

INVESTIGATING LAND AND CORRUPTION IN AFRICA

A TRAINING MANUAL FOR JOURNALISTS

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Investigating Land and Corruption in Africa
A training manual for journalists

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INTRODUCTION

INTRODUCTION

Thank you for using the *Investigating Land and Corruption in Africa* training manual.

This manual is for anyone who provides training and capacity-building for investigative journalists in Africa including facilitators, trainers, lecturers and teachers. It has been written to support journalists in Africa to investigate and report stories of land corruption; a subject that remains under-reported and poorly understood.

RATIONALE FOR THE MANUAL

In December 2016, Transparency International published a call for corruption-free land governance worldwide. The *Global Corruption Barometer and East African Bribery Index* both show that the institutions most responsible for land management in Africa are also among the most corrupt. Globally, one in five people reports they have paid a bribe for land services; but in Africa, every second client of land administration services paid bribes.

Thomson Reuters has calculated that in many Sub-Saharan African countries, the loss of revenue due to untaxed profit stolen by multinational corporations, especially in land speculation and land-based extractives industries, amounts to almost 10 per cent of GDP, a factor which cripples those economies. Add to this the fact that only 1 per cent of land in Sub-Saharan Africa is mapped adequately on a land registry, and it is clear that the land sector is wide-open for corruption.

In 2011, the national chapters of Transparency International across the globe had ranked the problem of land and political corruption as one of the top three issues that citizens consult them about through their Advocacy and Legal Advice Centres. Land corruption also disproportionately affects women: less than 8 per cent of women in West Africa own land and less than 30 per cent in East Africa, yet up to 70 per cent of food is produced by women farmers.

This training manual was devised by Transparency International to provide a comprehensive course on investigative journalism as it relates to interrogating corruption in the land sector.

APPROACH

The approach outlined in this manual is designed to be flexible and responsive to the needs of the participants (the trainees). The facilitated nature of the training described ensures the complexity and scope will be determined by the experience level and needs of the participants themselves. The training is designed to be adapted by the facilitator (on the fly) to respond to participants' needs as they arise.

The training is structured in a modular format.

The manual includes a set of training sessions that can be delivered in any combination or sequence, as either a complete course (highly recommended) or as stand-alone training activities. The accompanying Training Programme provides a framework for delivering the sessions over the course of three consecutive days; however, this can be easily adapted to suit working journalists by restructuring the activities over six half-days, for example. If necessary, individual sessions can be selected and delivered according to the time available and the needs of the participants attending.

The training is designed to suit African conditions.

Training sessions are specifically tailored to meet the interests and needs of investigative journalists in Africa. The sessions make reference to resources that are specific to the African context and include case studies from real-life African investigations, particularly concerning land rights. Ideally, the facilitator should be an investigative journalist with experience of working in the African environment. Preferably participants should be of roughly the same experience level as one another. Although designed primarily for working journalists, the manual can also be used to train student journalists.

The sessions can be delivered offline and without computers. While internet access, laptops, and projectors are strongly recommended for several activities, the manual relies on the facilitator being able to print key resources and undertake online research before the training. It is a paper-heavy and technology-light approach. The deliberately sparse visual design of the manual incorporates very few graphics and images, meaning that printing multiple copies will be less resource (ink) intensive.

MANUAL STRUCTURE

This manual consists of two distinct sections: one for the use of facilitators (those who will lead the training) and the other for the participants (the trainees). These are as follows:

FACILITATOR MATERIALS

Introduction: This document.

Training Methods: A concise introduction to the Outcomes-Based Education approach and facilitation techniques used in this manual.

Training Programme: An outline for a three-day training (highly recommended) that provides a useful guide to organisers and facilitators.

Facilitator Guides: Step-by-step guides describing the activities within each training session, including defined time-limits, learning outcomes, model answers, and key discussion points. The facilitator alone uses these guides.

Evaluation Form: A simple form for participants to complete at the conclusion of the training. These can be used for self-assessment and reporting by the organisers and facilitator.

TRAINEE TOOLKIT

Assignments: Five short assignments to be undertaken by participants during training sessions and two longer assignments ideal for workshop breaks (rest days/overnight).

Case Studies: Seven examples of genuine land corruption cases in Africa. Participants will work through the case studies on their own and then collectively, guided by the facilitator.

Handouts: Twelve information sheets and exercises for participants to perform, either individually or collectively, covering different aspects of investigative journalism and land rights in Africa.

Annexes: Numerous online resources and links intended primarily as future research tools. *Annexe I* consists of sources and links related to land rights. *Annexe II* consists of support and resources for African investigative journalists.

KAS Investigative Journalism Handbook: offers deeper learning on investigative journalism which the participants can read through in their own time or once the training concludes. The handbook is also an essential resource for the facilitator to draw on for additional assignments, case studies, and handouts if required. The handbook can be downloaded as a PDF here: bit.ly/2gd7Fth

NOTE ABOUT LINKS

The manual uses shortened URLs to make accessing web pages easier, particularly when working with printed documents. For example, the link above to the *KAS Investigative Journalism Handbook* is bit.ly/2gd7Fth, but when pasted or typed into an internet browser it will direct the browser to the full URL (<http://www.investigative-journalism-africa.info>).

TRAINING STRUCTURE

As mentioned above, we strongly recommended the training described in this manual is delivered over the course of three full days. Accordingly, the sessions and activities have been ordered and structured to create the following training structure:

Day 1: Holistic Land Investigations Planning

Day 2: Land Rights and Corruption in Africa

Day 3: Land Story Research and Presentation

This structure is detailed in the *Training Programme*; however, the manual is designed to be flexible in how it is delivered. There are three primary options for the facilitator:

Option 1: Three full days run consecutively.

Example: Monday to Wednesday with overnight assignments on Monday and Tuesday evenings.

Option 2: Three full days with two days in between to allow for overnight assignments to be done in greater depth.

Example: Monday, Wednesday, and Friday.

Option 3: Six half-days with days in between to allow for overnight assignments to be done in greater depth and to allow for the journalists to do other newsroom work.

Example: Monday morning, Wednesday morning, Friday morning, Monday morning, Wednesday morning, and Friday morning.

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TRAINING METHODS

TRAINING METHODS

This section of the manual provides an introduction to facilitated adult learning adopting an Outcomes-Based Education methodology. It is aimed at ensuring the course facilitator has the necessary understanding and tools to successfully train a group of journalists in investigating land and corruption issues in Africa.

OUTCOMES-BASED EDUCATION

The training approach adopted in this manual is grounded in the concept of Outcomes-Based Education, which means the learning process is not open-ended, but rather that each session has specific learning objectives or outcomes. The intention is that every participant fully understands the concepts and practices shared during each session, to the extent that they can carry out those functions in the real world. When delivered as a complete training programme (highly recommended), competence in reporting on land and corruption in Africa is the desired outcome.

If participants can achieve the objectives set for each session, then the facilitator will judge that they are “competent” to perform the tasks described and move on to the next session. If the facilitator realises towards the end of a session that some participants are still unsure or confused, then they are “not yet competent” and the facilitator will have to spend some more time working with those individuals, ensuring that they too are competent in line with the desired outcomes of that session.

For more information about Outcomes-Based Education, visit bit.ly/2dVvsgm.

PARTICIPANT GROUPS

The methods presented in this manual are interactive and participant-intensive; therefore organisers should avoid convening a large group of participants. An ideal group size is between 8-15 people, which enables sufficient critical mass for the participants to be divided up for group work, and for a range of opinions and experiences to be tested. Ideally, the group will consist of participants of roughly equal experience and ability; if this is not the case, the facilitator will have to pay close attention to any differences to ensure that some do not fall behind while others do not get bored.

FACILITATION

Many of us are accustomed to an ancient method of communicating knowledge: lecturing. Lecturing still has a role to play in the training methods described here, see below, but it is minimal. Lecturing tends to be authoritarian, top-down and uni-directional. It represents a typically inflexible approach to the transfer of knowledge and does not allow for input or redirection from the participants, which is a crucial component of the Outcomes-Based Education methods adopted in this manual. Instead, the training methods used here are facilitated adult learning. Unlike lecturing which is “telling them how it is”, facilitation is “letting them discuss how it seems, then guiding them towards correct conclusions”.

Facilitated learning involves:



Listening

Facilitation relies on multi-voice conversations, so the facilitator must make sure to hear from everyone in the group, especially the quiet ones; they may be shy of speaking in public, or they may be the deepest thinkers in the room. Don't let any one person dominate the debate and pay particular attention to ensuring that women's voices are heard as often as those of men.



Questioning

The facilitator must continually question the positions and assumptions of the participants; to guide them gently towards the determined learning outcomes of each session. Ask the rest of the group to politely critique the points and suggestions made by their fellow participants, and then see if they can collectively agree on the best practice or way forward.



Interacting

Facilitated learning in this context is more a conversation between adults who already have valuable experience in the journalism field. People learn best when their personal experiences are shown to reveal an important principle that, if consciously reinforced, they can use further in their investigative work. The facilitator should talk extensively from their own investigations experience and compare it to the experiences of the participants, to test concepts discussed against real-life examples.



Testing

The facilitator will use a range of subsidiary documents to test and hone the advancing knowledge of the participants as the training proceeds. These consist of:

- **Assignments:** tasks and activities for participants to complete alone (includes longer assignments ideal for periods between training sessions, for example overnight).
- **Handouts:** exercise sheets for participants to work through and discuss collectively.
- **Case Studies:** detailed examples of land corruption investigations in Africa.
- **Annexes:** links to external resources covering investigative journalism, land rights and corruption issues.
- The *Investigative Journalism Handbook* produced by Konrad Adenauer Stiftung, which we recommend facilitators to read in advance of any training and participants are provided copies from the outset. See the *Introduction* for a link to download the handbook.



Reinforcing

The facilitator must strive to reinforce all of the competent learning outcomes by continually referring back to earlier lessons, and showing how new knowledge enhances prior learning. The easiest way to do this is to tear off each completed flipchart page and stick it on the workshop walls. Doing so surrounds participants with their previous learning; ensuring everyone can easily refer to earlier points and helping commit learning to the participants' long-term memory.



Parking

If a participant asks questions or raises issues that are out of place or sequence in what the facilitator is attempting to achieve at any one point, the facilitator should “park” the contribution on a dedicated area of wall, whiteboard or flipchart for discussion at a suitable time in the training. Doing so defuses disruption by respecting the input but reallocating it to an appropriate part of the learning process. If the matter is not dealt with by the end of the day/training, it can be revisited during a final review session.

TYPES OF LEARNING

There are at least seven, perhaps nine, different types of intelligence found in humans and this determines the optimum ways in which various trainees will learn. The most commonly identified types are:

Linguistic: facility with languages, speech, diction, and idiom (example: writer)

Mathematical: facility for quantifying things, forming hypotheses and testing them (example: chemist)

Physical: facility in mind/body coordination, athletics and kinesthetics (example: kick-boxer)

Spatial: facility with visualising and navigating in three dimensions (example: pilot)

Musical: facility with notes, pitch, timbre, harmonies, and rhythm (example: musician)

Inter-personal: facility with reading and empathising with emotion (example: social worker)

These differences pose a challenge to a facilitator who needs to tap into each type of intelligence to access different participant's learning styles. Therefore the facilitator needs to make use of numerous devices to capture the attention of the various intelligence types in the training room. Doing so requires the facilitator to pay close attention to how the different types of intelligence and personalities in the training room respond to various stimuli. It is for this reason that the first activity recommended in the Training Programme encourages the participants to introduce themselves and to explain their newsroom roles. From this, the facilitator can begin to familiarise themselves not only with the names of the participants and their journalistic functions but also gain their first insights into the personalities and learning styles of the individuals attending the training. For example, participants who fidget or who appear sleepy are not necessarily being rude: it is likely that they are physically intelligent and learn best by doing something active, so that is a cue to the facilitator to introduce an activity at that point.

Of advantage is that all sighted people are mentally inspired and engaged by visual information: visual keys assist immensely in understanding ideas. The use of distinct icons and different colours during the training, to highlight discrete concepts, is therefore essential. The facilitator should make full use of a range of coloured pens to emphasise distinct elements of the training. Using brightly coloured and differently shaped cards/pieces of paper for

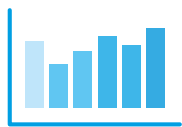
recording ideas and information is another visually engaging and highly flexible technique that is strongly recommended. These can be used together with, or instead of, flipcharts.

The manual encourages the use of different icons or shapes in various stages of the training, for example when we discuss story forms such as the “inverted pyramid” or “martini glass”. However, the facilitator will have to devise many icons for themselves during the training to reinforce the learning of specific concepts, as well as to assist the trainees in committing the learning to long-term memory.

When using the whiteboard or flipchart, the facilitator should continually sketch icons to reinforce the training concepts discussed. Alternatively, the facilitator could prepare paper icons in advance that can be stuck on the whiteboard or flipchart at the relevant time. The following are examples of icons that could be deployed:



Research



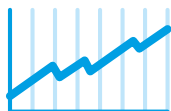
Statistics



Interviews



Checklist



Graph

Concepts such as “story triage” (in which the unnecessary bits are cut out of an investigation) can be simply represented by an upright triangle. Similarly, the concept of the “research iceberg” (in which the tip of an iceberg above the water represents the minority of digitised databases, and the underwater part of the iceberg represents the majority of hard-copy databases) is easily represented in a simple drawing.

The facilitator should exercise their creativity in designing icons. But remember, artistic ability is not as important as simplicity and consistency, so once an icon is chosen, stick with that design so every time it is used, the participants will readily recognise it. If drawing icons is a challenge, there are many sites online which provide free icons (similar to those above) which can be printed out and used in the workshop. Printing these out on colour-themed paper reinforces participant memorisation by allowing them to mentally categorise the icons used by theme.

Again, remember to make regular use of differently coloured pens and highlighters to indicate different concepts. Ideas can also be “ring-fenced” by drawing looping lines around the concepts on the whiteboard or flipchart, and use arrows to link related concepts.

MODES OF TRAINING

The different types of learning styles mean that the facilitator will need to continually shift the training mode in order to ensure that no-one is left behind. This regular gear-change also helps keep minds fresh as they absorb, process, and commit to memory significant quantities of information. Note that we recommend facilitators lead brief warm-up exercises after lunch breaks, and at other times when energy levels may be low, to enliven participants and avoid the sleepiness we often experience after a meal.

There are three modes of training that the facilitator will employ during the training. Combined with the various supplementary documents such as the *Assignments and Exercises*, these modes enable the facilitator to engage with all types of intelligences and learning styles:



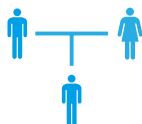
Hierarchical Mode

Top-down training mode (akin to lecturing) used to convey essential information and, especially in facilitated adult training, to give examples of the facilitator’s investigative journalism work: this could be conveyed by a PowerPoint presentation, slide-show, film, talk, etc. This is used in a limited way, interspersed with other modes of training.



Autonomous Mode

Individual work performed by each participant alone, often used during Assignments or when reading Handouts. Autonomous working is an integral part of the learning process as it enables individual reflection which helps ingrain the learning in long-term memory; it also allows the individual participants to express their creativity and powers of reasoning.



Collaborative Mode

Group work, performed either by the entire group together or smaller groups of participants, is often used during Exercises or when reviewing Case Studies. This approach allows participants to collectively debate and refine ideas, with the objective of identifying best practices that can be agreed upon by the whole group.

The appropriate training mode for each activity is clearly marked on the facilitator notes for each session.

THE LEARNING CYCLE

It will be clear by now that facilitated adult learning has a strong emphasis on committing the lessons learned to long-term memory. This is the “mass data-storage” portion of our brains that allows us to access the learning long after the course is over; it is somewhat similar to the muscle memory athletes use in making certain actions second nature by repetition, and is intended to make the key learning immediately accessible to the participants long into the future.

The best way for people to learn is through a pattern of instruction, deciding, testing, reassessing, and summing up. Especially in investigative journalism, hypotheses will be created, tested, adapted and refined. The learning cycle is as follows:

Instruction

The facilitator sets the scene, establishes a problem to be solved, the question to be answered or hypothesis to be tested; this sets the benchmark for the session and is directly linked to the desired learning outcomes. (Hierarchical mode)

Deciding

Participants are given an individual Assignment, Handout, or physical task to perform (such as writing their story hypothesis), which allows for individual reflection. (Autonomous mode)

Testing

Participants are given group work in the form of an Exercise, Case Study, or physical task to perform (such as role-playing interviewer and interviewee), the results of which they can test against those of other participants to refine best practice. Remember, people learn best by doing as they more easily recall activity than talk; this also breaks the static nature of the workshop environment. (Collaborative mode)

Reassessing

The facilitator guides a discussion on what the participants have learned and points them in the direction of the ideal learning outcomes; questions are raised at this point about the validity of certain concepts or practices, and ideal solutions are sought. (Autonomous, Collaborative and Hierarchical modes)

Summing-up

The facilitator sums up the lessons learned and teases out best practice as determined by the group, stressing the best learning that the participants came up with; especially where it is based on lived experience. (Hierarchical mode)

Although there is no problem with dissenting opinions on, for instance, complex ethical issues (and it is inevitable that there will be disagreement in such cases), by this point all participants should be in agreement on the core learning objectives of the session and so be assessed by the facilitator as “competent”. If the facilitator feels that there are some who are “not yet competent” then they should spend a little more time ensuring these participants understand the learning objectives before moving on to the next session.

FACILITATOR GUIDES

Each session included in the *Training Programme* is accompanied by a Facilitator Guide. These are not intended to be shared with the participants themselves; they are guides to support the facilitator in preparing for and facilitating the various activities included in each session. Think of these collectively as the “spinal column” which articulates all other training content. Each Facilitator Guide embraces

a complete learning cycle with different modes of training and clearly defined learning outcomes.

It is important to note, however, that the session guides are intended to be flexible and adaptable according to the facilitator, group, and circumstances in which the training takes place. For example, if it becomes apparent to the facilitator that a group is more advanced, simpler activities can be worked through rapidly (even dropped) in favour of going into greater detail on more complex issues, especially those relating to how the participants grapple with real-life investigations. The emphasis on ensuring an all-competent outcome, inherent in Outcomes-Based Education, means that areas requiring more attention will, at the facilitator's discretion, be accorded more time than others. Still, it is essential to keep an eye on the timeframe so as not to exhaust participants or lose time for other vital sessions.

READING THE FACILITATOR GUIDES

The training described in this manual is ideally run over three full consecutive days, which is the format and structure described in the *Training Programme*.

Nevertheless, each Facilitator Guide describes an individual session (designed to be modular and flexible), which can be read and used independently without direct links through to those that precede or follow. Note: occasional references and call-backs to previous sessions are included in some of the guides, which should be ignored if they relate to a session not included in the training structure being delivered.

Remember, this is a guide and should be adapted according to the participants' needs and the circumstances of the training. Every implementation of the training will thus be unique.

