



# GOVERNMENT OF EBONYI STATE OF NIGERIA

## OFFICE OF THE GOVERNOR

GOVERNMENT HOUSE, P.M.B 0020, ABAKALIKI

27<sup>th</sup> December, 2023

### EXECUTIVE ORDER 003 OF 2023

#### EXECUTIVE ORDER ON THE ESTABLISHMENT, ADOPTION, AND IMPLEMENTATION OF FRAMEWORK FOR RESPONSIBLE AND INCLUSIVE LAND INTENSIVE AGRICULTURE (FRILIA)

WHEREAS

Ebonyi State Government (EBSG) in a bid to improve the investment climate intends to develop a Framework for Responsible and Inclusive Land-Intensive Agriculture Investments (FRILIA). 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.

Whereas,

The Government of Ebonyi State 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.

Whereas

FRILIA 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. The Framework will ensure adherence to guiding principles covering overarching investment, recognition and protection of land rights, state land acquisition and resettlement, environmental and social responsibility.

Whereas,

In order to achieve Government's Objective of creating an enabling, responsible and inclusive business operating environment for large-scale agribusiness investments in Ebonyi State, there is need for:

**NOW THEREFORE I, RT. HON. BLDR. NWIFURU FRANCIS OGBONNIA, FNIQB, FCAL, GGCEHF, GOVERNOR OF EBONYI STATE, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE 1999 CONSTITUTION (AS AMENDED) OF THE FEDERAL REPUBLIC OF NIGERIA AND THE LAWS OF EBONYI STATE INCLUDING BUT NOT LIMITED TO THE LAND USE CHARGE LAW, 2012 HEREBY ORDER AS FOLLOWS:**

## **1. 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 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 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, 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, and 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 right 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.

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

- 1). There is established high-level Steering committee, which shall be responsible for the overall coordination of the establishment, adoption, and implementation of the Ebonyi State Framework for Responsible and Inclusive



Land-Intensive Agricultural Investments (FRILIA). The Steering Committee shall be chaired by the Deputy Governor while members will include: Commissioner for Trade and Investment; Commissioner for Lands and Survey; Commissioner for Commerce & Industry; Commissioner for Finance and Economic Development; Commissioner for Agriculture and Natural Resources; Commissioner for Local Government and Chieftaincy Matters; Commissioner for Women Affairs; Commissioner for Justice; Commissioner for Capital City Development, Special Adviser on Lands and Urban Development; Chairman Ebonyi Internal Revenue Service; Director-General of Ebonyi State Small and Medium Enterprises Development Agency; Permanent Secretary, Ministry of Agriculture and Natural Resources as the secretary to the Steering Committee.

2). The function 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 land allocation made to investors on recommendations of the technical committee.
  - h. Approve for adoption a Grievance Redress Mechanism (GRM) and review GRM reports.
- ii. Approve for adoption and implementation a Framework for Responsible and Inclusive Agricultural Investments (FRILIA)
  - iii. Approve for adoption and dissemination toolkits/guidelines/policies or equivalent to guide investors throughout the development of land-intensive agricultural projects in Ebonyi 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.

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

- 1). There is established Technical Committee to support the Steering Committee in performing its function and meeting the objective of this order.



The Committee shall include the Special Adviser on Lands and Urban Development as chairman and two representatives (one not below the rank of a director and one principal officer) of the following Ministries, Departments and Agencies: Ebonyi State Investment and Property Company Limited, Ministry of Lands and Survey; Ministry of Commerce & Industry, Ministry of Trade and Investment; Ministry of Finance and Economic Development, Ministry of Justice, Ministry of Local Government and Chieftaincy Matters; Ministry of Capital City Development; Ebonyi State Agricultural Development Project; FADAMA; Directorate of Farms Settlement and Peasant Farmers Development; Ebonyi State Internal Revenue Services (EBIRS); Director of Agric Services (Secretary).

2). 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 Ebonyi 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 investment.
- 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 function as the Steering Committee may from time to time deem necessary to achieve its function.

#### **4. ESTABLISHMENT OF A GRIEVANCE REDRESS MECHANISM**

1). 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 Ebonyi State. The GRM will be such that it consults and make enquires within the areas of grievance, deliberates on complaint(s)/appeal(s), appraises the complaint(s)/appeal(s) against relevant guidelines and procedures, and resolve 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) resolved and those pending.

## **5. DEVELOPMENT AND ADOPTION OF FRILIA**

### **TOOLKITS/GUIDELINES/POLICIES OR EQUIVALENT**

1). The Technical Committee as part of its responsibility, shall develop toolkit/guidelines/policies or equivalent for approval by the Steering Committee. These will guide investors throughout the development of land-intensive agricultural projects in Ebonyi 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 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.

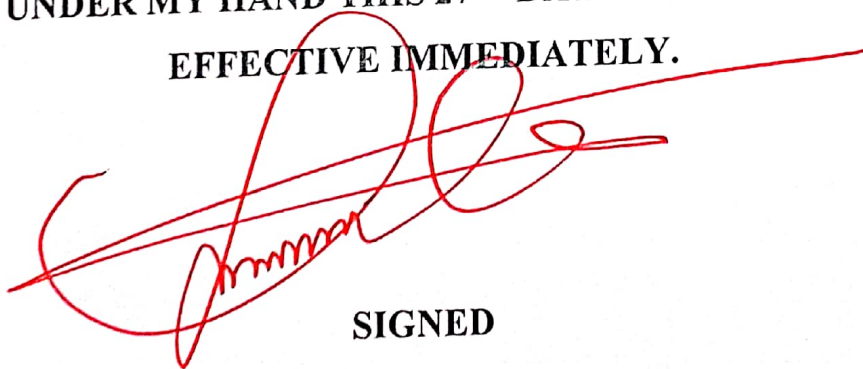
## **6. CONSEQUENTIAL ORDERS**

- I. That it shall be Governmental policy to accelerate large-scale agribusiness investments based on international best practices of land principles and guidelines to improve business enabling environment for economic development of the state.
- II. 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.

- III. 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.
- 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 are to remove obstacles to agribusiness investment opportunities.
- V. The order shall be implemented consistent with applicable Laws of Ebonyi State.
- VI. 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 Ebonyi State, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

**ISSUED UNDER MY HAND THIS 27<sup>TH</sup> DAY OF DECEMBER, 2023,  
EFFECTIVE IMMEDIATELY.**



**SIGNED**

**RT. HON. BLDR. NWIFURU FRANCIS OGBONNIA, FNIOB, FCAI, GGCEHF  
GOVERNOR, EBONYI STATE**