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EXECUTIVE ORDER NO. 1 OF 2023

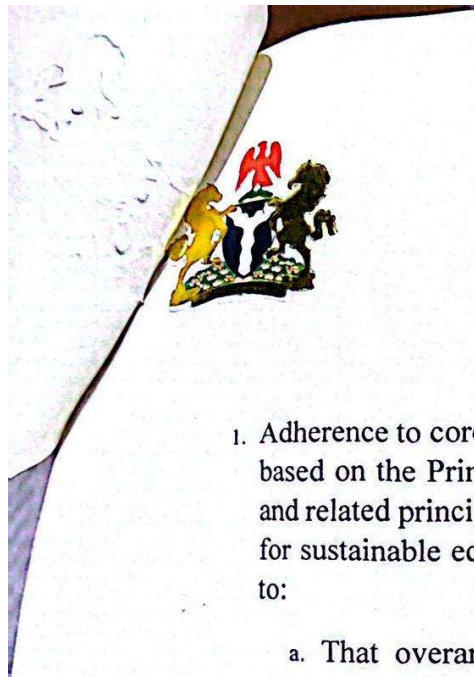
**ESTABLISHMENT, ADOPTION, AND IMPLEMENTATION OF A FRAMEWORK
FOR RESPONSIBLE AND INCLUSIVE LAND-INTENSIVE AGRICULTURE
(FRILIA)**

WHEREAS, Cross River State Government 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 investments are undertaken in line with established international good practices, reaffirming our commitment to reassurance and confidence and guaranteeing shared benefits between private investors and surrounding communities.

Whereas, The Government of Cross River State is desirous of deepening its 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 the Cross River State government's objective of creating an enabling, responsible and inclusive business operating environment for large-scale agribusiness investments in Cross River 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 Cross River State for sustainable economic growth and development. These include, but are not limited to:
 - a. That overarching investment will consistently contribute to the government's policy objective.
 - 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 the dispossession of legitimate tenure rights holders or partial treatment through prompt payment of adequate compensation in cash, alternative land, or other forms of
 - d. Ensure transparent and fair State land acquisition and any resulting resettlement by disclosing and consistently applying 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 the option of land replacement, as may be appropriate.
 - e. Ensure environmental and social sustainability by observing safeguards against environmental damage. Before 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 worker safety will be protected, as will their fair, non-discriminatory, and equal treatment.



ESTABLISHMENT, POWERS, AND FUNCTIONS OF THE FRILIA STEERING COMMITTEE

2. The constitution of a high-level Steering Committee is responsible for the overall coordination of the establishment, adoption, and implementation of the Cross River State Framework for Responsible and Inclusive Land-Intensive Agricultural Investments (FRILIA). The Governor shall chair the Steering Committee, while members will include:

MDA	Total No of Representatives
Ministry of Crop and Irrigation Development	1
Ministry of Lands	1
Ministry of Finance	1
Office of the Attorney General & Commissioner for Justice	1
Ministry of Environment	1
Ministry of Local Government Affairs	1
Ministry of Rural Transformation	1
Ministry of Women Affairs	1
Ministry of Housing	1
Ministry of Industry	1
Ministry of Commerce	1
Cross River State Investment Promotion Bureau	1

3. 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 allocations made to investors on recommendations of the technical committee.
 - h. Approve the adoption a Grievance Redress Mechanism (GRM) and review GRM reports.
- ii. Approve the adoption and implementation of the Framework for Responsible and Inclusive Land-Intensive 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 Cross River State in a manner consistent with the FRILIA principles and international best practices.
 - iv. On the recommendation of the Technical Committee, co-opt such people or create several committees 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 and investments and to consider any specific issue(s) that the Governor may direct.
 - vi. Are such other things considered necessary or expedient to perform its functions.

ESTABLISHMENT, POWERS, AND FUNCTIONS OF THE FRILIA TECHNICAL COMMITTEE

- 3. 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 for Crop and Irrigation 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: Ministry of Lands Cross River State Investment Promotion Bureau; Ministry of Finance; Ministry of Environment; Ministry of Commerce; Ministry of Industry; Office of Surveyor General; FADAMA; BPP; Cross River State Internal Revenue Service; Permanent Secretary Ministry of Crop and Irrigation Development (Secretary) and Director, Reigns Management consult



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

- Develop a Framework for Responsible and Inclusive Land-Intensive Agricultural Investments (FRILIA). Prepare an implementation plan for FRILIA.
- Develop a toolkit/guidelines/policy or equivalent to guide investors throughout the development of land-intensive agricultural projects in Cross River State, consistent with the FRILIA principles and international best practices.
- Conduct risk or benefit assessments to assist the government in implementing agri-business projects, mainly land-based investment.
- Advise and assist the government in creating sustainable land use and agri-business policies.
- Monitor all land-based investment in the State and their compliance with FRILIA.
- Assist the development of a land bank for agri-business investment in the State, in particular ensuring that land acquisition for the land bank is consistent with the FRILIA principles and international best practices.
- Publish periodically information on agri-business investments.
- Establish a framework for community and stakeholder consultations and engagement.
- Provide a monthly report to the Steering Committee
- 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.
- Perform such other function 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 Cross River State. The GRM will be such that it consults and makes inquiries 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 fourteen 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

7. 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 developing land-intensive agricultural projects in Cross River State, ensuring investors and the responsible MDAs have 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 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.

NOW THEREFORE, I, SENATOR PRINCE BASSEY OTU, EXECUTIVE GOVERNOR OF CROSS RIVER STATE, BY THE AUTHORITY VESTED IN ME BY THE 1999 CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA AND THE LAWS OF CROSS RIVER STATE, HEREBY ORDER AS FOLLOWS:

- I. 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 environment that enables the state's economic development.
- II. FRILIA would address critical challenges, reforms, and investment priorities in the agricultural value chains, financial sector regulatory reforms, and land reforms to facilitate farming and non-agricultural investment opportunities.
- III. FRILIA shall specifically bridge the gap between investors and host communities, laying down investment procedures to ensure a win-win approach for all 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) The order shall be implemented in a manner consistent with the applicable laws of Cross River State.
- (b) 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 Cross River State, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

ISSUE UNDER MY HAND THIS 23RD DAY OF NOVEMBER 2023

A handwritten signature in red ink, appearing to read 'Bassey Edet Otunba', written over the printed name.

**SENATOR (PRINCE) BASSEY EDET OTU
EXECUTIVE GOVERNOR, CROSS RIVER STATE**