KEY ANALYTICAL TOOLS

There are several analytical tools, used during the training sessions, with which the facilitator will need to be familiar. Here are two of them:

SWOT

SWOT stands for Strengths, Weaknesses, Opportunities and Threats and is used to analyse a situation in as balanced a way as possible. Here is an example from the course, assessing different types of information sources:

Source	Strengths	Weaknesses	Opportunities	Threats
Big newspaper	Credibility	Already published	Possible follow-ups?	Competition
Whistleblower	Inside knowledge	Axe to grind?	Access documents?	Could lose job
Facebook	Immediacy	Credibility	Access social circle	Verification?
Professor	Reputable	Narrow focus	Empirical data	Data too dry?
Taxi driver	Wide experience	Anecdotal evidence	Mobility	Taxi mafia

More information about using SWOT analysis techniques is available here: bit.ly/174190Z

SOURCE MAP

Source Maps for investigative journalism were adapted from educator Edward de Bono's famous "Mind Map" (sometimes called a "Spider Diagram") and are used to think holistically and strategically about an investigation by mapping all the possible sources of information whether human or data, assessing their SWOT, deciding on the best angles of attack in building the case, and on alternative plans should the initial approaches fail. It helps build and refine story ideas into fully fledged hypotheses in which all stakeholders in the story, their interests, relationships and antagonisms are interrogated.

TRAINING PROGRAMME

TRAINING PROGRAMME

The following programme describes a three-day training, which is the recommended format. It can, of course, be adapted to suit the specific needs of participants and circumstances of the training. Copies of the finalised programme should be provided to participants at the outset of the training, if not before.

DAY 1: HOLISTIC LAND INVESTIGATIONS PLANNING

Start	End	Session	Duration (min)	Resources
08:30	09:00	Registration & Newspaper Review	30	<ul style="list-style-type: none"> Newspapers (local/national/international)
09:00	09:15	1.1 Welcome and Introduction	15	<ul style="list-style-type: none"> KAS Investigative Journalism Manual (Introduction) Training Programme
09:15	10:00	1.2 Debating Land Rights	45	<ul style="list-style-type: none"> Handout 1: International Land Instruments Annexe I. Sources and Links On Land Rights
10:00	10:30	1.3 What is Investigative Journalism?	30	<ul style="list-style-type: none"> Assignment 1: What's Investigative and What's Not? KAS Investigative Journalism Manual (Chapter One & Two)
10:30	10:45	Break	15	
10:45	11:15	1.4 Seeing and Identifying the Story	30	<ul style="list-style-type: none"> Assignment 2: Evaluating Story Sources KAS Investigative Journalism Manual (Chapter Three)
11:15	12:15	1.5 Overview of Corruption in Land Governance	60	<ul style="list-style-type: none"> Handout 2: Structural Causes of Land Corruption Case Study 1: The Absent Soweto Developer
12:15	13:00	1.6 The Ethics of Investigative Journalism	45	<ul style="list-style-type: none"> Assignment 3: Difference Matrix KAS Investigative Journalism Manual (Chapter Eight)
13:00	14:00	Lunch	60	
14:00	15:00	1.7 Initiating the Investigation	60	<ul style="list-style-type: none"> Assignment 4: Investigative Hypotheses KAS Investigative Journalism Manual (Chapter Three)
15:00	15:15	Break	15	
15:15	16:15	1.8 Forensic Interviewing	60	<ul style="list-style-type: none"> Handout 3: Investigative Interview Techniques KAS Investigative Journalism Manual (Chapter Five)
16:15	16:45	1.9 Building your Land Rights Case	30	<ul style="list-style-type: none"> Handout 4: Guidelines for Confidential Briefings KAS Investigative Journalism Manual (Chapter Six)
16:45	17:00	1.10 Developing Story Ideas (setting overnight assignment)	15	<ul style="list-style-type: none"> Assignment 5: The Point: Durban's Flagship of Failure? KAS Investigative Journalism Manual (Chapter Three)
17:00	17:15	Reflection on the Basics of Investigative Journalism	15	

DAY 2: LAND RIGHTS & CORRUPTION IN AFRICA

Start	End	Session	Duration (min)	Resources
08:30	09:00	Registration & Newspaper Review	30	<ul style="list-style-type: none"> Newspapers (local/national/international)
09:00	09:45	1.10 Developing Story Ideas cont. (reviewing results from overnight assignment)	45	<ul style="list-style-type: none"> Assignment 5: The Point: Durban's Flagship of Failure? KAS Investigative Journalism Manual (Chapter Three)
09:45	10:30	2.1 National Legal and Institutional Frameworks in Land	45	<ul style="list-style-type: none"> Handout 5: Legal Frameworks Handout 6: Land Transfer Contracts Handout 7: Investigating Land In Nigeria - Institutional Sources
10:30	10:45	Break	15	
10:45	11:45	2.2 Gendered Land Corruption	60	<ul style="list-style-type: none"> Case Study 2: Gendered Land Corruption in Ghana
11:45	12:45	2.3 Violation Of Community Rights	60	<ul style="list-style-type: none"> Case Study 3: Maasai Denied Land Rights in Tanzania
12:45	13:45	Lunch	60	
13:45	14:45	2.4 Forced Evictions for Urban Development	60	<ul style="list-style-type: none"> Case Study 4: Evictions for Development in Nigeria Handout 7: Investigating Land In Nigeria (Institutional Sources)
14:45	15:00	Break	15	
15:00	16:00	2.5 Large-Scale Land-Based Investment	60	<ul style="list-style-type: none"> Case Study 5: Encroachment by an Investor in Kenya Annexe II: Support and Resources for African Investigative Journalists
16:00	17:00	2.6 Profiteering from Land Reforms and Privatisation	60	<ul style="list-style-type: none"> Case Study 6: Land Reform Equals Land Theft in Zimbabwe
17:00	17:15	2.7 Deepening Story Development (setting overnight assignment)	15	<ul style="list-style-type: none"> Assignment 6: Ready-Made Towns KAS Investigative Journalism Manual (Chapter Six)
17:15	17:30	Reflection on Land and Corruption in Africa	15	

DAY 3: LAND STORY RESEARCH & PRESENTATION

Start	End	Session	Duration (min)	Resources
08:30	09:00	Registration & Newspaper Review	30	<ul style="list-style-type: none"> Newspapers (local/national/international)
09:00	10:00	2.7 Deepening Story Development cont. (reviewing results from overnight assignment)	60	<ul style="list-style-type: none"> Assignment 6: Ready-Made Towns KAS Investigative Journalism Manual (Chapter Six)
10:00	10:15	Break	15	
10:15	11:15	3.1 Legal Environment of the Investigative Journalist	60	<ul style="list-style-type: none"> Case Study 7: Access to Information Annexe II: Support and Resources for African Investigative Journalists
11:15	12:15	3.2 Researching your Land Rights Case	60	<ul style="list-style-type: none"> Case Study 7: Access to Information KAS Investigative Journalism Manual (Chapter Six)
12:15	13:15	Lunch	60	
13:15	14:15	3.3 Constructing a Land Corruption Story	60	<ul style="list-style-type: none"> Handout 8: Story Shapes Handout 9: Story Forms Handout 10: Write Tight! KAS Investigative Journalism Manual (Chapter Seven)
14:15	14:30	Break	15	
14:30	15:00	3.4 Land Corruption Story Presentation	30	<ul style="list-style-type: none"> Handout 11: Unpacking Complex Stories KAS Investigative Journalism Manual (Chapter Seven)
15:00	16:00	3.5 Investigating Land Rights from a Small Newsroom	60	<ul style="list-style-type: none"> Handout 11: Accuracy Checklist KAS Investigative Journalism Manual (Chapter Eight)
16:00	16:30	3.6 Reviewing the Land Rights Investigation Process	30	
16:30	17:00	3.7 Wrap-Up & Evaluation	30	<ul style="list-style-type: none"> Annexes Evaluation Forms

REGISTRATION & NEWSPAPER REVIEW

The training programme described above includes a *Registration & Newspaper Review* session at the beginning of each day. Doing so provides an opportunity for the facilitator to ensure all participants sign-in to the training session (using a formal register, if necessary) and for the participants to create name tags for one another, using stickers or paper/masking tape. Making name tags for one another encourages participants to mingle and introduce themselves to fellow group members.

The session also provides time for participants to get up-to-speed on the latest news while conducting a rapid review of a newspaper (local/national/international) selected from copies provided by the facilitator. On the first day this might be just a general review of the day's news; while on the second and third days, the participants should be encouraged to pay particular attention to stories that include land corruption-related themes/issues. The outcomes of the newspaper review can be referred to and integrated into subsequent sessions as necessary.

FACILITATION GUIDE

1.1 WELCOME AND INTRODUCTION

Areas covered	Introductions, course objectives, ground rules
Duration	15 minutes
Activities	<ol style="list-style-type: none">1. Introductions and sharing personal objectives2. Presenting the course objectives3. Agreeing “house rules”
Outcomes	Upon completing the session, the following outcomes should have been achieved: <ul style="list-style-type: none">• A safe environment established in which learning can take place• Ground-rules for working together agreed by participants and facilitator
Materials / Equipment	<ul style="list-style-type: none">• Flipchart• Marker pens• Coloured cards (approximately 50)
Resources	<ul style="list-style-type: none">• Training Programme (one copy per participant)• KAS Investigative Journalism Manual (Introduction)

1. INTRODUCTIONS AND SHARING PERSONAL OBJECTIVES

Facilitation mode:  

Ask participants to think about what they hope to achieve by taking part in the training. Give participants five minutes to write down their personal objectives on coloured cards, using a separate card for each objective. After the five minutes has elapsed, ask the participants to introduce themselves, specifying their newsroom role, and read out their personal objectives. Stick cards on the wall as they are shared, and group together (cluster) those that are the same or related.

2. PRESENTING THE COURSE OBJECTIVES

Facilitation mode: 

Provide participants with copies of the *Training Programme* and present the overall training objective: to provide journalists with the necessary skills for investigative journalism with a focus on land and corruption in Africa. List the following key components of the training:

- Defining investigative journalism and differentiating it from regular reporting.
- Generating story ideas for investigative journalism.
- Holistic investigation planning using the “story hypothesis” method.
- Finding, analysing and managing sources and angles for “attacking” the story.
- Forensic interviewing skills.
- Basic research skills and tools (online and offline).
- Telling the story in a compelling fashion via story forms and illustrative tools.

- Ethics and the law of investigative journalism.
- Understanding how corruption affects land rights in Africa.
- Understanding how conflicts over colonial vs pre-colonial rights, inheritance and gender, urbanisation and urban development, land speculation and land-grabs, and politicised land reform distort land rights.
- Understanding how to investigate corruption in land use/ownership.
- Understanding the legislative, legal and traditional environment regarding land rights.

The objectives can be written in a list on a flipchart or coloured cards, using a different colour and/or shape from those used for the personal objectives. Explore with the participants where the objectives mirror or diverge from the personal objectives outlined in the previous activity, and discuss how the two sets might be aligned to cover as many as possible. If using cards, they can be grouped into clusters with the participants' personal objectives. Indicate that the programme is flexible and will be amended on-the-fly by the facilitator, if necessary, to meet the specific needs and interests of participants.

3. AGREEING 'HOUSE RULES'

Facilitation mode: 

Ask the participants what rules are necessary to ensure the success of the programme. List them on a flipchart as participants give their answers. Examples of helpful house rules include mutual respect, punctuality, confidentiality, turning off mobile/cell phones, listening to one another, etc. Once the list is complete, stick it to the wall in a prominent position where everyone can see and refer back to it easily.

The introductory section of the *KAS Investigative Journalism Manual* provides useful background information and further reading for the facilitator and participants.

1.2 DEBATING LAND RIGHTS

Areas covered	Colonialism, tenure, gender, development, profit, international frameworks on land governance
Duration	45 minutes
Activities	<ol style="list-style-type: none"> 1. Exploring land rights in past and present 2. Mapping land ownership patterns 3. Discussion on international land instruments
Outcomes	<p>Upon completing the session, all participants should be able to:</p> <ul style="list-style-type: none"> • demonstrate an understanding of the history of land rights in their country of origin • demonstrate an understanding of pre-colonial systems of land use/ownership • describe colonial-era dispossessions and how they were shaped by race, gender, religion, class and ethnicity/tribe • describe current land use/ownership patterns and how they are shaped by development and profit-seeking • demonstrate an understanding of “land bank” and “cadaster” concepts • identify international and African instruments guiding ideal land governance
Materials / Equipment	<ul style="list-style-type: none"> • Computer with internet access and/or a land ownership map • Notebooks and pens (one per participant) • Flipchart • Marker pens • Projector (optional)
Resources	<ul style="list-style-type: none"> • Handout 1: International Land Instruments • A printed or electronic copy of both the <i>United Nations Declaration on the Rights of Indigenous Peoples</i> and <i>Guiding Principles on Large Scale Land Based Investments in Africa</i> (see Annex I: Sources and Links on Land Rights)

1. EXPLORING LAND RIGHTS IN PAST AND PRESENT

Facilitation mode:  

Ask each participant to write down three sentences that they believe describes land rights in their country during:

- a) the pre-colonial era
- b) the colonial era
- c) the independence era

Discuss the answers in sequence and write those agreed by the group on the flipchart. Debate any dissenting opinions and ask how perceptions of land rights shape cultural and political debates in the country. Discuss how this evolution shapes land ownership and use in their country today. Ask participants to consider how ownership and use of land was determined by race, gender, religion, class, and ethnicity/tribe. Discuss tensions that have arisen as a result of ownership/use patterns.

2. MAPPING LAND OWNERSHIP PATTERNS

Facilitation mode:  

Ask the participants to do an online search for a map of land ownership patterns in their country. If only the facilitator has a computer, ask one participant to conduct the search while responding to guidance from fellow participants. If no computer/internet access is available, the facilitator must have conducted the search (for a land ownership map) prior to the workshop and have printed copies available. If there is such a map, discuss its implications for potential land conflict and corruption, using practical examples. If there is no such map, discuss the implications on land rights.

3. DISCUSSION ON INTERNATIONAL LAND INSTRUMENTS

Facilitation mode:  

Walk participants through *Handout 1: International Land Instruments* and discuss the following:

- The *UN Declaration of Indigenous Rights* and the *Voluntary Guidelines on Responsible Governance of Tenure of Land, Fisheries and Forests* and their universal, yet voluntary, nature.
- The *AU Framework and Guidelines on Land Policy in Africa* and the *AU Guiding Principles on Large-Scale Land-Based Investments*.
- Anti-corruption land initiatives including the pilot Land Transparency Initiative and the G8 Land Partnerships.
- The check-list for Free Prior Informed Consent.

If there is time and computer/internet access, direct participants to briefly look at the *UN Declaration on Indigenous Rights* and the *AU Guiding Principles on Large-Scale Land-Based Investments* under Annexe I.

1.3 WHAT IS INVESTIGATIVE JOURNALISM?

Areas covered	Defining investigative journalism, investigation types, approaches, necessary skills and personal qualities
Duration	30 minutes
Activities	<ol style="list-style-type: none">1. Defining investigative journalism2. Assignment: What's Investigative and What's Not?3. Types of investigative journalism4. Characteristics of successful investigative journalists
Outcomes	Upon completing the session, all participants should be able to: <ul style="list-style-type: none">• define the practice of investigative journalism• discuss the mission of investigative journalists and some of the protocols they need to observe• discuss the skills and personal qualities needed by investigative journalists• identify topics and approaches appropriate for investigative stories• discuss, critique, and derive pointers from examples of African and other investigative journalism
Materials / Equipment	<ul style="list-style-type: none">• Flipchart• Marker pens• Coloured cards (approximately 30)
Resources	<ul style="list-style-type: none">• Assignment 1: What's Investigative and What's Not?• KAS Investigative Journalism Manual (Chapters One & Two)

1. DEFINING INVESTIGATIVE JOURNALISM

Facilitation mode: 

Ask each participant to define what she/he believes constitutes investigative journalism and how it differs from other forms of journalism. Write their answers on a flipchart as the discussion progresses. Allow time and space for a facilitated discussion.

Guidance notes | Possible answers for participants to identify:

- Digging deeply into an issue or topic that is of public interest.
- A process, not an event.
- Original and proactive reporting.
- Produces new information, or puts existing information together in a way that reveals its significance.
- Reporting that is multi-sourced.
- In-depth journalism requires greater resources, team-working and time than routine news reports.

If necessary, you can provoke discussion by reading out the following statements:

“Investigative reporting is simply good reporting.”

“Investigative reporting uncovers secrets that others want to keep hidden.”

“Investigative reporting reveals scandals and shames the individuals involved.”

Chapter One of the *KAS Investigative Journalism Manual* provides a range of information, possible answers and discussion points relevant to this activity.

2. ASSIGNMENT: WHAT'S INVESTIGATIVE AND WHAT'S NOT?

Facilitation mode:  

Ask participants to review *Assignment 1: What's Investigative and What's Not?* Once complete, ask the participants to indicate which stories are investigative, and which are not. Encourage the group to explain their answers and discuss any points of disagreement or confusion.

3. TYPES OF INVESTIGATIVE JOURNALISM

Facilitation mode:  

Ask participants to suggest different types of investigative journalism and write each suggestion on a coloured card or piece of paper. Discuss each suggestion (preferably with examples from their own experience or national context) and stick cards/papers on the wall for everyone to read.

Guidance notes | Possible examples for participants to identify:

- Abuses of power (holding the powerful to account), for example, the “Watergate” investigations.
- Counter-intelligence (investigating and exposing the secret state), for example, classified NSA documents leaked by Edward Snowden.
- Structural (exposing where true power resides), for example, the “Panama Papers”.
- Conflict of interest (investigating the drivers of conflict), for example, the role of desertification in the Darfur War.
- Forensic (interrogating what failed and why), for example, the “Marikana Massacre” in South Africa.
- Sociological (exploring key trends in our society), for example, the fight against religious radicalisation in northern Nigeria.
- Process (cause and effect), for example, how weak institutions lead to Guinea-Bissau becoming the world’s first “narco-state”.

Once all the suggestions have been collected, work with the participants to cluster and categorise the cards/paper (removing duplicates) to create a concise collection of investigative journalism types.

The facilitator may use *Chapter Two: Generating Story Ideas of the KAS Investigative Journalism Manual* as background / further reading for themselves and participants.

4. CHARACTERISTICS OF SUCCESSFUL INVESTIGATIVE JOURNALISTS

Facilitation mode:  

Ask participants to think of an investigative journalist they admire and list the key traits that make them successful. List these on a flipchart or coloured cards.

Guidance notes | Possible answers for participants to identify:

- well-developed reporting skills
- broad general knowledge
- good research skills
- determination and patience
- fairness, balance and strong ethics
- courage
- clarity of presentation

Chapter One: What is Investigative Journalism of the KAS Investigative Journalism Manual provides a range of information, possible answers and discussion points relevant to this activity.

