for 6 days and have 1 day's rest of 24 hrs. in a week. Max. working hours are 48 hrs. per week. Any more hours are treated as overtime and must be paid for accordingly. After 4 months of continuous service every worker is entitled to 7 leave days (21 days/year). Maternity leave applies for 60 and paternity leave for 4 working days. d) Workers have the right to organize themselves in any labor union of their choice. 	5		

Section	Statements relating to compliance	Expected standards/ Check List	Max. score	Investor score	Comment
2.2	<p>The investment creates new jobs that:</p> <ul style="list-style-type: none"> a) Pay fair wages and prices; b) Guarantee a secure form of employment; c) Provide safe working conditions. 	<ul style="list-style-type: none"> a) Every worker is paid wages or remuneration timely, with evidence and in a manner that is (fair) acceptable to them. b) Every permanent worker has a written agreement about the terms and conditions of their employment (Contract of Service, Contract of Apprenticeship, Appointment letters, Job cards). There are no workers serving for a period exceeding 4 months without a contract of service and employment card. A Workers Register is kept detailing particulars such as name, age, sex, place of origin, National Identification Number (NIN), date of appointment, etc. Contracts are fair (have a significant balance in parties' rights and obligations) and valid (include an offer, acceptance, consideration, mutuality of obligation, competency and capacity); c) No harassment or violence (physical, sexual, economic and psychological) is practiced at the workplace. The investor provides protective gear for the workers and controls any dangerous or harmful effects. Provides facilities that allow access to sanitation, also for People with Disabilities (PWD) e.g. ramps, special toilets. The investor is responsible for the provision of First Aid Kits/ Services and provision of information on health and safety measures, expressed in Standard Operating Procedures (SOPs). 	3		

Section 3: Promote gender equality, women empowerment, youth engagement and support to the disabled.

Section	Statements relating to compliance	Expected standards/ Check List	Max. score	Investor score	Comment
3.1	<p>The investor promotes equal access and control over land and natural resources for:</p> <ul style="list-style-type: none"> a) Women b) Youth c) People with disabilities 	<ul style="list-style-type: none"> • Efforts to sensitize vulnerable groups about their rights regarding land ownership; • Equal access to water, firewood, access roads, grazing grounds, water points. 	3		
3.2	<p>The investor has systems in place to ensure meaningful participation, decision-making and leadership for:</p> <ul style="list-style-type: none"> a) Women b) Youth c) People with disabilities 	<ul style="list-style-type: none"> • The investor encourages women, youth and PWDs to participate equally in management and leadership positions at the farm; • Grievance Redress Mechanisms are in place with equal access; • Equal participation in information sharing on the investment. 	3		

Section	Statements relating to compliance	Expected standards/ Check List	Max. score	Investor score	Comment
3.3	<p>The investor provides appropriate training, education and mentorship programs for:</p> <ul style="list-style-type: none"> a) Women b) Youth c) People with disabilities 	<ul style="list-style-type: none"> Organizes and provides initiatives like trainings with equal access for vulnerable groups. 	3		
3.4	<p>The investor promotes development and access to new technologies combined with traditional knowledge for:</p> <ul style="list-style-type: none"> a) Women b) Youth c) People with disabilities 	<ul style="list-style-type: none"> Provides access to agricultural inputs e.g. solar pumps, dryers etc. with equal access for vulnerable groups; Provides technologies that attracts in particular youth, woman, PWD; Combines new technologies with traditional knowledge, also for vulnerable groups. 	3		

Section 4: Respect tenure of land, fisheries, and forests, and access to water for production.

Section	Statements relating to compliance	Expected standards/ Check List	Max. score	Investor score	Comment
4.1	The investor is aware of any national and international guidelines on responsible investment and claims to be guided by them;	<ul style="list-style-type: none"> Demonstrates knowledge on international guidelines on Responsible Investment incl. VGGT, RAI, Analytical framework; National guidelines and frameworks, etc.; Demonstrates knowledge on National laws, Regulations, policies and standards. 	3		
4.2	The investor expresses that there were no involuntary displacements during the process of land acquisition.	<ul style="list-style-type: none"> In the case where displacement has taken place before or when the project started, clear evidence must exist that adequate compensation payment/ settlement has been taken place since then; 	3		
4.3	The investor recognizes and respects existing rights to land and associated natural resources;	<ul style="list-style-type: none"> The investor has knowledge on customary land rights of smallholder farmers and/or occupancy rights of Mailo tenants; The investor provides access to shared communal resources; 	3		

Section	Statements relating to compliance	Expected standards/ Check List	Max. score	Investor score	Comment
4.4	The investor has put in place grievance handling mechanisms;	<ul style="list-style-type: none"> Grievances of investors and affected communities are settled through functioning mechanisms; Participates in grievance and dispute resolution mechanisms, particularly for the most vulnerable and marginalized; 	3		
4.5	The investor expresses that affected land users and communities at large support the investment project;	<ul style="list-style-type: none"> The majority (min. 80%) of affected land users is in favor of the investment; There is mutual benefit for the investor and the community; 	3		
4.6	The investor made proper consultations with affected communities during all stages of the investment;	<ul style="list-style-type: none"> Affected communities were informed and consulted in accordance with the concept of Free, Prior and Informed Consent (FPIC); Where compensation was made, standards of compensation such as timely, adequate and fair were ensured. Community engagements were organized in the planning and realization phase of the investment; 	3		