1.4 SEEING AND IDENTIFYING THE STORY

Areas covered	Finding sources and evaluating source credibility
Duration	30 minutes
Activities	<ol style="list-style-type: none">1. Targeting audiences2. Assignment: Evaluating Story Sources3. Examining story sources
Outcomes	Upon completing the session, all participants should be able to: <ul style="list-style-type: none">• integrate learning into a newsroom-based investigation• demonstrate “source-mapping” skills• employ a structured process for evaluating the usefulness/relevance of a source• describe the factors that impact on a journalist’s relationship with human sources• discuss the dilemmas encountered in dealing with sources• describe and evaluate the range of options reporters have for resolving these dilemmas• list some available sources for information on a range of topics
Materials / Equipment	<ul style="list-style-type: none">• Flipchart• Marker pens
Resources	<ul style="list-style-type: none">• Assignment 2: Evaluating Story Sources• KAS Investigative Journalism Manual (Chapter Three)

1. TARGETING AUDIENCES

Facilitation mode: 

Host a brief discussion around different audiences, asking the participants: Who do you write for? Who is the target audience? If the participants are unsure who they are targeting, encourage them to ask their editor who the target audience is, or ask to be shown the market research into the readership/audience. Relate this discussion to the impact of news (on current affairs, public opinion, political decision-making, etc.) and the influential role played by journalists in the public arena.

2. ASSIGNMENT: EVALUATING STORY SOURCES

Facilitation mode: 

Provide participants with a copy of *Assignment 2: Evaluating Story Sources* and ask them to read through the list of story inspirations included. Working individually, ask the participants to list the advantages and disadvantages of each inspiration source using the table provided.

Once complete, spend some time discussing these as a group. Ask the participants to consider how often they use these as the basis for story ideas. Using the second table included in the assignment handout, ask the participants to record their responses. The aim is to challenge reporters to “think outside of the box” when sourcing ideas for stories. Ask participants what steps they recommend for moving from story idea to story hypothesis.

Guidance notes | If necessary, you can propose the following key steps:

1. List and prioritise concerns.
2. Analyse concerns.
3. Find the headline.
4. List sources for the story.

3. EXAMINING STORY SOURCES

Facilitation mode:  

Ask participants to list all the sources of information they could use for developing stories, creating a list (on flipchart or whiteboard) using the following four columns:

1. Source	2. Useful for	3. Strengths	4. Possible problems
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Participants should be able to answer: why should the reader care?

Chapter Three: Planning the Investigation and *Chapter Four: Sources and Spin Doctors of the KAS Investigative Journalism Manual* provide useful background information and further reading for the facilitator and participants.

1.5 OVERVIEW OF CORRUPTION IN LAND GOVERNANCE

Areas covered	Discussion of forms of land corruption
Duration	60 minutes
Activities	<ol style="list-style-type: none">1. Presenting land corruption in Africa2. Understanding corruption3. Discussing land corruption4. Case study: The Absent Soweto Developer5. Finding land corruption in the press
Outcomes	Upon completing the session, all participants should be able to: <ul style="list-style-type: none">• demonstrate an understanding of the severity and impact of land corruption in Africa• show understanding of the various manifestations of land corruption• identify the main actors in land corruption• identify the primary structural enablers of land corruption
Materials / Equipment	<ul style="list-style-type: none">• Newspapers (local, national, international)• Coloured cards (approximately 30)• Marker pens• Flipchart
Resources	<ul style="list-style-type: none">• Handout 2: Structural Causes of Land Corruption• Case Study 1: The Absent Soweto Developer

1. PRESENTING LAND CORRUPTION IN AFRICA

Facilitation mode: 

Make a short presentation to participants establishing the issues surrounding land and corruption in Africa, and the role played by Transparency International in raising awareness of its impacts on countries and communities across the continent. You might find the following information useful:

In December 2016, Transparency International published a call for corruption-free land governance worldwide. The *Global Corruption Barometer and African Bribery Index* both show that the institutions most responsible for land management in Africa are also among the most corrupt. Globally, one in five people reports they have paid a bribe for land services; but, in Africa, every second client of the land administration services paid bribes. In 2011, the national chapters of Transparency International across the globe ranked the problem of land and political corruption as one of the top three issues that citizens consult them about through their advocacy and legal advice centres.

For more information and resources to inform your presentation on Land and Corruption in Africa, please visit: bit.ly/2yoNvqU

2. UNDERSTANDING CORRUPTION

Facilitation mode: 

Work with the participants to explore what they understand corruption to be and what forms it takes. Use coloured cards (or flipchart) to record the group's ideas and place them on a wall for further discussion. Once complete, guide

the participants through the definition and various types of corruption provided by Transparency International below:

What is corruption?

Generally speaking, corruption is defined as the abuse of entrusted power for private gain. Corruption can be classified as grand, petty and political, depending on the amounts of money lost and the sector where it occurs.

Grand corruption consists of acts committed at a high level of government that distort policies or the central functioning of the state, enabling leaders to benefit at the expense of the public good.

Petty corruption refers to everyday abuse of entrusted power by low and mid-level public officials in their interactions with ordinary citizens, who often are trying to access basic goods or services in places like hospitals, schools, police departments and other agencies.

Political corruption is a manipulation of policies, institutions and rules of procedure in the allocation of resources and financing by political decision-makers, who abuse their position to sustain their power, status and wealth.

3. DISCUSSING LAND CORRUPTION

Facilitation mode:  

Begin the session by leading the participants through *Handout 2: Structural Causes of Land Corruption*, before facilitating a group discussion on the different areas affected by land corruption, and how land corruption presents itself in their country. During the discussions, try to work on the following key questions:

- Who are the main actors in land corruption?
- What role is played by the land administration?
- How does customary tenure impact land corruption?
- What are the specific risks in relation to your own country/context?
- How does land corruption present itself in relation to: the management of state-owned land; land use planning, investments; payments for environmental services; large-scale land acquisitions?

Guidance notes | Key issues enhancing land corruption:

- Inadequate access to information that allows citizens to know their rights and how to make use of them.
- Complex laws and procedures regulating land ownership and insufficient access to justice (multiple laws, gaps in legislation, traditional versus formal laws and institutions, uncertain law enforcement).
- Low citizen participation in decision-making and the monitoring of land transactions, ensuring Free, Prior and Informed Consent.
- Unaccountable land management and urban planning in the context of rapid urbanisation, depriving the public purse of essential revenues and making tenure and shelter security unobtainable for the urban poor.
- Absence of efficient anti-corruption oversight, management and grievance mechanisms.

- Insufficient capacity in local administration and traditional institutions to support good land governance.
- Perceived lack of incentives for different stakeholders to act with integrity in land governance.
- Opacity of land deals (private sector/government) and the resulting difficulties in investigating and understanding the drivers behind these deals.

4. CASE STUDY: THE ABSENT SOWETO DEVELOPER

Facilitation mode:  

Ask the participants to read through *Case Study 1: The Absent Soweto Developer*. Once complete, encourage the participants to assess and discuss the strengths and weaknesses of the journalist's sources, and the challenges they had to overcome. Explore with the group their own experiences, and any similarities to those in the case study.

5. FINDING LAND CORRUPTION IN THE PRESS

Facilitation mode:  

Provide the participants with a selection of newspapers (local/national/international) and ask each participant to choose one to review*. Give the participants a set time period (10 minutes should be sufficient) to quickly scan the newspaper and identify any land-related stories. Make a list of the stories that have or might have a land corruption angle on the flipchart. Ask the participants to cite any structural enablers for corruption in the stories, such as lack of transparency, legal complexity, poor administration, lack of accountability, lack of proper oversight mechanisms/ public engagement.

* If conducting a newspaper review activity during registration (see *Training Programme*), you may choose to provide a different selection of newspapers or (if internet access is available) ask participants to conduct a review of online publications.

1.6 THE ETHICS OF INVESTIGATIVE JOURNALISM

Areas covered	Position, conflicts of interest, protecting sources
Duration	45 minutes
Activities	<ol style="list-style-type: none">1. Assignment: Difference Matrix2. Core ethics
Outcomes	Upon completing the session, all participants should be able to: <ul style="list-style-type: none">• identify and consider the positionality and biases of oneself as a journalist• demonstrate techniques for using one's positionality as a strength instead of as a weakness• explain approaches to understanding the complex matrix of interview subjects (race, class, location, sexuality, education, status, etc.)• describe the power dynamics inherent in interviewing• use the <i>Difference Matrix</i> to identify gaps in a story, and fresh angles of inquiry• examine and understand ethical grey areas• identify and navigate conflicts of interest• describe the importance of protecting sources and operating as openly as possible
Materials / Equipment	<ul style="list-style-type: none">• Coloured cards (5 for each participant, plus some spares)• Marker pens• Flipchart
Resources	<ul style="list-style-type: none">• Assignment 3: Difference Matrix• KAS Investigative Journalism Manual (Chapter Eight)

1. ASSIGNMENT: DIFFERENCE MATRIX

Facilitation mode:  

Divide the participants into pairs (if the group is uneven in number then one participant can work with the facilitator) and ask each couple to spend a few minutes talking to one another about who has been an inspiration (a heroine/hero) in their lives. Doing so helps participants to “break the ice” and start talking freely.

Once everyone has shared with their partner, provide each pair with a copy of *Assignment 3: Difference Matrix*. Explain that the matrix represents a crude diagram of a human personality. Some elements such as early childhood development and race cannot change, but others such as status and education can. Ask the participants to spend 5 minutes each (10 minutes total) telling their partners about two or three elements of their lives represented in the matrix. Encourage the participants to be as honest as possible, while making clear they don't need to address any areas of the matrix that may make them uncomfortable, for example, questions relating to sexuality or religion.

Once complete, facilitate a discussion around how the participants view themselves and how this differs from how they are seen by their partner. Use the following questions to prompt more in-depth discussion:

- What surprised you about your partner's responses?
- Have your pre-conceptions about your partner shifted and, if so, in what way?
- How might our pre-conceptions shape (even distort) our approaches to, and understanding of, interviewees?

- How might the differences between ourselves and our interviewees (for example ethnicity or class) influence our interviews?

Guidance notes | Support and encourage the participants to consider the following:

- Our discussions around the matrix help to reveal our diverse personalities that may appear contradictory at first. For example, someone may be poor but very well-spoken (perhaps they were educated at a mission school or learned their diction from the radio).
- The process reveals aspects of a personality that we might not have suspected or readily identified, but which give us additional “points of entry” into the interview.
- Some elements of a personality are unchangeable, including a person’s early history and psychological model; race, colour and ethnicity; gender and sexual identity; cultural heritage; nationality. Other aspects do (or can) change with time including one’s: age; location; education; class/caste; religion/creed; intellectual and physical health/abilities; language; profession; socioeconomic status; citizenship; sexual expression.
- Changes in status, citizenship, health, etc. can deeply mark an individual and reveal some of their primary motivations. For example, surviving a life-changing disease as a child might be the reason someone works for charity as an adult.
- The process can help to identify potential areas where an interviewee might be subject to bias, for example, a person from a historically dispossessed community interviewing a person from a historically advantaged community.
- How to recognise one’s biases, and either: actively, consciously ensure they do not prejudice one’s interview or use them as a strength rather than a weakness. For example, if I am very proud to be of Tribe X, I can easily imagine how my interviewee of Tribe Z is equally proud to be of that ethnicity.
- How to draw on one’s background to establish a bridge to the interviewee, for example: “You were born in Town X? Well, my grandmother was from there!”

2. CORE ETHICS

Facilitation mode:

Give five coloured cards (or pieces of paper) to each participant and ask them to write down five core ethics they believe investigative journalists need to employ, writing one per card. Allow up to 10 minutes to complete the cards.

Guidance notes | The following are some potential answers, which you may want to suggest at the end (if missed) or offer one or two as examples to assist the participants in developing their own:

- Maintaining the confidentiality of sources, where necessary.
- Reporting the words of interviewees accurately and in context.
- Exercising balance and fairness.

- Judiciously analysing interviewee motivations.
- Honestly representing the story no matter one's own biases (no axe-grinding).
- Honestly revealing one's interest when necessary (full disclosure), for example, this journalist owns shares in the company that she is reporting on, or this trip to the rural area was sponsored by Company X.
- Handing the story over to a non-conflicted colleague if a conflict of interest is too strong/likely to lead to an outcry over one's bias.
- Refusing all bribes or inducements (so-called brown envelope journalism).
- Refusing government officials more space simply because of their status.
- Avoiding prejudiced language just because it is popular in society, for example not calling undocumented settlers "squatters" or undocumented migrants "aliens".
- Refusing to be used to serve the agenda of any group (for example religious, political or business), including those with whom you identify.

Once complete, ask each participant to read out their answers. Consolidate the answers by sticking the cards to the wall (or flipchart) and grouping together any repetitions. Ask the participants to provide real-life examples and take time to discuss each.

Guidance notes | During the discussions, take time to highlight the following key points:

- Journalists are only as powerful as their reputation, which is only as good as their word. Never betray trust, even when the person concerned is the "bad guy".
- The importance of negotiated permissions and the trust needed to secure interviews.
- The necessary balance between different approaches to consider the conflicts of interest of one's interviewees.
- The importance of managing one's conflicts of interest in approaching stories where they are politically/religiously/or in any other way involved in the story.

Chapter 8: The Law and Ethics of Investigations of the KAS Investigative Journalism Manual provides useful background information and further reading for the facilitator and participants.

1.7 INITIATING THE INVESTIGATION

Areas covered	Holistic source mapping and story pitching
Duration	60 minutes
Activities	<ol style="list-style-type: none">1. Assignment: Investigative Hypotheses2. Source mapping3. Pitching practice
Outcomes	Upon completing the session, all participants should be able to: <ul style="list-style-type: none">• describe the difference between a story idea and a hypothesis• devise an investigative reporting plan• create and deliver an informative, convincing story pitch• explain the uses and limitations of different types of source material and different investigation methods• describe a paper trail, and explain how to begin tracking one• draw up and use criteria of authenticity and adequacy for evidence• create useable timelines and budgets
Materials / Equipment	<ul style="list-style-type: none">• Marker pens• Flipchart
Resources	<ul style="list-style-type: none">• Assignment 4: Investigative Hypotheses• KAS Investigative Journalism Manual (Chapter Three)

1. ASSIGNMENT: INVESTIGATIVE HYPOTHESES

Facilitation mode:  

Provide the participants with copies of *Assignment 4: Investigative Hypothesis* and ask them to critique the five Story Ideas using the tables provided. Once complete, discuss the following questions with the participants:

- How would you develop these story ideas into hypotheses?
- How many of you spend time developing plans at the start of the process?
- Why is it important to plan?
- Do you have the time needed for planning?

Write on a flipchart and present the following key stages/questions to inform the process of moving from a story idea to hypothesis, and finally to a plan:

1. How will we do this investigation?
2. Who will we speak to (source map)?
3. What do we need to prove/establish (evidence list)?
4. When will we do what (timeline)
5. What costs do we need to factor in (budget)?

2. SOURCE MAPPING

Facilitation mode: 

Present a fictional story idea to the group, for example, a street gang is extorting fruit sellers at the local taxi rank.

Using a flipchart, draw a spider diagram (see *Training Methods*) to map the potential sources for the example story. Once all possible sources are mapped, ask the participants to critique each source for its strengths and weaknesses. Encourage the participants to consider what their “angle of attack” for the story might be, and to propose backup plans.

Once the source map is complete, ask one or two participants to volunteer to role-play pitching the story to you (the facilitator) who will assume the role of a news editor. Next, ask the participants to consider what steps they need to include in their research plan.

Guidance notes | Possible steps for participants to identify include:

1. Listing likely sources.
2. Developing criteria for adequacy and proof.
3. Deciding on a methodology.
4. Creating a timeline.
5. Developing an outline budget.

Finally, ask the participants to suggest examples of two categories of sources:

1. Primary sources are those that form direct, specific evidence or relate direct experience
2. Secondary sources relate information that provides second-hand information

Guidance notes

- Possible answers for participants to identify include: eyewitness, victims, relevant documents (such as bank statements).
- Possible answers for participants to identify include: documents, a friend, a contact.

3. PITCHING PRACTICE

Facilitation mode: 

Ask participants to invent a fictional story (use the earlier example of a gang extorting fruit sellers as a guide) to develop. Give participants ten minutes to prepare their story idea, using the techniques shown during the previous sessions.

Once each participant has devised their fictional story, divide the participants into small groups of between 3-5 people. If possible, place participants in groups according to their organisation (for example, newspaper group) to

avoid fostering unnecessary competition. Ask each participant to pitch their story idea to their fellow group members, allowing five minutes per person (time the sessions and give prompts: one minute remaining/change participant). Once all participants have completed their pitches, ask the group to give one another feedback on how impactful the ideas were and any weaknesses or shortcomings identified.

Chapter 3: Planning the Investigation of the KAS Investigative Journalism Manual provides useful background information and further reading for the facilitator and participants.

1.8 FORENSIC INTERVIEWING

Areas covered	Confidentiality, difficult interviewees and approaches
Duration	60 minutes
Activities	<ol style="list-style-type: none">1. Interview approaches2. Investigative interview techniques
Outcomes	Upon completing the session, all participants should be able to: <ul style="list-style-type: none">• describe the differences between general and investigative interviewing in terms of approach, strategy and questioning technique• demonstrate an understanding of the factors that can make interviewing relationships adversarial, and how to handle these• identify and employ techniques for dealing with deceit and “spin” in interviews• identify and employ techniques for dealing with trauma, reluctance and fear in interviewees• discuss the risks reporters face in investigative interviewing, and tactics for dealing with these• list the conventions governing investigative interviewing and discuss the usefulness of these• demonstrate an understanding of how investigation subjects are linked is a matter of context
Materials / Equipment	<ul style="list-style-type: none">• Marker pens• Flipchart
Resources	<ul style="list-style-type: none">• Handout 3: Investigative Interview Techniques• KAS Investigative Journalism Manual (Chapter Five)

1. INTERVIEW APPROACHES

Facilitation mode:  

Ask the participants to identify the interviewers they most admire and why. Based on the answers, create a list on a flipchart of attributes and qualities that make for a good interviewer. If possible, screen a short example interview and discuss the techniques used.

Explain how interviewing, as with writing, is a three-part process: preparation, doing, reviewing. Present the following key steps and techniques:

- Be prepared.
- Anticipate problems (plan the interview).
- Prepare easily understandable questions (if necessary, practice asking them in advance).
- Move from the known (soft) to the unknown (hard) questions.
- Mix open and closed questions.
- Remember to ask follow-up questions.

2. INVESTIGATIVE INTERVIEW TECHNIQUES

Facilitation mode:



Provide each participant with a copy of *Handout 3: Investigative Interview Techniques* and work through each section, ensuring the group has a clear understanding of the different types of questions, active listening techniques, and stages for preparing an interview.

Present a scenario in which they are preparing to interview an official who is suspected of involvement in a corrupt tendering process. Ask the participants to prepare a series of questions that they would ask the official in the course of an interview. Allow participants five minutes to prepare their questions, working individually. Ask for volunteers (one or two) to read out their questions to the group. Encourage the other participants to help identify additional/missing questions.

Guidance notes | The following is a sequence of questions in which the interview moves from the relatively 'safe' area of official procedure to questions about what went wrong, which you might share with the participants as an example:

Question 1. What are the requirements of a sound tender process?

Question 2. What checks and balances exist to make sure the requirements are followed?

Question 3. What is your (the official's) role in this process?

Question 4. What steps were taken in this process?

Question 5. Were these "normal"?

Question 6. If there were variations from the norm, why?

Chapter 5: Forensic Interviewing of the KAS Investigative Journalism Manual provides useful background information and further reading for the facilitator and participants.

1.9 BUILDING YOUR LAND RIGHTS CASE

Areas covered	Paper trails and audio-visual evidence
Duration	30 minutes
Activities	<ol style="list-style-type: none">1. Undertaking confidential briefings2. Hostile interviews
Outcomes	Upon completing the session, all participants should be able to: <ul style="list-style-type: none">• explain the importance of building paper trails• describe methods for collecting audio-visual evidence• explain the rules and limitations of on/off the record conversations• demonstrate knowledge of the basics of note-taking and its pitfalls• explain when to use recording devices overtly and when to use covertly• discuss circumstances in which undercover videography/photography is justifiable
Materials / Equipment	<ul style="list-style-type: none">• Marker pens• Flipchart
Resources	<ul style="list-style-type: none">• Handout 4: Guidelines for Confidential Briefings• KAS Investigative Journalism Manual (Chapter Six)

1. UNDERTAKING CONFIDENTIAL BRIEFINGS

Facilitation mode:  

Provide all participants with a copy of *Handout 4: Guidelines for Confidential Briefings* and allow a short period for everyone to read through. Present (on a flipchart) the Chatham House Rule, which is as follows:

When a meeting, or part thereof, is held under the Chatham House Rule, participants are free to use the information received, but neither the identity nor the affiliation of the speaker(s), nor that of any other participant, may be revealed.

Facilitate a short discussion with the participants around the circumstances by which they (and reporters in general) would be willing to go “off the record”.

Guidance notes | During the discussions, make sure to stress the importance of:

Note-taking: spend time on note-taking including fact checking (name spellings, title and unusual words) as well as recording interview details (time, contact numbers, description of the scene).

Audio-visual recording: discuss when to backup or supplant your notes with a voice recorder, and in what circumstances to collect video or photographic evidence. Take time to discuss when covert documentation might be counter-productive versus when is it invaluable.

2. HOSTILE INTERVIEWS

Facilitation mode: 

Ask for a volunteer to take part in a role-play of an interview. Set-up two chairs and sit down with the volunteer. The volunteer participant plays the role of the reporter: the interviewer. You, the facilitator, play the role of a hostile official: the interviewee.

If time allows, repeat with more volunteers.

Guidance notes

During the short interview, use different methods to “block” and avoid the reporter’s questions. Invite the other participants to give advice on how to bypass such blocks through altering the presentation, tone and attitude, question sequence, using open/closed questions, allowing for silences that the interviewee feels they need to fill, preferring short questions which invite longer answers, etc.

Chapter 6: Basic Research – Skills and Tools of the KAS Investigative Journalism Manual provides useful background information and further reading for the facilitator and participants.

1.10 DEVELOPING STORY IDEAS

Areas covered	Story viability, alternate angles, troubleshooting
Duration	15 minutes of instructions 120 minutes assignment activity (recommended for workshop break days or overnight) 45 minutes of discussions
Activities	1. Assignment: Story Example (The Point)
Outcomes	Upon completing the session, all participants should be able to: <ul style="list-style-type: none">• explain ways of developing story ideas and planning investigations• describe methods for interrogating weaknesses/strengths in story ideas• demonstrate an understanding of alternate approaches to interviews• identify methods for troubleshooting difficult stories
Materials / Equipment	<ul style="list-style-type: none">• Flipchart• Marker pens
Resources	<ul style="list-style-type: none">• Assignment 5: Story Example (The Point)• KAS Investigative Journalism Manual (Chapter Three)

1. ASSIGNMENT: STORY EXAMPLE (THE POINT)

Facilitation mode:  

This assignment is best undertaken by participants in between workshops, either during break days or as an overnight activity. If conducting this activity during a break in workshop days (or overnight), the following activities will take place when the workshop next convenes.

Provide participants with copies of *Assignment 5: Story Example (The Point)*. Ask the participants to read the article thoroughly and be prepared to discuss the technical challenges in this investigation. If time allows, participants should also read *Chapter 3: Planning the Investigation of the KAS Investigative Journalism Manual*.

Once they have completed the reading, allow the participants time to identify a real-life investigation they would like to conduct (preferably related to land corruption issues) and then prepare a written plan and spider diagram (see *Training Methods*) for the investigation, including the following:

- Story hypothesis (one paragraph)
- Source map (spider diagram)
- Information required to prove case
- Angles of attack/approaches
- Potential problems and alternative angles of attack/approaches

Provide participants with sheets of flipchart paper to create their written plans and spider diagrams. Explain these will be presented to fellow participants so they should be clear and easy to read.

Ask participants to discuss any technical issue that emerged from the reading of the story. Stress how the story originated, how many sources were accessed, how the story was built and strengthened; and discuss the results.

Guidance notes | During the discussion, take time to emphasise the following key points:

- The importance of reading between the lines: spotting that something was missing/did not ring true in regular press coverage.
- The fact that the sequence of the story did not follow the sequence of the investigation: the top authorities were contacted last, not first.
- The very goal-directed way that the six named sources were used: only the key points of their interviews were included.
- The way in which complicated land ownership transfer process and an access lawsuit were included in simple terms.
- The way the story ends with a strong “kicker”: that Rocpoint is feared to be inflating rents to amass development capital.

Invite each participant to present their story plans and spider diagrams, in turn, using their flipchart sheets. Allow their fellow participants to critique the strength of the hypothesis, sources and angles of attack. Help the participants to identify alternate angles of attack if anticipating difficulties in proving the hypothesis, and discuss methods for changing direction should the hypothesis alter.

Divide participants into small groups. Provide each group with a sheet of flipchart paper.

Ask each group to work together to elaborate and deepen one of the story ideas presented. If the group struggles to choose one story to develop, you may have to choose for them. Ask a representative of each group to present their ideas and recommendations using the flipcharts. Encourage those from other groups to provide feedback and encourage everyone to discuss the ideas presented and share recommendations for next steps.

2.1 NATIONAL LEGAL AND INSTITUTIONAL FRAMEWORKS IN LAND

Areas covered	Legal frameworks, land administration, statutory and customary land laws
Duration	45 minutes
Activities	<ol style="list-style-type: none">1. Legal frameworks2. Five obstacles to transparency3. Land transfer contracts4. Investigating land in Nigeria
Outcomes	Upon completing the session, all participants should be able to: <ul style="list-style-type: none">• describe the legal framework for land tenure, usage and ownership in their country• describe the land administration system in their country• explain the difference between statutory and customary land law• provide details of land acts and regulations specific to their country
Materials / Equipment	<ul style="list-style-type: none">• Flipchart• Marker pens
Resources	<ul style="list-style-type: none">• Handout 5: Land Frameworks• Handout 6: Land Transfer Contracts• Handout 7: Investigating Land in Nigeria (Institutional Sources)

1. LEGAL FRAMEWORKS

Facilitation mode:  

Provide participants with copies of *Handout 5: Land Frameworks* and allow sufficient time for the group to read through the text.

While the participants are reading the handout, take time to write up the following explanations of the customary and statutory law, on a flipchart, as an introduction to the next discussion:

Statutory law is the written law that is usually enacted by a legislative body (parliament, senate, etc.) but often inherited from the colonial era. Statutory laws vary from regulatory/administrative laws (decrees signed by ministers, presidents, etc.) that are passed by executive agencies (ministries), and common law which is the law enshrined by prior court decisions. Each state usually has a Land Use Act, however, administration may also rely on environmental laws and a variety of other decrees.

Customary law is the traditional right of ownership and administration, often orally passed on to the next generation. Each ethnicity may have its customary law, which can differ from village to village. For example, Ghana has enshrined customary law in its constitution and is transcribing these laws in written documents. It also has Customary Land Secretariats.

Facilitate a discussion about the differences between customary and statutory law in relation to land rights. Encourage participants to give examples of different instances of customary and statutory land laws from their own country, and debate where these may have come into conflict. Take time to discuss how land rights feature in the national constitution of the participants' country/countries; as well as any land-use acts or codes, environmental laws, land commissions, and whether there is a national cadaster or land bank in operation.

2. FIVE OBSTACLES TO TRANSPARENCY

Facilitation mode:



Make a short presentation on the challenges faced when investigating and documenting land corruption including:

- Land corruption is usually invisible (it is rare to witness corruption in action).
- Land is a very “slow” commodity. The causes of a land conflict may stretch back over many years, even decades.
- Laws dating from colonial times are rarely published online, and the texts often require legal training to understand.
- Corruption in the land sector may have different meanings, depending on who is making the complaint.

The absence of transparency makes people and institutions vulnerable, increasing the risk of corruption. This lack of transparency is most apparent in the following five different levels:

1. **Legal:** definition of rights; rules and procedures for adjudication, registration, etc.

Are community rights enshrined in the national constitution? Are they protected by clear legislation and effective law enforcement?

2. **Cadaster/land registry:** who owns what and where (size, location, use, etc.), registration and validation of titles deeds.

For example, land may be sold several times without the consent of the land user, or without boundaries being detailed; the documentation gives hints about encroachment, illegal take-over or change of land use.

3. **Dispute resolution:** informal mediation; administrative tribunal; ordinary civil courts; specialised land tribunals.

Are hearings public? Are decisions made according to the law? Are judges competent in land matters? Do the courts accept cases? How easy is it to initiate proceedings in these fora?

4. **Regulatory:** registration and oversight of land professionals: conveyancers, valuers, land surveyors, estate agents, notaries, physical planners, etc.

Moral integrity and ethical behaviour is fundamental, but do regulatory authorities control the professionals? Is there an effective monitoring of corrupt practices? Are fees and rents fixed and transparent?

5. **Fiscal:** land and property taxation.

Land is often used for money laundering and speculation. Governments invite foreign or multi-national companies to invest and promise tax holidays and other waivers. Are incentives and tender processes transparent? What are the personal and business relationships between political decision-makers and investors?

3. LAND TRANSFER CONTRACTS

Facilitation mode:



Provide participants with copies of *Handout 6: Land Transfer Contracts* and read through with the participants, paying particular attention to the checklist for land contracts.

4. INVESTIGATING LAND IN NIGERIA

Facilitation mode: 

Provide participants with copies of *Handout 7: Investigating Land In Nigeria (Institutional Sources)* and work through the examples of which institutions need to be approached to investigate a land story. Facilitate a brief brainstorm around what the relevant authorities would be in their own country, writing these down on the flipchart for future reference.

2.2 GENDERED LAND CORRUPTION

Areas covered	Women, inheritance, tradition and tenure
Duration	60 minutes
Activities	<ol style="list-style-type: none"> 1. Case study: Gendered Land Corruption in Ghana 2. Planning a gendered land story 3. Key steps in developing gendered land stories
Outcomes	<p>Upon completing the session, all participants should be able to:</p> <ul style="list-style-type: none"> • explain the relatively weak position of women in owning land or accessing land rights • describe how land corruption is skewed in favour of men by traditional patriarchies • identify the opportunities for corruption caused by an informal and verbal system of land allocation, despite allodial rights • explain how traditions have been distorted to create rent-seeking opportunities for chiefs and traditional land rights arbiters • identify opportunities for redressing the dispossession of women
Materials / Equipment	<ul style="list-style-type: none"> • Laptop (with internet access) • Projector • Speakers • Flipchart • Marker pens
Resources	<ul style="list-style-type: none"> • Case Study 2: Gendered Land Corruption in Ghana

1. CASE STUDY: GENDERED LAND CORRUPTION IN GHANA

Facilitation mode:  

If possible, screen *Pakorpa Susangho (Widow's Cry)* – a participatory video made by widows from Kulbia village exploring how corrupt practices impact their lives and access to land. The full-length version is available to watch here: bit.ly/2gLpqAN (15 minutes) or a shorter version is available to watch here: bit.ly/2ynz1YI (5 minutes).
Note: Click the 'CC' icon at the bottom right of the player window to activate English subtitles.

Provide participants with copies of *Case Study 2: Gendered Land Corruption in Ghana* and allow sufficient time for the group to read through the text. Once complete, facilitate a discussion on the following key questions:

- What is unjust, what is illegal, what is corrupt in this case?
- What kind of information does the story provide?

Guidance notes | Possible information for participants to identify include:

1. Women are pressured to re-marry, after the demise of their husbands, to sustain their livelihoods.
2. Family members seize land after the death of the male head of a household.
3. Seized land can be given to family members, used for public purposes (for example, to build a school) or sold to outsiders.

4. The Tindana receives guinea fowl, kola nuts, alcohol and other commodities in exchange for his decision.
5. The Chief is supposed to mediate conflicts.

- What do we not know? What is customary practice and what is law?
- What form of corruption is taking place?

Guidance notes | Possible information for participants to identify include:

- the exchange of commodities, abuse of power etc.

- What kind of evidence is provided?
- What is the impact of corruption, what is the impact of insecure tenure?
- Which rights are being violated?

Guidance notes | Possible information for participants to identify include:

- Acknowledgement of User Rights (Usus fructus). The Chief has an obligation to care for widows and mediate conflicts; the Chief, as guardian of the land, has to share income generated within the community. Dignity and food as human rights; see Intestate Succession Law, 1985 (bit.ly/2izhfvb).

- What should be the role of the Upper East Regional Lands Commission?

Guidance notes | Possible information for participants to identify include:

- The Lands Commission can provide information whether the land is sold, at which price (value), who got the money, who signed the contract; give an idea about land available in the chieftdom and alternative land allocations; document and register land.

During the discussion, assist the participants to consider the following areas:

- How women are sexually as well as financially exploited by corruption: involuntary marriage, the demand for sexual favours in exchange for land, the theft of widows' land by male relatives and neighbours, the theft of bribe money when outbid by a bigger bribe.
- How traditional marks of respect (for example, offering kola nuts to a village chief) have evolved into a de-facto demand for "drink money" (bribes) to influence land allocation and the resolution of land disputes.
- Recognising the opportunities for redressing the dispossession of women under "customary freehold" and its provision of access to the statutory courts.
- Pay particular attention to similar examples of the dispossession of women and girls, especially widows, in the participants' own country.

2. PLANNING A GENDERED LAND STORY

Facilitation mode: 

Ask the participants to read “Efie’s Story” from *Case Study 2: Gendered Land Corruption in Ghana* again and to work individually to consider how it might be used as the basis of an investigation. Participants should use the following questions to develop a story development plan:

- What is unjust, illegal or corrupt in this case?
- Who or what, in your opinion, is the main driver of corruption in this case: the Tindana; Efie’s family; Ghana’s system of customary land law; foreign investors; other factors (such as climate change and population growth)?
- What is the hypothesis or question that your research will seek to support or disprove?
- What will be your primary and secondary sources to prove your hypothesis?
- Which “neutral” actors would you interview as potential “expert” witnesses?
- What fact(s) would disprove your hypothesis?
- What will be the most expensive element in the investigation’s budget?
- What is the rationale for running the story: how would you pitch the story’s value to your audience and your news editor?

Once all participants have completed their planning exercise, divide the group into small teams to discuss their answers and different approaches to investigating the story. Ask each group to select a spokesperson to present their agreed findings on how to approach an investigation of Efie’s story (also any dissenting opinions) to the other groups. Use a flipchart to write down common (and key dissenting) positions.

3. KEY STEPS IN DEVELOPING GENDERED LAND STORIES

Facilitation mode: 

Present the following list of recommended steps for participants to undertake when developing a gendered land story in their country contexts:

- Research and list organisations that are working on gender issues in your country.
- Ascertain if a gender commission (or similar official body) dealing with gender rights is in operation.
- Identify academic persons/institutes with a specific focus on women and land.
- Make a note of those individuals and organisations involved with inheritance rights of women, especially in relation to land.
- Find out whether any of those individuals and organisations maintain reliable studies/statistics on women’s land ownership and access.
- Research whether any current court cases revolve around women’s land ownership and access.
- Investigate current news stories where the gender dynamic might be deliberately hidden/omitted because of patriarchal attitudes.
- Identify any outspoken commentators on such issues (ideally women) who could be valuable sources.

2.3 VIOLATION OF COMMUNITY RIGHTS

Areas covered	Traditional versus modern ownership
Duration	60 minutes
Activities	<ol style="list-style-type: none"> 1. Case study: Maasai Denied Land Rights in Tanzania 2. Key steps in developing stories on indigenous land rights
Outcomes	<p>Upon completing the session, all participants should be able to:</p> <ul style="list-style-type: none"> • discuss the tensions between traditional/communal land rights and statutory systems of land use & ownership • discuss how nomads, hunter-gatherers and pastoralists are often left out of land rights legislation • identify methods for investigating competing claims between nomads and sedentary populations • identify methods for investigating violations of national legislation by foreign and local business entities • explain the necessity of building a paper trail of all the relevant contracts and documents
Materials / Equipment	<ul style="list-style-type: none"> • Laptop (with internet access) • Projector • Speakers • Flipchart • Marker pens
Resources	<ul style="list-style-type: none"> • Case Study 3: Maasai Denied Land Rights in Tanzania

1. CASE STUDY: MAASAI DENIED LAND RIGHTS IN TANZANIA

Facilitation mode:  

If possible, screen *Olosho* — a participatory video made by members of the Maasai community in Loliondo on their land rights struggle. The video is available to watch here: bit.ly/2iiMxGq (15 minutes). Note: Click the 'CC' icon at the bottom right of the player window to activate English subtitles.

Provide copies of *Case Study 3: Maasai Denied Land Rights in Tanzania* and work through the case study with the participants before exploring the following questions:

1. Do the pastoralist Maasai communities have customary rights to land? Have any of their rights been violated?
2. Did the company obtain the relevant approval from the Ministry of Lands and the Tanzania Investment Centre? Did they obtain a 'Certificate of Occupancy'? Who signed the documents? Was the land duly registered with the centre?

Guidance notes

- After their relocation 50 years ago to Loliondo, the Maasai communities may have acquired land rights in their new settlements, but not necessarily 'use rights' for grazing the area. Since they did not sign the 1992 agreement with the Otterlo Business Corporation, it is legally invalid.

- The Tanzania Investment Centre is mandated to allocate land to foreign investors. If it is private or community land, the title holder must return the deed, if it had been registered in their name. Since the communities did not consent, the land must have been considered unused (“general land” or “reserved land”). As Loliondo is also part of the Ngorongoro Conservation Area, it qualifies as reserved land. Under what conditions is it permitted to invest in a designated conservation area?

Present the following key questions, related to land corruption in this case, as examples of avenues for investigation of this (or similar) cases involving land grabbing by foreign companies:

- Who helped the company to obtain a contract?
- What is stipulated in the contract?
- Who signed the contract (ministry, parliament, local government)?
- What are they paying, and to whom?
- Who is holding the land title for this land?
- Is the company allowed to use private security forces to evict citizens?

Using the flipchart, share the following checklist for balancing rights and identifying violations:

- Start with the perspective of the victim
- Who has ‘access and control of land’ and who not?
- What means secure land rights for the community?
- How is property defined and registered in this community?
- Who has access to registration of property rights?
- How is land acquisition regulated?
- What are the risks of land corruption?
- What are the forms of land corruption?
- Who is influencing the decisions on land allocation/land transfer?

If time permits, encourage the participants to identify and discuss similar examples of the dispossession of nomadic/pastoralist communities by businesses (local or foreign).