Section	Statements relating to compliance	Expected standards/ Check List	Max. score	Investor score	Comment
4.7	The investment does not jeopardize/ threaten food security of affected communities;	<ul style="list-style-type: none"> Investors would be acting in violation of the human right to food if, by leasing or buying land from affected land users, depriving them of access to productive resources indispensable to their livelihoods; E.g. by only planting one variety of crops (cash crops); 	3		
4.8	The investment does not contribute to marginalization of the vulnerable segments of the population;	<ul style="list-style-type: none"> Deprivation, discrimination, exclusion of women, youth, PWD from the opportunities and benefits around and from the investment; The investment supports the land rights of vulnerable segments e.g. allowing for spousal consent; 	3		
4.9	The investor measures environmental impacts to encourage sustainable resource use while minimizing risk of negative impacts and mitigated them.	<ul style="list-style-type: none"> Possible through simple environmental screening (planning, observing, mitigating, documenting); Or undertaking an Environmental, Social Impact Assessment (ESIA). 	3		

Section 5: Conserve and sustainably manage natural resources, increase resilience, and reduce disaster risks.

Section	Statements relating to compliance	Expected standards/ Check List	Max. score	Investor score	Comment
5.1	<p>The investor has put in place management practices that prevent, minimize or correct negative impacts on:</p> <ul style="list-style-type: none"> a) Air; b) Land, Soil; c) Water; d) Forests; e) Biodiversity. 	<ul style="list-style-type: none"> a) Preventing air pollution e.g. through burning of waste, smell of animal waste, smoke and dust from machines (e.g. in coffee, maize factories); b) Efforts in mulching, bio compost, manure, terracing, trenches; c) Preventing contamination of water, silting and efforts in irrigation, water buffering, water treatment and re-usage; d) Effort in tree planting and preservation; e) Efforts to preserve different types of plants and animals in the area, conserving the natural habitat, including wetlands preservation. 	5		

Section	Statements relating to compliance	Expected standards/ Check List	Max. score	Investor score	Comment
5.2	<p>The investor:</p> <ul style="list-style-type: none"> a) Supports and conserves different types of plants and animals in their area and genetic resources; b) Implements adaptation measures to increase resilience of agriculture and food systems to the effects of climate change; c) Contributes to the restoration of ecosystem functions and services; d) Implements efforts to reduce waste and losses in production and post-harvest operations; e) Takes measures to reduce and/or remove greenhouse gas emissions. 	<ul style="list-style-type: none"> a) E.g. preserving local seed and livestock varieties; promoting actions to prevent, plan for and deal with disease including veterinary surveillance, controls on livestock movement, identification and traceability, animal by-products, etc.; b) E.g. use of resilient varieties (seed, animal), water and soil conservation; c) E.g. restoring swamps in their original function to serve as buffers, erosion control, reforestation, recognizing the role played by local communities; d) E.g. best practices and pest & disease management during harvesting, proper storage; e) E.g. onsite renewable power generation, bio gas, bio slurry, solar power, waste reduction and reutilization. 	5		

Section 6: Respect cultural heritage and traditional knowledge, religious norms and support diversity and innovation.

Section	Statements relating to compliance	Expected standards/ Check List	Max. score	Investor score	Comment
6.1	<p>The investor respects and recognizes:</p> <ul style="list-style-type: none"> a) Contributions of smallholder farmers in conserving, improving and making available genetic resources; b) Interests of breeders; c) Application and use of locally adapted and innovative technologies. 	<ul style="list-style-type: none"> a) Efforts in sharing seed/plant varieties e.g. cassava, coffee, banana; b) Efforts in sharing animal breeds such as poultry, piggery, cattle, goats, sheep, etc.; c) Efforts in sharing resilience crop varieties (grafting, cross-breeding of livestock) and the transfer of technology. d) Efforts to promote local food varieties e) Supports communities to preserve, improve food varieties 	5		

Section 7: Incorporate inclusive and transparent governance structures, processes, grievance redress mechanisms and assess and address impacts and promote accountability.

Section	Statements relating to compliance	Expected standards/ Check List	Max. score	Investor score	Comment
7.1	<p>The investor respects the rule and application of the law and is free of corruption as evidenced by:</p> <ul style="list-style-type: none"> a) No complaints about the investor have been presented to authorities at any level; b) The investor has not been prosecuted in the courts of law over actions related to the investment. 	<ul style="list-style-type: none"> a) Affected communities have not complained about the investor to local authorities; a) The investor has no criminal records related to the investment 	3		
7.2	<p>The investor:</p> <ul style="list-style-type: none"> a) Compiles and shares information about the investment with all relevant stakeholders; b) Defines baseline data and indicators for monitoring and measures the impact of the investment; c) Assesses changes and communicates results to stakeholders. 	<ul style="list-style-type: none"> a) Shares the investment plans with the communities and local authorities; b) Collects and documents data on number of employees, quantity of produce, land use coverage per product, environmental effects etc.; c) Shares information with affected communities and local authorities. 	3		

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