2. KEY STEPS IN DEVELOPING STORIES ON INDIGENOUS LAND RIGHTS

Facilitation mode: 

Present the following list of recommended steps for participants to undertake when developing a land story involving indigenous people and their territories, in their country contexts:

- Research and list organisations that are working on indigenous/minority community rights issues in your country.

- Ascertain if an indigenous/minority rights commission (or similar official body) dealing with traditional land rights is in operation.
- Identify academic persons/institutes with a specific focus on indigenous issues.
- Make a note of those individuals and organisations involved with indigenous issues, especially in relation to land.
- Find out whether any of those individuals and organisations maintain reliable studies/statistics on traditional land ownership and access.
- Research whether any current court cases revolve around traditional community land ownership and access.
- Investigate current news stories on land issues where the indigenous/minority dynamic might be deliberately hidden, omitted or distorted by ethnic prejudice.
- Identify any outspoken commentators on such issues (ideally themselves from indigenous/minority communities) who could be valuable sources.

2.4 FORCED EVICTIONS FOR URBAN DEVELOPMENT

Areas covered	Development, urbanisation, planning & cadastres
Duration	60 minutes
Activities	<ol style="list-style-type: none"> 1. Case study: Evictions for Development in Nigeria 2. Key steps in covering urban development stories
Outcomes	<p>Upon completing the session, all participants should be able to:</p> <ul style="list-style-type: none"> • discuss the vulnerabilities of the landless urban poor • explain how land rights conflicts are often framed as ethnic conflicts to provide antagonists with an excuse for the clash • identify how corruption affects all layers of society • explain the tension between land rights laws and other authorities • explain how conflicts between clean and corrupt authorities can provide information and advance investigations • identify a wide variety of official and grassroots sources
Materials / Equipment	<ul style="list-style-type: none"> • Laptop (with internet access) • Projector • Speakers • Flipchart • Marker pens
Resources	<ul style="list-style-type: none"> • Case Study 4: Evictions for Development in Nigeria • Handout 7: Investigating Land in Nigeria (Institutional Sources)

1. CASE STUDY: EVICTIONS FOR DEVELOPMENT IN NIGERIA

Facilitation mode:  

If possible, screen the news report *Lagos Poor Left Homeless* by AFP available to watch here: bit.ly/2gKDnyO (2 minutes).

Provide copies of *Case Study 4: Evictions for Development in Nigeria* and work through the case study with the participants, up to the section entitled “The Lagos Master Plan”. Ask the participants to discuss the implications of what they have learned about the Lekki Peninsular demolitions, exploring the following key discussion points:

- How did the Nigerian media report the demolitions, and why did they take that approach?

Guidance notes | Possible reasons for participants to identify include:

- Class / ethnic prejudice against poor communities.
- Acceptance of the dominant developmental narrative of the developers/authorities.
- Possible bribes paid to journalists (“brown bag journalism”).
- A lack of investigative journalism instincts/analysis (a failure to “see the story”).

- A lack of on-the-ground contacts in poor communities (the weakness of “telephone/Google journalism”).
- Repeating the shallow reportage of other media (being a gossip rather than a journalist).

- How some corrupt land development practices date back to the pre-democratic era of military rule but are now institutionalised.
- How corruption filters down to lower levels (for example, police are suborned to support gangsters)
- How the undocumented waterfront communities are made vulnerable as a result of having no title deeds or cadaster, despite having occupied the land for over 200 years.
- How, despite the Egun communities having lived for centuries alongside their Yoruba neighbours, ethnicity is used as a rationale for the conflict.

Continue working on the case study up to (but not including) the section entitled “Challenges of Land Corruption in Lagos”. Facilitate a short discussion (making a note of key points raised on the flipchart) around the following discussion points:

- How land corruption undermines the authority of the Lagos State Assembly, High Court and directly contradicts Nigerian legislation enshrining land rights.
- How these contradictions allow for a possible contestation between clean and corrupt authorities.
- How urbanisation and city/town planning problems affect vulnerable communities in participants’ own countries.
- How land rights activists and threatened communities can fight back against illegal dispossessions, for example: community mobilisations and demonstrations, legal challenges to corrupt developers/authorities based on land rights laws, appeals to international bodies (for example, Amnesty International) and tribunals (for example, African Commission on Human and People’s Rights), etc.

Work through the final section of the case study (“Challenges of Land Corruption in Lagos”) and refer participants back to *Handout 7: Investigating Land In Nigeria (Institutional Sources)*, provided in the previous session, for further discussion. Work with the participants to re-examine the Lekki dispossessions in-depth, suggesting ways in which an investigation into the case could proceed. Explore the following discussion points, making a note of key points raised on the flipchart:

- How bureaucracy slows down or even stops legitimate processes.
- How corruption can include the media and the courts as well as criminal gangs used by developers/authorities.
- How conflicts between clean and corrupt authorities can give you information and advance your investigation.
- How a wide variety of official/company and grassroots/community sources are required to prove your case and round out your investigation.

2. KEY STEPS IN COVERING URBAN DEVELOPMENT STORIES

Facilitation mode: 

Present the following list of recommended steps for participants to undertake when developing a land story involving urban development issues, in their country contexts:

- Research and list organisations that are working on urban development issues in your country.
- Ascertain if a state urban renewal commission or other official body dealing with urban development is in operation.
- Identify academic persons/institutes with a specific focus on urban development, social housing, public spaces, informal settlements, etc.
- Make a note of those individuals and organisations involved with land ownership/usage rights of newly-urbanised and poor city residents.
- Find out whether any of those individuals and organisations maintain reliable studies/statistics on urban poor land ownership and access.
- Research whether any current court cases revolve around the urban poor's land ownership and access.
- Investigate current news stories on land issues where the urban poverty aspect might be deliberately distorted by a developmentalist/privatisation agenda.
- Identify any outspoken commentators on such issues (ideally themselves from poor urban communities) who could be valuable sources.

2.5 LARGE-SCALE LAND-BASED INVESTMENT

Areas covered	Neo-colonialism, land grabs and land speculation
Duration	60 minutes
Activities	<ol style="list-style-type: none"> 1. Case study: Encroachment by an Investor in Kenya 2. Developing stories on foreign investment 3. Researching foreign investments 4. Key steps in covering foreign investment stories
Outcomes	<p>Upon completing the session, all participants should be able to:</p> <ul style="list-style-type: none"> • describe the potential threat posed to endogenous communities by corrupt or poorly-monitored large-scale foreign direct investment in land • explain the concept of “neo-colonialism” in the context of the post-2008 land grabs across Africa • describe how the suborning of traditional authorities via corruption undermines land rights • discuss the breadth and impact of unregulated/unmonitored large land investments • describe ways to identify and investigate corruption in large-scale foreign direct investment in land, in one’s own country • explain the difference between developmental and speculative foreign investments in land
Materials / Equipment	<ul style="list-style-type: none"> • Laptop (with internet access) • Projector • Speakers • Flipchart • Marker pens
Resources	<ul style="list-style-type: none"> • Case Study 5: Encroachment by an Investor in Kenya • Annexe II: Support and Resources for African Investigative Journalists

1. CASE STUDY: ENCROACHMENT BY AN INVESTOR IN KENYA

Facilitation mode:  

If possible, screen *The Scramble for Yala Swamp* – a news report by Friends of Yala Swamp available to watch here: bit.ly/2yOM4Ti (25 minutes).

Provide participants with copies of *Case Study 5: Encroachment by an Investor in Kenya* and work through the first section of the case study (up to the section “Violation of National Laws”) with the participants. Facilitate a discussion, using the discussion points below, writing key points on the flipchart:

- The very broad impact of unregulated/irregular/unmonitored large-scale land investments.

Guidance notes | Possible impacts for participants to identify include:

- Loss of livelihood and earnings through dispossession/encroachment.
- Loss of biological diversity (fish and bird life) due to poor environmental impact assessment compliance and swamp reclamation/drying-out.
- Loss of livestock due to pesticide use, and loss of grazing land/livestock/food crops.
- Possible health risks including cancer and miscarriages due to pesticide use.
- Downstream negative effects such as water table loss, the loss of filtration by the swamp into Lake Victoria, and the impact on communities further downstream of the diversion of water channels.

- The violations implied in the Dominion Farms case as potential starting points for investigative journalists working on the case.
- The danger posed by “mission creep” as Dominion’s original rice-paddy concept expanded to include animal husbandry (requiring swamp drainage) and the plantation of dry-land crops (requiring water diversion).
- How this “mission creep” was enabled by an apparently fraudulent purchase of a leasehold extension from the Siaya County Council that appears to have included no further environmental impact assessment.
- Not all Foreign Direct Investment in land is developmental; some is purely speculative, to sell onwards to developers (including the state) at inflated prices or used as collateral with banks and other financial institutions.
- While some developmental Foreign Direct Investment does develop the surrounding area (road upgrades, power plant installations, new public facilities, etc.), many exist purely for self-contained profit-taking and often employ very few locals.
- The concept of “neo-colonialism” in the context of the post-2008 land grabs across Africa. In particular, how, as with the original colonialism, neo-colonialism is enabled by “comprador” local authorities who act as enforcers (including deploying police) of deals that benefit the few at the expense of the majority.

2. DEVELOPING STORIES ON FOREIGN INVESTMENT

Facilitation mode:  

Ask participants to take five minutes to write down an example of a similar case, of dispossession of land by a large-scale foreign investor, in their own country. Ask them to encapsulate their story idea as a story hypothesis in a single paragraph. Once complete, invite each participant to present their hypothesis using the flipchart. Encourage the group to briefly respond, critique, and offer suggestions for improving each hypothesis.

3. RESEARCHING FOREIGN INVESTMENTS

Facilitation mode:  

Continue working through *Case Study 5: Encroachment by an Investor in Kenya* and ask the participants to suggest further avenues for investigation in the Dominion Farms case. Assist the participants to cross-reference each idea with their own story hypothesis, developed during the previous activity.

If time permits and internet access is available, direct trainees to *Annexe II: Support And Resources For African Investigative Journalists* where they can follow the link to the *Thomson Reuters' Wealth of Nations*, which shows how many of the large-scale investments in Africa produce illicit/undeclared wealth; the profit from which is siphoned out of the continent without paying tax. This resource is a crucial tool in monitoring non-compliant Foreign Direct Investment companies. Invite the participants to also follow the link to the guidebook *Follow the Money: A Digital Guide to Tracking Corruption*, which deals with how to find money hidden offshore, how to do online company searches, digital security and much more.

4. KEY STEPS IN COVERING FOREIGN INVESTMENT STORIES

Facilitation mode:

Present the following list of recommended steps for participants to undertake when developing a story involving Foreign Direct Investment issues, in their country contexts:

- Research and list organisations that are working on investment rights issues (such as a Chamber of Commerce, and foreign embassies' trade missions) in your country.
- Establish the usage/land rights of the communities affected (including men and women) and those of the investor(s).
- Research what kind of Memorandum of Understanding exists between the investor(s) and government, including what rights and obligations are registered. This information may be available from the land commission/ministry.
- Check the background of the investor via the “Panama Papers” to establish where the money coming from. Reports and data from national Corporate Affairs Commissions may also be online and can provide details of ownership.
- Ascertain if a Foreign Direct Investment commission or other official body dealing with investment rights is in operation.
- Identify academic persons/institutes with a specific focus on Foreign Direct Investments and land issues in general.
- Make a note of those individuals and organisations dealing with the rights of foreign investors regarding land.
- Find out whether any of those individuals and organisations maintain reliable studies/statistics on foreign investors' land ownership and access.
- Research whether any current court cases revolve around Foreign Direct Investment-related land ownership and access.
- Investigate current news stories on land issues where the Foreign Direct Investment aspect might be distorted by xenophobia or political bias.
- Identify any outspoken commentators within the foreign investor community on such issues who could be valuable sources.

2.6 PROFITEERING FROM LAND REFORMS AND PRIVATISATION

Areas covered	Land as a tool of political patronage
Duration	60 minutes
Activities	<ol style="list-style-type: none"> 1. Case study: Land Reform Equals Land Theft in Zimbabwe 2. Researching stories on land reform 3. Key steps in covering land reform stories
Outcomes	<p>Upon completing the session, all participants should be able to:</p> <ul style="list-style-type: none"> • describe how state land reform/improvement programmes can be abused • explain how access to land is often used to secure political patronage • discuss how corruption in land development is often gendered • discuss the weaknesses of relying on traditional authorities to fairly redistribute land, without an independent oversight body • recognise that where there is a lack of transparency in land acquisitions, corruption is almost inevitable • identify the wide variety of abuses that can occur (breaches of the law, human rights violations, sexual predation, etc.) • explain the motivations for and benefits of land reform • describe how to “follow the money” by building a paper trail to see who benefits
Materials / Equipment	<ul style="list-style-type: none"> • Laptop (with internet access) • Projector • Speakers • Flipchart • Marker pens
Resources	<ul style="list-style-type: none"> • Case Study 6: Land Reform Equals Land Theft in Zimbabwe

1. CASE STUDY: LAND REFORM EQUALS LAND THEFT IN ZIMBABWE

Facilitation mode:  

If possible, screen *Chisumbanje Women, Land and Corruption* – a documentary by Transparency International available to watch here: bit.ly/2xOCIfI (16 minutes).

Provide copies of *Case Study 6: Land Reform Equals Land Theft in Zimbabwe* and work through the first two sections of the case study with the participants, pausing before the section “Corruption Laws in Zimbabwe”.

Encourage participants to discuss and identify ways in which customary and statutory land rights appear to have been violated in the Green Fuel project. List the main points on a flipchart. Next, facilitate a discussion around the specific ways in which anti-corruption laws and human rights (including women’s and environmental rights) have been violated. Make a separate list of the ideas generated.

Facilitate a discussion to explore the following key points:

- The origins of the Green Fuel project as a private business enterprise in conjunction with a state-owned enterprise.

- The controversial Fast-Track Land Reform Programme was supposed to give land to landless peasants. Rautenbach is a wealthy white Zimbabwean, and as such he is not supposed to benefit from the programme. Meanwhile, more than 1,700 black households have been reduced to poverty.
- The possible motives behind corrupting the system of the various involved parties.

Guidance notes | Possible motives for participants to identify include:

- Profit for the Green Fuel investor consortium (including the Agricultural Rural Development Authority).
- Income for the local government to whom the lease for the land is paid (but which fails to pass the benefit on to the affected community).
- A large biofuel industry which makes fuel, tax revenue and foreign exchange via sales abroad available to the cash-strapped ZANU-PF central government.

- Whether the almost complete lack of transparency enabled corruption or whether it was deliberate to hide corruption.
- Whether this is a case of land reform being used to secure the political patronage of the business elite.

Use the following guiding questions to deepen the discussions:

What is the human rights issue, what is the land issue, what the land corruption?

Guidance notes

Human rights and women's rights are violated because land rights are not registered and/or enforced. Corrupt practices emerge because there is no legally binding procedure for large-scale investment, but rather a political decision to invest in ethanol and to try a public-private partnership to solve energy problems.

What is the underlying land conflict?

Guidance notes

No transparency in land rights, no cadaster, no registered land rights, no boundaries, no FPIC before investment, low awareness of land rights, community land rights not registered, hence not protected.

What type of corruption is encountered?

Guidance notes

We find two levels of corruption: on the community level, it is about having access to and/or profiting from compensation; and corruption in the acquisition of the lease for 40,000 hectares of land.

2. RESEARCHING STORIES ON LAND REFORM

Facilitation mode: 

Continue working through *Case Study 6: Land Reform Equals Land Theft in Zimbabwe* through to the end. If internet access is available, ask participants to undertake individual online research into the four entities that form part of the Green Fuel investor's consortium. In particular, ask them to look for information on:

- Background on what makes Rautenbach a powerful and controversial figure.

Guidance notes | Possible areas for participants to explore include:

- Rautenbach's "Wheels of Africa" trucking empire.
- The tax evasion case against Rautenbach in South Africa.
- The appearance of Rautenbach on the UN sanctions list.
- Allegations that Rautenbach's mining operations in the DRC are fuelling ongoing conflicts.

- Valid and verifiable documentation on Green Fuel the company and its earnings, including shareholding and beneficiaries.

Guidance notes | Possible areas for participants to explore include:

- Company reports and annual financial statements.
- News and parliamentary reports.

Once complete, divide the participants into groups and ask them to agree among themselves what the best, most reliable sources of information on the Green Fuels investor's consortium is, and indicate where their investigation would take them next. Ask a spokesperson for each group to present their conclusions on the flipchart.

3. KEY STEPS IN COVERING LAND REFORM STORIES

Facilitation mode: 

Present the following list of recommended steps for participants to undertake when developing a story involving land reform issues, in their country contexts:

- Research and list organisations that are working on land reform issues in your country.
- Check the website of Land Policy Initiative (see *Annexe I: Sources And Links On Land Rights*), and other international bodies accompanying the reform process, for their recommendations and critiques.
- Research organisations dealing with agricultural reform/food-security/GMO for critiques on the land reform.

- Ascertain if a land reform commission or other official body dealing with land ownership/usage patterns is in operation.
- Identify academic persons/institutes with a specific focus on land reform programmes.
- Make a note of those individuals and organisations dealing with the land ownership/usage rights of previously dispossessed/rural poor communities.
- Find out whether any of those individuals and organisations maintain reliable studies/statistics on rural poor land ownership and access.
- Research whether any current court cases revolve around rural poor community's land ownership and access.
- Investigate current news stories on land issues where the rural poverty aspect might be deliberately distorted by a nationalist/reform agenda.
- Identify any outspoken rural poor commentators on such issues (ideally themselves from poor rural communities) who could be valuable sources.

2.7 DEEPENING STORY DEVELOPMENT

Areas covered	Story viability, alternate angles, troubleshooting
Duration	15 minutes of instructions 120 minutes assignment activity (recommended for workshop break days or overnight) 60 minutes of discussions
Activities	1. Assignment: Ready-Made Towns
Outcomes	Upon completing the session, all participants should be able to: <ul style="list-style-type: none">• discuss their revised story hypothesis and data maps, suggesting improvements• discuss the strengths and weaknesses of the detailed evidence list/paper trail• develop accurate time/budget estimations• refine a real-life story hypothesis• understand how investigations and stories evolve and generate updates/new stories• identify trends as a means of developing stories
Materials / Equipment	<ul style="list-style-type: none">• Flipchart• Marker pens
Resources	<ul style="list-style-type: none">• Assignment 6: Ready-Made Towns• KAS Investigative Journalism Manual (Chapter Six)

1. ASSIGNMENT: READY-MADE TOWNS

Facilitation mode:  

This assignment is best undertaken by participants in between workshops, either during break days or as an overnight activity.

Provide participants with copies of *Assignment 6: Ready-Made Towns*. Explain the assignment requires them to read the article thoroughly and be prepared to discuss the technical challenges in this investigation. Participants should also read *Chapter 6: Basic Research – Skills and Tools* of the *KAS Investigative Journalism Manual*.

Once they have completed the reading of the two texts, the participants will need to revisit their story ideas (including hypothesis and source map) developed during *Assignment 5: Story Example (The Point)*, including undertaking the following:

- Revise the story hypothesis and spider diagram of sources.
- Create a detailed list of the documentary or verbal evidence required to prove the case.
- Make a preliminary data map of the nature of the relationships between sources, evidence and story elements.
- List potential challenges to the investigation.
- Generate a realistic timeline and budget estimations.

If conducting this activity during a break in workshop days (or overnight), the following activities will take place when the workshop next convenes.

Once the assignments have been completed, allow time for participants to briefly raise issues/questions they might have from reading both texts. Ask participants to discuss the technical issue that emerged from their reading of the story in *Assignment 6: Ready-Made Towns*. Stress how the information behind the story was based on prior research (and thus how stories evolve and produce follow-ups and new story hypotheses), how many sources were accessed, how gaps were filled; and discuss the results.

Guidance notes | In particular, take time to emphasise the following key points:

- The origin of the idea for the investigation lay in the Deloitte annual report, which is only mentioned in passing.
- The range of sources accessed: from news reports to developer videos, interviews, and studies by development specialists.
- The definition of three different types of private cities being built in Africa (this is the journalist's own analysis).
- The use of identical cost and other measures to ensure that the developments can be easily compared by the reader.
- The highlighting of problems: the legal issues dogging Centenary City and Tatu City; the “class exclusivity” of Eko Atlantic; the failure of Hope City; the teething problems of Kilamba – and the potential here for several further investigations.

Invite each participant to present their revised story plans and source maps (spider diagrams) by drawing on the flipchart. Allow their fellow participants to critique the strength of their revised hypothesis, evidence list, timelines and budgets. Assist the group to anticipate possible challenges (bureaucracy, lack of resources, political interference, etc.) that may threaten the investigation and discuss strategies for overcoming them.

Divide participants into small groups. You may choose to reconvene the same groups as during the previous assignment – *Assignment 5: Story Example (The Point)* – or form new groups to encourage fresh ideas. Provide each group with a sheet of flipchart paper.

Ask each group to work together to elaborate and deepen one of the story ideas presented. If the groups struggle to choose story to develop, you may have to choose for them. Ask a representative of each group to present their ideas and recommendations, using the flipchart paper provided. Encourage those from other groups to provide feedback and encourage everyone to discuss the ideas presented and share recommendations for next steps.

3.1 LEGAL ENVIRONMENT OF THE INVESTIGATIVE JOURNALIST

Areas covered	Legal challenges, press codes, interlocking datasets
Duration	60 minutes
Activities	<ol style="list-style-type: none"> 1. Researching press freedoms 2. Analysing legal landscape for press 3. Case study: Access to Information
Outcomes	<p>Upon completing the session, all participants should be able to:</p> <ul style="list-style-type: none"> • describe the press freedom, free expression, and freedom of information environment in their own country • identify whether constitutional free press/speech protections are honoured, and how they are limited • describe the applicable press/broadcasting codes of ethics • identify the powers and limitations of the media under statutory acts • identify the challenges posed by criminal defamation/insult laws • discuss the status of freedom of information laws • recognise the need to search for interlocking document sets
Materials / Equipment	<ul style="list-style-type: none"> • Presentation on legal landscape in participants' country (facilitator to create) • Laptops (with internet access) • Projector • Flipchart • Marker pens
Resources	<ul style="list-style-type: none"> • Case Study 7: Access to Information • Annexe II: Support and Resources for African Investigative Journalists

1. RESEARCHING PRESS FREEDOMS

Facilitation mode:  

If sufficient laptops (or mobile devices) with internet access are available, direct participants to research their own country's press freedom status and record their findings in bullet points. If this is not possible, the facilitator should compile bullet points on the country (or countries) in question before the workshop, and then ask participants to discuss what it means in terms of real stories in their country. Some useful sources of information on press freedom around the world include:

- The *Press Freedom Index* published annually by Reporters Without Borders (bit.ly/1YGtJug)
- The *Freedom in the World* report published annually by Freedom House (bit.ly/1LaTvmr)
- Reports published by the Committee to Protect Journalists (bit.ly/2jHDEft)
- Country profiles published by Amnesty International (bit.ly/2ghrJee)
- Country reports published by Human Rights Watch (bit.ly/2iki76C)

Ask participants to read out their research findings, working with the group to consolidate them on the flipchart and reach agreement on the status of press freedom in the country/countries in question.

Refer participants to the section on “*Press Freedom Links*” in *Annexe II: Support and Resources for African Investigative Journalists* for further information. If possible, use the laptop and projector to show each linked resource briefly.

2. ANALYSING LEGAL LANDSCAPE FOR PRESS

Facilitation mode:  

Give a short presentation on the current legal landscape for press and media in the participants’ own country/ countries (note: this needs to have been pre-prepared by the facilitator based on independent research). Using the flipchart, work with the participants to undertake a SWOT analysis (see *Training Methods*) of the current situation(s) facing the press and media in the country/countries in question.

Once the SWOT analysis is complete, facilitate an exploration of the legal landscape(s), focussing on the following key areas*:

1. The country’s constitutional provisions for free speech and media; how often these are upheld in practice and what the restrictions are on:
 - hate speech and incitement to violence
 - sedition and treason
 - national security and state secrets
2. The country’s press/broadcasting code (assuming such exists) and its media regulatory system (self-regulation, state-regulation, or state-and-self-regulation). Discuss in particular any provisions relating to:
 - balance, fairness, accuracy and honesty
 - defamation and privacy
3. The key statutory acts affecting media and press freedom in the country, including:
 - newspaper and broadcasting licensing laws
 - national security and anti-terrorism laws
 - libel and privacy laws
 - hate speech and incitement laws
 - media ownership laws
 - media content/language/ethnicity laws
4. The status of “access to information” laws. Some African countries (for example, South Africa) have such acts in operation while many others have not passed such laws yet, even where they have officially committed to doing so. Explore the following questions about the country in question:
 - Is there an “access to information” law in place?

- How easy is it to access official documentation?
 - If there is an “access to information” law, how does it work and how effective is it?
5. The status of criminal defamation/insult laws and how such laws are, or might be, used to silence critics of the president/head-of-state or even lesser officials.
6. The Table Mountain Declaration (see *Annexe II: Support And Resources For African Investigative Journalists*) calls for the repeal of such legislation across Africa. Explore the following questions about the country in question:
- Is the country a signatory to the declaration?
 - If so, which bodies enforce its compliance?

* The facilitator needs to have previously researched all of the above areas and questions, compiling a bullet-point list of the findings and extracts from relevant sections from key documents.

3. CASE STUDY: ACCESS TO INFORMATION

Facilitation mode:

Provide copies of *Case Study 7: Access to Information* and work through the text with the participants. Encourage participants to discuss the case study, while highlighting the following key aspects of the investigation and story development:

- The origins of the story lay in the journalist's scepticism towards stories published in other newspapers, which he suspected represented a political “hatchet-job”.
- The journalist had assistance from a skilled organisation (South African History Archives) in filing a “Promotion of Access to Information Act” application.
- Despite the lack of access to Security Branch files, there was an interlocking document set created by the Justice Department. Major state operations involve several agencies, so even if one agency has destroyed or lost its records, it is likely another agency has similar sets.
- The clear public interest in publishing the story: defending the reputation of an honourable man, exposing those who were trying to prevent the prosecution of corruption, saving public expense on the Hefer Commission, etc.

3.2 RESEARCHING YOUR LAND RIGHTS CASE

Areas covered	Databases, digital vs hard-copy, paper research, social media, fake news
Duration	60 minutes
Activities	<ol style="list-style-type: none">1. Research resources2. Assignment: Internet Research3. Identifying fake news
Outcomes	Upon completing the session, all participants should be able to: <ul style="list-style-type: none">• identify available research resources (hard copy, online and in-person)• explain methods for building/accessing expert databases• describe different methods of refining online research• discuss the irreplaceable value of field research• explain how to build a database for a story• discuss the pros/cons of social media as a source• differentiate between “fake news”, satire and manipulated arguments• discuss techniques for managing relationships with “beat contacts”
Materials / Equipment	<ul style="list-style-type: none">• Laptop (with internet access)• Projector• Flipchart• Marker pens
Resources	<ul style="list-style-type: none">• Assignment 7: Internet Research• KAS Investigative Journalism Manual (Chapter Six)

1. RESEARCH RESOURCES

Facilitation mode: 

Ask participants how they source their information when researching stories. Use cards or a flipchart to record the different methods identified. Ask the participants to consider and discuss how much of their information gathering takes place via:

- internet searches and social media
- hard copy research at a library or archive (book, journal, registry, private papers, correspondence, etc.)
- expert databases or “beat contacts”
- field-based research

Work with the participants to develop a SWOT analysis (see *Training Methods*) of these four research sources. Once complete, facilitate a short discussion on the outcomes of the analysis and ask participants to consider and discuss the following:

- How do they build and maintain “beat contacts”?
- What spoken or unspoken rules govern those relationships?
- How can we use various resources (company registries, tax authorities, vehicle licensing bureaus, title deeds registry, court records, etc.) to build our database?

2. ASSIGNMENT: INTERNET RESEARCH

Facilitation mode:  

Provide participants with copies of *Assignment 7: Internet Research*. Work through the list of techniques for optimising search results, ensuring all participants understand the purpose of each and the steps required. If a sufficient number of laptops (and internet access) is available, ask the participants to perform each function as you work through the list. If this is not an option, demonstrate each step using a projector.

3. IDENTIFYING FAKE NEWS

Facilitation mode:  

Facilitate a discussion around propaganda (false-flag operations or “fake news”) and encourage participants to share examples they have encountered. If necessary, give some high-profile examples such as the “Weapons of Mass Destruction” propaganda that led to the second Gulf War, or the bot-driven “Pizzagate” Twitter storm on the eve of the 2016 US presidential election. If possible, use a laptop and projector to show the *How To Spot Fake News* resource published by FactCheck.org.

Guidance notes | During the discussions, encourage the participants to:

- Stick with reputable sources.
- Always check what the source for a story is, and to consider what their motivation might be.
- Pay special attention to manipulated statistics, gerrymandered or poor poll sizes, and figures that don't add up.
- Double-check graphs and tables for manipulated baselines, distorted scales, percentages that don't add up to 100, etc.
- Use fact-checking websites such as FactCheck.org, PolitiFact.com and Snopes.com, which have guides on how to spot and respond to fake news.

If there is time and you have internet access, use a laptop and projector to show the *Data Journalism Handbook* (bit.ly/1hZXrFi) published by the Open Knowledge Foundation, and briefly guide the participants through the contents page.

Chapter 6: Basic Research – Skills and Tools of the *KAS Investigative Journalism Manual* provides useful background information and further reading for the facilitator and participants.

3.3 CONSTRUCTING A LAND CORRUPTION STORY

Areas covered	Story forms, narrative flow, story structure
Duration	60 minutes
Activities	<ol style="list-style-type: none">1. Reporting challenges2. Story shapes and forms3. Writing techniques4. Constructing a land rights investigation
Outcomes	Upon completing the session, all participants should be able to: <ul style="list-style-type: none">• describe and use various story forms and shapes• identify the appropriate story form or shape to illustrate a story• explain methods for sorting and organising information before writing• discuss methods for structuring stories to present results of investigations clearly• describe methods for building credible and logical arguments• identify various writing techniques (including narrative journalism) to engage readers
Materials / Equipment	<ul style="list-style-type: none">• Flipchart• Marker pens
Resources	<ul style="list-style-type: none">• Handout 8: Story Shapes• Handout 9: Story Forms• Handout 10: Write Tight!• KAS Investigative Journalism Manual (Chapter Seven)

1. REPORTING CHALLENGES

Facilitation mode: 

Facilitate a short discussion on the various challenges reporters face when writing complex stories. Encourage participants to share challenges they and/or their colleagues have faced. List these on the flipchart. Work with the participants to identify the underlying causes of these challenges.

Guidance notes | Possible causes for participants to identify include:

- having too much information
- having too little “hard” information
- having too little “human interest” content
- lacking other key information to tell the story fully, such as context, human interest, proof, etc.

2. STORY SHAPES AND FORMS

Facilitation mode: 

Provide participants with copies of *Handout 8: Story Shapes* and *Handout 9: Story Forms*. Work with participants to explain the process of working through a story, looking first at the building blocks and then at the potential story shapes.

Invite the participants to read the descriptions for each story shape and then get them to discuss the pros and cons of each shape. Discuss Story Forms in terms of how you want to present your information, the nature of the story, and the objective of engaging your audience.

3. WRITING TECHNIQUES

Facilitation mode: 

Provide participants with copies of *Handout 10: Write Tight!* and guide the group through the recommendations for writing and revising techniques, providing examples where necessary.

Once complete, facilitate a discussion on the uses and limitations of different writing approaches for investigative stories. Discuss differences in story presentation and packaging between print, broadcast and online media.

4. CONSTRUCTING A LAND RIGHTS INVESTIGATION

Facilitation mode: 

Ask participants to consider how they would construct their own land rights stories and ask each to write down their suggestions for the following, based on the stories they are developing:

1. Story shape, form and narrative voice they would use.
2. What story elements they would employ, for example, primary text, sidebars, audio-visual elements, fact-boxes etc.

Once complete, ask each participant to present their ideas to the group.

Chapter 7: Writing The Story of the KAS Investigative Journalism Manual provides useful background information and further reading for the facilitator and participants.

3.4 LAND CORRUPTION STORY PRESENTATION

Areas covered	Photographs, graphics and documents, headlines and hypertext
Duration	30 minutes
Activities	<ol style="list-style-type: none">1. Illustrating stories2. Clarifying complex stories3. Unpacking land rights investigations
Outcomes	Upon completing the session, all participants should be able to: <ul style="list-style-type: none">• determine elements required to illustrate a story (photographs, graphics, documents, hypertext, audio-visual recordings, etc.)• explain the law and ethics of using photographs (the law on prisoners, children, privacy, decency and taste, drones, etc.)• discuss the need for clear, honest and accurate graphics• identify the necessity of backing-up stories with key resources (documents, hypertext links to online sources, and audio-visual recordings of interviewees/suspects, etc.)
Materials / Equipment	<ul style="list-style-type: none">• Flipchart• Marker pens
Resources	<ul style="list-style-type: none">• Handout 11: Unpacking Complex Stories• KAS Investigative Journalism Manual (Chapter Seven)

1. ILLUSTRATING STORIES

Facilitation mode:  

Facilitate a discussion with participants around approaches, techniques and key elements to consider when illustrating stories. Stress the importance of avoiding unnecessary visual clutter; maintaining only those elements essential to strengthen your story and make it more accessible and easy to understand. Discuss techniques for reinforcing your investigative assertions such as the inclusion of documentaries, audio/visual content, references to supporting articles or research (using hyperlinks).

Explore key technological developments, such as drones, and their use as a newsgathering tool. Discuss the associated ethical considerations of drone use (within a newsgathering context) and those relating to audio/visual evidence (photographic, video, audio recording, etc.) in general, particularly in relation to how it was collected (overt/covert).

2. CLARIFYING COMPLEX STORIES

Facilitation mode:  

Provide participants with copies of *Handout 11: Unpacking Complex Stories* and work through the list of questions included, ensuring each is understood. Emphasise the importance of focussing and refocussing, rewriting the story for clarity, developing a logical flow, gap-spotting, and writing succinct and engaging copy.

3. UNPACKING LAND RIGHTS INVESTIGATIONS

Facilitation mode:



Invite each participant to briefly present how they would “unpack” their own land rights stories, using the flipchart to share their answers to the following key questions:

- What elements might be surplus and could be cut to clarify the story’s trajectory and objectives?
- What narrative, evidential, or illustrative elements might need to be added to strengthen the case?

Chapter 7: Writing The Story of the KAS Investigative Journalism Manual provides useful background information and further reading for the facilitator and participants.

3.5 INVESTIGATING LAND RIGHTS FROM A SMALL NEWSROOM

Areas covered	Budgetary, legal, and ethical challenges
Duration	60 minutes
Activities	<ol style="list-style-type: none"> 1. Cost-benefit analysis of stories 2. Public interest 3. Ethical decision-making 4. Accuracy and fairness
Outcomes	<p>Upon completing the session, all participants should be able to:</p> <ul style="list-style-type: none"> • describe the rights of journalists under international human rights codes • identify areas where investigative journalism most frequently comes into conflict with national criminal or civil law • describe the legal provisions related to these areas in their national legal code • describe the precautions an investigative journalist should take as protection against prosecution or civil suits, and potential defences should such suits take place • describe the general principles guiding ethical investigative reporting • discuss those principles in relation to examples and case studies • explain how to rotate investigative stories off the “back-burner” onto the “front plates” as the story matures • discuss the importance of selectivity in choosing which investigations to pursue
Materials / Equipment	<ul style="list-style-type: none"> • Flipchart • Marker pens
Resources	<ul style="list-style-type: none"> • Handout 11: Accuracy Checklist • KAS Investigative Journalism Manual (Chapter Eight)

1. COST-BENEFIT ANALYSIS OF STORIES

Facilitation mode:  

Facilitate a discussion around how one chooses what investigation to follow using a cost-benefit analysis. You can find more information about the techniques used for undertaking a cost-benefit analysis here: bit.ly/2eoiaaB.

Create a SWOT framework (see *Training Methods*) to perform a basic analysis, bearing in mind the following considerations:

- public interest
- potential impact
- volume of evidence required
- financial cost of proving the hypothesis
- foreseeable challenges and risks

Explain the importance of exercising “triage” on a story hypothesis. Describe techniques for assessing stories and key considerations to guide the assessment, such as:

- Set aside stories that are legally or ethically out-of-bounds, or where the cost-benefit analysis prohibits further investigation.
- “Slow-cook” stories that will inevitably take time to mature and fully develop. Consider whether the investigation could be run in the background while producing daily copy.
- Pursue stories that rapidly evolve, particularly those linked to the national political climate. Remember, you don’t always know everything at the outset and publishing the first chapter will loosen the tongues of other informants about stuff you didn’t know.
- Resist the temptation to be all things to all people or to cover all of the news: be judiciously selective in what is important for your readers/audience and investigate that in-depth, ignoring lesser stories; this will assist you with using a small budget to achieve great results.

If time allows and internet access is available, use a laptop and projector to present the *Investigative Reporting in Emerging Democracies: Models, Challenges and Lessons Learned* report (bit.ly/2yxdzxW), by the Centre for International Media Assistance, which gives models on how to operate in a low-budget poorly-resourced environment.

2. PUBLIC INTEREST

Facilitation mode: 

Explore with participants the difference between media law and ethics, and encourage participants to share examples of when these did not converge in the following instances:

- defamation
- privacy
- official secrets
- access to information

Explore the concept of public interest by asking the following questions:

- What is public interest?
- How do we weigh it against the right of an individual to privacy; the national interest; or the right of communities to respect for their cultural practices?
- How do we distinguish between what is in the public interest or what is merely interesting to the public?

Present the following circumstances, under which a story might be considered to be in the public interest:

- detecting or exposing crime or serious misdemeanour
- detecting or exposing serious anti-social conduct
- protecting public health or safety
- preventing the public from being misled by some statement or action of an individual

- detecting or exposing hypocrisy, falsehoods or double standards of behaviour on the part of public figures or institutions

Discuss how a public interest story is the only justification for departing from the highest standards of journalism; including the compromises that might be made and under which circumstances.

3. ETHICAL DECISION-MAKING

Facilitation mode:



Facilitate a discussion on ethical decision-making. Encourage participants to answer the following questions:

- What are the principle ethical considerations when investigating stories?
- When should ethics be considered during the course of an investigation?
- Why are ethics important to the investigative journalist?

Emphasise how ethical decision-making is a key component of the investigation right from the conceptualisation of the story idea, and encourage participants to consider the following key ethical decision-making principles:

- tell the truth
- minimise harm
- stay independent
- remain accountable

4. ACCURACY AND FAIRNESS

Facilitation mode:



Provide participants with copies of *Handout 11: Accuracy Checklist* and allow sufficient time for everyone to read through the questions individually or collectively. Encourage the group to reflect on the importance of ensuring accuracy, fairness and balance in their stories.

Chapter 8: The Law and Ethics of Investigation of the *KAS Investigative Journalism Manual* provides useful background information and further reading for the facilitator and participants.

3.6 REVIEWING THE LAND RIGHTS INVESTIGATION PROCESS

Areas covered	Reviewing story hypotheses
Duration	30 minutes
Activities	<ol style="list-style-type: none">1. Next steps2. Sharing lessons learned3. Reviewing key messages
Outcomes	Upon completing the session, all participants should be able to: <ul style="list-style-type: none">• refine their land corruption investigative hypothesis with a view to getting it into print/on air• explain how they intend to use lessons learned during training in the real-time operating environment of their newsrooms
Materials / Equipment	<ul style="list-style-type: none">• Flipchart• Marker pens
Resources	None

1. NEXT STEPS

Facilitation mode:



Ask each participant to briefly summarise the next steps for their investigative hypothesis, after they return to their respective newsrooms. Write key points on the flipchart as each participant presents their plans.

Encourage the participants to consider their plans for undertaking the following key stages:

1. Pitching hypothesis to the news editor.
2. Investigation mapping and planning.
3. Strategic and forensic interviewing.
4. Building paper trail/evidence set.
5. Finding, analysing, packaging data.
6. Timelines and budgets.
7. Required supporting elements.
8. Story structuring and presentation.

2. SHARING LESSONS LEARNED

Facilitation mode: 

Review the participants' newsroom roles and discuss in particular how each intends to convey what they have learned to their news editor and other line-function bosses. Doing so is a crucial step that will determine whether the learning becomes part of the newsroom's daily practice.

Encourage all participants to commit to spending at least one hour debriefing their news editors, chief subs/producers, photographic chiefs, and graphics chiefs on the key elements of investigations. Doing so should ensure they are prepared to integrate new methods of pitching story hypotheses and proceeding towards the end goal of an investigation: a dynamic, legally sound, attention-grabbing story.

3. REVIEWING KEY MESSAGES

Facilitation mode: 

Using the flipcharts and other resources generated during the previous workshop sessions, reinforce the basic stages of investigation, the key concepts of land and corruption in Africa, and the research and presentation of an investigation. In particular, highlight the following key messages from the workshop:

- Understanding the challenges and opportunities of the legal environment in which investigative journalists work.
- Understanding how to access information (verbal/digital/paper) to prove your case.
- Knowing how to use the best story form, structure, voice, narrative flow and illuminating elements (photographs, audio-visual recordings, graphs and graphics, headlines and linked references).
- Knowing how to work effectively and efficiently in a resource-poor newsroom.
- Knowing how to pull it all together in a viable, legally defensible investigative story.

3.7 WRAP-UP & EVALUATION

Areas covered	Outstanding issues and questions, evaluation of training
Duration	30 minutes
Activities	<ol style="list-style-type: none">1. Final review of lessons learned2. Evaluation of training
Resources	<ul style="list-style-type: none">• Annexes• Evaluation forms

1. FINAL REVIEW OF LESSONS LEARNED

Facilitation mode:  

Review the flipchart pages and other resources placed around the room, moving swiftly through the entire course, highlighting key knowledge learned, key processes, where to go for further information and resources (including the *KAS Investigative Journalism Manual* and the *Annexes*). Ask participants to indicate one new thing they learned today which they will take back and share with their media organisations. Tackle any issues that have been parked during the training. Identify any issues not resolved during the learning and allow the group to discuss and recommend steps.

Ask participants to take a quick look again at *Annexes*, indicating that these will direct them to some of the best online resources on investigative journalism and land rights in Africa.

2. EVALUATION OF TRAINING

Facilitation mode: 

Provide participants with copies of the *Evaluation Form* and ask everyone to take time to provide detailed feedback on the quality of the training and the overall experience. Collect completed forms for self-evaluation and to assist you in reporting to whoever paid for the course to be run.

Give thanks and conclude.

CASE STUDIES

CASE STUDY 1: THE ABSENT SOWETO DEVELOPER

Investigative journalist Michael Schmidt heard about a Reconstruction and Development Programme housing development in Soweto, South Africa, that had ground to a halt because the developer had disappeared. Workers were protesting at the construction site, having been irregularly paid for months and then apparently abandoned completely.

Michael considered it the basis for a great story because most of the 22 workers digging the sewerage trenches lived in the terrible conditions of a squatter camp right next door – and they were in fact physically constructing their future – when suddenly, factors beyond their control saw their dream evaporate. Here is how Michael recalls the experience:

HOW DID THE STORY GET STARTED?

I chatted to the sub-contractor on-site, a man who was stuck in the middle of the conflict because he was the one the workers looked to for payment, yet he had not been paid. He said the primary contractor, who had landed an R4 million (US\$312,000) contract to lay the sewerage pipes in preparation for the suburb's construction, had been missing for six weeks and had defaulted on several payments to plant-hire companies and others. The sub-contractor, Abie Metsing, showed me a sheaf of documents that showed how the construction joint venture had been established. He claimed that he and his fellow joint venture partners had been conned in that none of the payments made by the Gauteng Province had wound up in their bank accounts, but had gone into the primary contractor's account.

WHAT DID YOU DO NEXT?

I then conducted an on-site visit, speaking not only to the sub-contractor but also to several of the workers, using my photographer as an interpreter, with the sub-contractor asked to keep his distance so he could not hear what was being said. This is where the real human element of the story came to the fore about squatter camp dwellers frustrated in their attempts to build their own new 292-house, one-school suburb.

WHAT DOCUMENTARY SOURCES DID YOU CONSULT AND WHO DID YOU TALK WITH?

- I examined Metsing's documents in detail to establish their validity.
- I spoke to Metsing's consortium partners to see how their version of events tallied with his own.
- I spoke to the Gauteng Provincial Housing Department officials with whom Metsing had registered his concerns in order to get the official view of events.
- I ran company and credit checks on the primary contractor and found a long string of bad debt judgments against him. I called all his creditors and asked for details of what had gone wrong: what and why he owed what he did.
- One of these interviews was very revealing in that the creditor claimed that many emergent black construction firms lived "hand to mouth" and "robbed" funds from one job to pay for another because the Gauteng housing department was too slow with paying what was owed. The credit checks additionally revealed that the primary contractor was himself in financial trouble and had sold his house to settle debts: this had occurred because of a bad business deal he had fallen prey to previously.
- I tracked down the primary contractor – who was allegedly ill – through his accountant, by driving to the accountant's office. I kept up a weekly conversation with both accountant and contractor to afford them the opportunity by cellphone, email and fax to respond. They failed to do so and three weeks later, we ran the story uncontested. The fact that I had established he himself was a victim of fly-by-night developers added to my nuanced understanding of the story.

WHAT RESULTED FROM THE PUBLICATION OF THE STORIES?

As the saying goes: "Tell no lies, claim no easy victories". So I can't claim any victories with the story other than having brought the issue to the attention of the authorities and put pressure on the contractor to sort out his affairs and aid the sub-contractors' workers, bearing in mind he was working in a difficult environment.

HOW LONG DID THE INVESTIGATION TAKE AND WHAT WERE THE MOST TIME-CONSUMING AND EXPENSIVE ASPECTS?

I investigated the story for one month. The most time-consuming aspects were seeing the site first-hand (vital to a fuller understanding of any story), trawling through all the documentation in detail, and finding the primary contractor. The most expensive aspect was the fuel costs of travel (Soweto and the East Rand) and the cost of running Cipro checks, though overall this was not an expensive investigation.

CASE STUDY 2: GENDERED LAND CORRUPTION IN GHANA

Widows in the Upper East Region of Ghana are particularly affected by traditional land practices. The death of a husband frequently leads to the loss of most, if not all, of their land; which is either sold or taken by members of their husband's family according to decisions reached by the traditional land administrator, known as the "Tindana". Because the land is rarely registered, women have no secure rights of access. Bribing the Tindana or re-marriage with a relative of the dead husband (typically a brother-in-law) is often the only means of continuing to provide food for their children.

There are no formal barriers to women obtaining land through market transactions, however low incomes, poor education, higher dependency and limited access to the profits of farming reduce women's ability to accumulate the resources needed to buy land. Meanwhile, women who do obtain access to land face other challenges. The plots granted or sold to women are typically smaller than those obtained by men, and women-led farms are less likely to have access to credit. Furthermore, mono-cropping is more widespread with more than half of women farming only a single crop (compared with 19 per cent of men), which has implications for nutritional intake and long-term food security.

Widowhood accentuates the vulnerabilities of women seeking access to land and is a widespread challenge in Ghana's Upper East Region. The case presented here illustrates the gendered distribution of corruption and the extent of the harm faced by women when they are unable to navigate corrupt systems of land governance and grievance redressal. The case highlights not only the failings of customary systems but also the need to expedite reform of statutory frameworks of land governance; to minimise the opportunities for local bodies to engage in corrupt practices.

EFIE'S STORY

In a small village a long journey away from central Bolgatanga, a young woman's husband died. She was left to provide for her 13-year-old daughter and 9-year-old son. In the Upper East Region, when a woman's husband dies she is expected to perform a set of rites. While these rituals vary across communities, there are several that are well known and widespread. Based on information ascertained from widows from ten different communities in the Bolgatanga Municipal District, widows of all ages are traditionally required to be stripped naked and bathed publicly, allowed to only wear a belt of leaves to cover her genitals and a rope around her neck. This rope must remain around her neck for the entirety of the mourning period, an ostracising signal to other community members of her widowhood.

After the death of Efie's husband, his family forced her to perform the traditional widow rituals. They did not initially seize her husband's land from her and allowed her to live in his house. After some time, however, her late husband's brothers began to encroach upon the land that she was given for personal use by her husband when he was alive. The territory became so small that she could not harvest enough to make a profit or, at a more basic level, satisfy the nutritional needs of herself and her children. Shortly thereafter, the house burned down. Because of financial constraints, societal pressure and the associated feelings of shame, Efie chose to not return to her father's home and went to live with her brother-in-law instead.

Upon moving in with her brother-in-law, he demanded that Efie marry him and join his family of two wives and several children. When she refused, he verbally assaulted both her and her young children on a daily basis. At times, he physically abused her. She decided to go to the Chief of her community in need of conflict resolution. Before doing so, she had to accumulate enough money to buy access to the Chief – or drink money. Since her husband's land was taken from her, she could no longer rely on subsistence farming for food and income.

Instead, she spent over 30 hours at a time on her feet brewing pito – a homemade beer – to be sold at a community drinking spot. Unable to find the cereal grains needed for the pito brewing process for several days, Efie begged her neighbours for money and fetched firewood from the bush to sell in the community. After accumulating enough drink money, she paid the Chief but he immediately sent her away, citing the inappropriate nature of bringing a private matter outside of the family. Several days later, her late husband's brother and mother physically assaulted her, citing a similar rationale.

Unable to overcome cultural barriers to seeking conflict resolution outside of the home, Efie accumulated sufficient drink money to approach the community's Tindana – the custodian of the land. She paid him and asked for a parcel of land upon which she can live and farm. He agreed, granting her a small plot of land on the edge of town in an area prone to flooding during the rainy season. With insufficient financial resources to procure tractor services, she manually tilled the land with a hoe. Other members of the community declined to help. One day after walking to town and back to purchase seeds, Efie returned to the parcel of land to find that someone else had already planted on the soil that she had tilled. The man who took the land told her that he paid the Tindana more than she had, effectively ending the informal verbal agreement Efie had with him. He threatened her with physical violence, so she left. Homeless and without sufficient income to provide for both of her children, she accepted a proposal from another family to marry off her 13-year-old daughter, ensuring a home and food security for her. With the money that she received in exchange for her daughter, she was able to rent a small room for herself and her son. She continued to brew pito and fetch firewood for income.

Source: *Women and Land in Africa: The Cost of Corruption* (Columbia SIPA/ Transparency International)

SYSTEMIC DENIAL OF RIGHTS

As Efie's story highlights, women face systemic violation of their rights to security of tenure and equal participation in decision-making. In her paternal home, the woman must obtain her father's permission to access familial land. In the marital home, this access is mediated by her husband or father-in-law. In the event of the husband's death, land remains in the hands of his family. In some cases, the widow may be allocated a different parcel of land by the family, though conditions such as marrying another male within the family may be attached.

The denial of land title by the Chief or Tindana, without consultation with the council of elders, is in violation of common law, but there is an increasing tendency across Ghana for these office-holders to assume absolute authority over decisions about the land. Access to land has thus come to hinge on the ability of both men and women to provide incentives for the Tindana to act in their favour.

In this setting, access to land increasingly comes to depend on the ability to negotiate with unaccountable, all-male authorities. Focus group interviews with female and male community members reveal the complex negotiations required to access traditional power structures. The offering of the kola nut as a mark of one's respect for the Tindana has evolved into the exchange of "drink money", envelopes of cash or other valuable commodities offered by individuals seeking a favourable decision. In the event of a dispute, the process of adjudication is thus determined by the extent to which the party to the dispute is better able to "negotiate" than the other.

The conflict between the exercise of power by the Chief or Tindana and the security of an individual or household tenure is fuelled by the absence of formal title in the customary system, preventing families and individuals from asserting rights of access to land under their cultivation. "Customary Freehold" provides a bridge between formal and customary land governance systems, granting a transferable right of indefinite duration to a member of the community without diminishing the shared "allodial title" (ownership without a landlord and determined by occupancy) over communal land. Such a system preserves the ability of the traditional authorities to grant titles according to local custom, while providing access for disputants to formal legal remedy, removing such decisions from the purview

of customary officeholders. Customary Freehold is recognised in the 1992 Constitution of the Republic of Ghana and was re-stated by the Attorney General in 2003, but has repeatedly been rejected by the National House of Chiefs.

Even in those instances in which widows successfully negotiate access to land, the parcel allocated is often infertile, waterlogged, rocky or on the extreme periphery of the community area; limiting the widow's ability to build a sustainable livelihood. Additionally, the absence of freehold title leads to continuing insecurity of tenure as the allocation (made through a verbal agreement) is frequently reversed with the Tindana revoking the widow's access in favour of another individual or family who has successfully "negotiated" access to the decision-maker.

FURTHER READING / KEY RESOURCES

Women and Land in Africa:

The Cost of Corruption

Columbia SIPA / Transparency International

bit.ly/2hQw5cl

Pakorpa Susangho (Widow's Cry) - video

Transparency International / InsightShare

bit.ly/2gLpqAN (15 minutes) /

bit.ly/2ynz1YI (5 minutes)

Gender and law: Women's rights in agriculture

FAO

bit.ly/2C4g0Ku

Culture, rural women and land rights in Ghana

GhanaWeb

bit.ly/2xNfrAH

Fighting land corruption in Sub-Saharan Africa:

Widows tell their story

Transparency International

bit.ly/2mV3jbi

Land and Political Corruption in

Sub-Saharan Africa

London School of Economics / Transparency

International

bit.ly/2CarLim

CASE STUDY 3: MAASAI DENIED LAND RIGHTS IN TANZANIA

BACKGROUND

In the late 1990s, Tanzania reformed her land rights system by passing new laws: the Land Act of 1999 and the Village Land Act of 1999, followed by the Land Disputes Act of 2002. Under Tanzanian law, all land is vested in the Office of the President on behalf of all citizens. Land is divided into three categories: general, village and reserved. The Land Act provides for general and reserved land. Under the act, a person who wishes to occupy land can apply and be granted a “right of occupancy”, subject to fulfilling required conditions. The terms of occupancy are 33-99 years. This system – of land being held in trust by the president or state, with people able to lease the land for long periods of time (but never actually own it) – is common throughout Sub-Saharan Africa.

In Tanzania, village land is governed by the Village Land Act, which re-established village-based tenure systems by recognising customary land rights and creating the means to formalise them through village land certificates. Villages have rights to the land that their residents have traditionally used and which are within the ambit of village land under customary principle, including grazing land, fallow land and unoccupied land. However, village land certificates have proved insufficient in protecting minority rights. Hunter-gatherers and pastoralists have no legal tenure over their lands, which are considered to be unused.

Under the Village Land Act, land management systems can preserve land for multiple uses and the government actively promotes wildlife and nature reserves: up to 35 per cent of land is currently protected for conservation and tourism. So-called “Game Controlled Areas” permit human settlements and activities within such reserves.

The Land Disputes Act regulates the system of 42 District Land and Housing Tribunals that deal with land and property disputes. A critical review¹ 10 years after their establishment found that 39 were still functioning but the rest lacked access for citizens and independence in administering justice.

With the transformation of Tanzania from a socialist regime to a market-oriented economy in the 1990s –

a process similar to that followed in many other Sub-Saharan countries – politicians and business people were able to acquire formerly public land. By the late 2000s, Tanzania had become a hotspot for large-scale biofuel investments by European companies. Most projects failed to produce the intended yields and have since been abandoned. Land restitution is made possible by the Village Land Act, but it has proven difficult. You can find more information on community land rights in Tanzania included in a report² published by Maliasili Initiatives.

THE CASE

Situated on an important migratory route for wildlife moving between the Serengeti National Park and the Ngorongoro Crater (the twin jewels of the Tanzanian tourist industry), Loliondo is home to thousands of pastoralist Maasai. The communities were re-settled here half a century earlier after their expulsion from their ancestral lands by the British (Tanzania’s former colonial ruler) to establish the world-famous Serengeti National Park.

In 1992, the government of Tanzania leased 4,000 square km of Maasai land³ to the Deputy Defence Minister of the United Arab Emirates: Brigadier Mohammed Abdulrahim Al-Ali. Since hunting concessions cannot be granted to individuals, the Otterlo Business Corporation was founded by Rahim al-Ali the same year. The corporation was duly granted a 10-year lease (the standard lease for similar ventures is five years) to run expeditions for members of Gulf royal families and their business associates in the Game-Controlled Area. One of the company’s most high-profile clients is Sheikh Mohammed bin Rashid Al Maktoum⁴ – the Vice President and Prime Minister of the United Arab Emirates, and ruler of Dubai – who was, at that time, the Defence Minister of the United Arab Emirates. He was also said to have been a close personal friend of then-President of Tanzania, Ali Hassan Mwinyi.

The leased land, which runs along the boundary of the Serengeti National Park, is officially designated as village land under the Village Land Act. It also falls within the Loliondo Game-Controlled Area: an area regulated for hunting, but without regulation or influence over any other land use practices, established in the 1950s during colonial rule. Hunting is permitted in the Game-Controlled Area: for a fee, hunters are allowed to kill a stated number of species, although not endangered animals like wild dogs and cheetahs.

When the Maasai communities of Loliondo refused to endorse the lease agreement, as was their legal right,

the late MP for Ngorongoro (Richard Koillah) signed “on behalf of” 6 affected villages (Ololosokwan, Soitsambu, Oloipiri, Olorien-Magaiduru, Loosoito-Maaloni and Arash). Two further villages within the area (Piyaya and Malambo) were not mentioned anywhere in the contract.

The Otterlo Business Corporation quickly established a luxury hunting resort on 1,500 square kilometres of the leased (village) land⁵. Reports soon emerged that the corporation was exceeding its quota of big cats and antelope, and engaging in illegal hunting activities including the use of automatic weapons, baits, fire-setting (to herd animals), as well as hunting from vehicles⁶. In 1995, the newly elected President of Tanzania Benjamin Mkapa launched a commission of enquiry into corruption across the country. In its *Warioba Report*⁷, the commission identified the Otterlo Business Corporation as one of the most corrupt companies in Tanzania, according to reports from local activists.

The corporation built permanent structures, without consent or lease agreement from the community, and an airstrip⁸ on village land. Regular conflicts with the local community over access to grazing land and vital water sources have frequently resulted in violent clashes, within or near the core hunting area. In 2007-08 the affected villages signed a Memorandum of Understanding with Otterlo Business Corporation; however, it is reported this was signed as a result of threats and coercion.

On 4 July 2009, during one of the worst droughts in living memory, Tanzania's special police force (the Field Force Unit) began to forcibly evict people and animals from Loliondo, beginning in Soitsambu and ending in Malambo. At least 150 homes were razed, including grain stores, 3,000 people were made homeless and 60,000 cattle dispersed⁹. Reports of beatings and sexual assaults also surfaced. Several children were lost during the tumultuous events, and one has never been found. The Field Force Unit was allegedly assisted by security guards working for the Otterlo Business Corporation.

The Wildlife Conservation Act 2009, which came into operation in 2010, establishes Game-Controlled Areas as protected lands which cannot overlap with village land. Loliondo is entirely village land. The corporation funded a draft Land Use Plan for the district, which proposed turning the 1,500 square kilometres into this new kind of Game-Controlled Area. Under the plan, the land would be “protected” from pastoralists and their cattle, while ensuring the continued hunting of wildlife by wealthy tourists. This was duly rejected by the District Council.

The conflicts with local Maasai communities, and the wide-ranging impact of losing vital grazing lands and water sources have been well documented by local activists, NGOs and by international media¹⁰. In stark contrast, the Tanzanian media has persistently ignored the plight of the indigenous Maasai pastoralists while praising the “investors” for their contributions to the economy, tourism, and conservation. The Maasai are routinely dismissed as foreign (i.e. Kenyan) troublemakers, while the big game hunters from the United Arab Emirates are lauded as well-meaning investors.

Speaking out against the Otterlo Business Corporation and the government's treatment of the Maasai communities has been a difficult and risky business for many local activists¹¹. In July 2016, following another series of attacks on Maasai homesteads by Tanzania National Parks Authority and local police¹², a series of mass arrests took place¹³. Four local activists were charged with “espionage and sabotage” in relation to their work on the case. One prominent journalist¹⁴ who regularly writes articles in support of the “investors” while denouncing the “foreigners” (the indigenous Maasai), is said to have openly boasted about his direct involvement in the illegal arrests of innocent people for the sake of intimidation.

In mid-December 2016, the current Prime Minister Kassim Majaliwa Majaliwa established a committee to “solve the conflict”. On 21 March 2017, the committee proposed to establish a Wildlife Management Area, which the community had previously rejected over many years but which nevertheless formed the basis of optimistic talks between the parties. However, in mid-August, whilst everyone was waiting for an announcement from the Prime Minister, park rangers from Serengeti National Park and Ngorongoro Conservation Area (assisted by local Loliondo police) burned hundreds of bomas (Maasai homesteads)¹⁵ within the 1,500 square kilometres, leaving thousands of people without food or shelter. The assaults on the Maasai community continued through September, and into October, affecting a large area of Maasai territory and terrorising hundreds of men, women and children.

In mid-November 2017, the newly appointed Minister for Natural Resources, Hamisi Kigwangalla, surprised everyone by ordering the Prevention and Combating of Corruption Bureau to arrest the Executive Director of Otterlo Business Corporation, on corruption charges, and announced corruption investigations into former ministers. He announced the cancellation of the company's hunting licence, held for over 25 years, and pledged that it would never be renewed. Kigwangalla also suspended the Director of Wildlife

for “creating a syndicate of government officials in the ministry who have been compromised”¹⁶. The community and activists around the world are watching to see whether the land is returned to the Maasai communities to which it belongs, or whether other parties take advantage of the void created.

KEY FACTS

- Under international law, the Maasai have the right to give or withhold consent to proposed projects that may affect the lands they have lived on and used for years and the natural resources within them.
- States are under a duty to protect against human rights violations, including investigating and providing redress for any abuse.
- Private companies must avoid causing or contributing to adverse human rights impacts through their activities, and address such impacts when they occur.
- Tanzanian law provides adequate protection for land use of pastoralists and hunter-gatherer communities, including the Maasai communities of Loliondo.
- The Tanzanian Wildlife Conservation Law permits human settlements and activities within Game Controlled Areas. According to that law, the eviction was illegal.
- The villages of the Maasai were recognised by the government, their land protected by the Village Land Act 1999.

FURTHER READING

The Corridor - and the Story of OBC in Loliondo

View from the Termite Mound

bit.ly/2xILgEf

Acquisition of Land by Foreigners in Tanzania

Hogan Lovells

bit.ly/2fEL7lh

The Brigadier's Shooting Party

The New York Times

nyti.ms/2xnJ8cJ

Tanzania wants to sell 370,000 acres of its land so wealthy Gulf elites can hunt

The Washington Post

wapo.st/2fFEW0n

OBC - Hunters from Dubai and the Threat against 1,500 km² of Maasai Land in Loliondo

Just Conservation

bit.ly/2fHgYSG

ENDNOTES

- 1 “Adjudication of land cases in Tanzania: A bird eye overview of the District Land and Housing Tribunal”, Open University Law Journal (web), 2013 (bit.ly/2xqPpr6)
- 2 “Pastoral Women’s Council, Ujamaa Community Resource Team and Maliasili Initiatives, Securing Community Land Rights: Experiences and insights from working to secure hunter-gatherer and pastoralist land rights in Northern Tanzania”, Pastoral Women’s Council, Ujamaa Community Resource Team and Maliasili Initiatives (web), 2012 (bit.ly/2gWrt7U)
- 3 “Tanzania’s Maasai battle game hunters for grazing land”, BBC News (web), 18 April 2013 (bbc.in/2yJec9d)
- 4 “OBC - Hunters from Dubai and the Threat against 1,500 km² of Maasai Land in Loliondo”, View from the Termite Mound (web), 30 December 2015 (bit.ly/2y6rrCk)
- 5 “Tanzania’s Maasai fight government, game hunters for ancestral lands”, CNN (web), 1 May 2013, (cnn.it/2gD1keq)
- 6 “The Killing Fields of Loliondo”, Maasai Environmental Resource Coalition (web) (bit.ly/2z8M7tt)
- 7 “Corruption and the state: The Warioba Report”, Joseph Warioba (web), 1996 (bit.ly/2zcgwW5)
- 8 “Tourism is a curse to us”, The Guardian (web), 6 September 2009 (bit.ly/2z3reQ8)
- 9 “Alleged Forced Removal of Pastoralists”, James Anaya UN Special Rapporteur on the Rights of Indigenous Peoples (Former), 15 September 2010 (bit.ly/2yOgDWw)
- 10 “Tanzania’s Maasai prefer death to eviction”, Al Jazeera (web) 23 November 2014 (bit.ly/2yTDvWv)
- 11 “Tanzania accused of backtracking over sale of Masai’s ancestral land”, The Guardian (web), 16 November 2014 (bit.ly/2z8MjsP)
- 12 “Eviction Of Maasai Continues In Loliondo”, Cultural Survival (web), 17 February 2015 (bit.ly/19EIP1d)
- 13 “Multiple Illegal Arrests of Innocent People in Loliondo for the Sole Sake of Intimidation”, View from the Termite Mound (web), 20 July 2016 (bit.ly/2yJhtpe)
- 14 “The Anti-Loliondo ”Journalist” Manyerere Jackton”, View from the Termite Mound (web), 10 July 2016 (bit.ly/2z8kKj7)
- 15 “Violent evictions of Maasai underway in Loliondo”, Conservation Watch (web), 16 August 2017 (bit.ly/2gEiDfg)
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CASE STUDY 4: EVICTIONS FOR DEVELOPMENT IN NIGERIA

Otodo Gbame was an informal fishing settlement on the Lekki Peninsula of Lagos, the commercial capital of Nigeria. It was home to a fishing community of Egun people who had migrated from Benin around 200 years ago. On 9 October 2016, Lagos State Governor Akinwunmi Ambode announced a plan to demolish waterfront villages including Otodo Gbame, allegedly to stop kidnapping and other crimes.¹

On 31 October, the Lagos State House Assembly passed a resolution calling on Ambode to halt the demolition plans, and on 7 November the Lagos State High Court granted an interim injunction preventing the state government from proceeding with the demolition of informal settlements along the waterfronts, including Otodo Gbame. In spite of the high court ruling, Ambode ordered the demolition of the waterfront communities and declared it part of “Operation Clean-Up”, which he had begun in September of the same year.²

Between 9 and 11 November, several fires broke out in Otodo Gbame community. Eyewitnesses reported seeing “hoodlums” torching houses with police supporting them in the arson attacks instead of rescuing the people and their property. The whole community was demolished by the fire, and 30,000 people were made homeless.³

Amnesty International and local NGOs protested. People took to the streets and eventually stormed the Governor’s residence. The UN Special Rapporteur on Adequate Housing demanded an urgent explanation from the Nigerian government who, in turn, denied having played a role in the demolition. Amnesty confirmed with the public relations officer from the Lagos State Building Control Agency that the agency had itself been a part of the demolition team sent to Otodo Gbame. Amnesty demanded relocation and compensation for the evicted residents and an investigation into how and why the eviction took place.

SLUM CLEARANCE OR LAND SPECULATION?

Despite reports from community members that “thugs” had been sent to burn down the settlements and incite unrest, Nigerian newspapers reported the case as a straightforward slum clearance. Some argued the communities needed to make way for development, modernisation and the building of residences for the rich.

Fishing communities that have occupied the waterfront for generations were labelled as “slums”. Some reports described the events as being caused by inter-ethnic violence⁴ between Yoruba and Egun settlers. Not a single newspaper investigated land corruption, land speculation, or the financial interests of the real estate developers involved.

Some reports claimed the land was the subject of a dispute between the community and the Royal Family of Elegushi, rulers of neighbouring Ikateland. The high court had granted land to the rulers following a similar demolition of an irregular settlement named Ebute Ikate. Conspicuously unreported was the fact that Saheed Elegushi – the chief of Ikate Kingdom and head of the Elegushi royal family – is an experienced real estate developer with close ties to Governor Ambode. The youngest “Oba” (chief) in Nigeria, Elegushi was a real estate developer before being chosen as ruler of Ikateland. At the time of his coronation, he owned 10 companies including the Elegushi Property Investment Company.

In February 2017, Elegushi received 200 hectares of land to expand his kingdom and build the Imperial International Business City project; a free trade zone that formed part of the “Lagos Master Plan” for development.⁵ The development project involves a range of multinational companies including Gensler Architectural Company (US) and Grimshaw Associates (UK), who were contracted for project planning, Jan De Nul and Dredging International Ltd. (Belgium), contracted to undertake the dredging, plus Kedari Capital and Cordros Capital (worldwide financial institutions) as financial advisers.

MILITARY URBANISM

“Military urbanism” is the practice of securing advantage through violent targeting of urban spaces in the contest for wealth and power. In hiding its land grabbing intentions under narratives of security, cleanliness or development, this strategy justifies selective routing of people arbitrarily framed as thieves, thugs, prostitutes and miscreants from spaces also framed as shanties, slums or subhuman dwellings. The next day after the violent eviction of the targets, these spaces are awarded to millionaires and billionaires rather than turned into showcases of decent, mass-housing schemes. In other words, the language and practice of violent evictions in Nigeria is simply the message to the victims that they are unwanted, including their creativity and collective agency.

THE LAGOS MASTER PLAN

Lagos Mega City is an ambitious project to modernise and upgrade the city. Combined with the residential Eco Atlantic City – erected on reclaimed land off Victoria Island – a privately run free trade zone is in the making.

The Lekki Peninsula is approximately 80km long and 10km wide. While the peninsula does not officially fall under the Lagos Metropolitan Area; it has nevertheless become a popular residential area for middle-class Lagosians. It currently houses several estates, gated residential developments, agricultural farmlands, free-trade areas, with an airport and seaport under construction. The proposed Lekki Master Plan, first introduced in 2008, envisages a “Blue-Green Environment City” accommodating more than 3.4 million residents, with an additional 1.9 million day visitors (commuters).

Otodo Gbame is just one of many villages on the peninsula threatened by the plan. Other vulnerable communities include the Makoko stilt village, which was partially demolished before international architects took up the case and brought their alternative projects for its preservation to the Venice Biennale in 2016. Other villages such as Badia-East, Olokonya, Ikoyi, and the Otto-Ilogbo Extension were not saved and have been completely demolished.

The first evictions to modernise Lagos date back to the dictatorship of General Ibrahim Babangida. In July 1990, the former Military Administrator of Lagos (Colonel Raji Rasaki) ordered bulldozers to move in and raze Maroko, a large waterfront community on Victoria Island of over 150 streets and 10,000 landlords. Over 300,000 people lost their homes.⁶

In 2008, the Social and Economic Rights Action Center filed a report on this dispossession with the African Commission on Human and Peoples’ Rights in Banjul, The Gambia, but the case was only heard in 2016. The court recommended that the evictees be properly compensated and provided with adequate housing and other restitution, but the government ignored the verdict.

BREACHES OF THE LAW

Fishing communities on the peninsula have been demolished without the “Free, Prior and Informed Consent” recommended in the *Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests*,⁷ and without compensation or relocation. Under Nigerian law, if the land was necessary for the development of Lagos a resettlement plan, including compensation, should have been set up.

The Environmental Impact Assessment Act of 1992 established two independent systems: *EIA Decree 86 (1992)*, which requires developers to conduct proper environmental impact assessments, and the *Town and Country Planning Decree 88 (1992)*. The objective of the *Town and Country Planning Decree* is:

- To empower the planning authority in acquiring land for development purposes and ensure payment of compensation and betterment of relocated communities (Land Acquisition and Compensation).
- To ensure that areas that need improvement are attended to by the planning authority in consultation with residents in the areas (Improvement Areas: Rehabilitation, Renewal and Upgrading).
- To ensure fair-hearing and justice to everybody as far as planning is concerned with the establishment of an Urban and Regional Planning Tribunal in each state and the Federal Capital Territory.

None of these objectives was met in the dispossession of peninsula communities by developers and the authorities. Also, the authorities – in this case, the governor of Lagos State – simply ignored the rulings prohibiting the demolition of Otodo Gbame issued by the Lagos State House Assembly and Lagos High Court. Instead, the governor ordered the demolition to go ahead and appears to have used police and mobs to burn down the settlements as a pretext for their destruction.

LAND ADMINISTRATION IN LAGOS STATE

Lagos State comprises a mixture of federal, state, customary, and private land. Federal lands are administered by the Federal Lands Commission in Abuja and include numerous properties abandoned when the administration relocated to Abuja in 1991. A Federal Land Information System was established in 2009, and in 2011 started to digitise all land information under the Lagos State Geo-Information Infrastructure Policy.

The Lagos lands registry (cadaster) – called the Land Bureau (formerly the Land Use and Allocation Committee) – falls under the governor's responsibilities. It has been reviewed and 'modernised' continuously since 1999. All land is vested in state governors by the Land Use Act of 1978, who exercise sole authority over land allocation. Any land which was vested in private or traditional possession before 1978 remains untouched by this law if it had been developed beforehand. Undeveloped land was restricted in size to 500 hectares. However, today less than three per cent of Nigeria's urban areas are mapped according to the Federal Lands Commission. Consequently, boundaries remain unclear, double and triple sales of the same land is common, and title deeds are often not registered with the Land Bureau.

The Lagos Kingdom is ruled by the paramount chief Oba Rilwan Babatunde Osuolale Aremu Akiolu who is also the chairman of the Lagos State Council of Obas (chiefs) which was founded in 1969 to counterbalance the statutory administration. There are 51 chiefs under Akiolu – one for each local government in Lagos – who act as customary guardians of the land.

The application process to acquire land is very bureaucratic; passing through 11 different offices before approval. Official fees are charged at 15 per cent of the property's value, however the World Bank's *Doing Business in Nigeria*⁸ report estimates the real cost at 20.8 per cent, which indicates corruption in the system. Extortion is common among architects, surveyors and offices who approve development plans. Poor and informal residents are usually unable to submit the numerous documents (income tax payment slip, receipt of payment of land charges, survey plan, etc.) leaving them unable to register their land. Undocumented or illegal residents (so-called squatters) have to pay heavy fines.

The State of Lagos outlawed "land grabbing" in August 2016 when it passed a bill to: prohibit forceful entry and illegal occupation of landed properties, violent and fraudulent conduct in relation to landed properties in Lagos State. Anyone found guilty of land grabbing faces a maximum prison sentence of between five and 21 years.

CHALLENGES OF LAND CORRUPTION IN LAGOS

Obtaining a "Certificate of Occupancy" in Nigeria is a complicated process that frequently takes many years to complete. In some states, it is necessary to visit up to 40 different offices to gather the necessary certification, stamps and documents. If there is political or financial interest in the land, applicants will often never obtain it. In contrast, if there is political interest in favour of issuing the certificate, it can be granted within just one day. Former President of Nigeria Goodluck Jonathan received a title for farmland in the Federal Capital Territory, the state surrounding Abuja, in a single day just before the elections in 2015.

Communities are not provided with services. Many communities are not provided with waste disposal sites or services and are not connected to the electricity grid or water lines. Health and security issues arise and, in turn, become opportunities for corrupt authorities and developers to demolish the houses of poor communities (so-called "slums").

The Elegushi Royal family has obtained a court ruling in its favour. This wouldn't be the first suspected instance of judges being "bought" in Nigeria. In 2015, the Nigerian Economic and Financial Crimes Commission reported⁹ 103 corruption convictions of judges in Lagos, in the eleven years of its existence.

Saheed Ademola Elegushi has close connections to the current and previous governors. He was the Personal Assistant to the Governor of Lagos State, Asiwaju Bola Ahmed Tinubu, between 2003 to 2007 and remained the Senior Special Assistant to Governor Babatunde Raji Fashola. When Governor Ambode was inaugurated in 2015, Ademola welcomed his election,¹⁰ saying: “My role as a ruler is to influence, initiate and drive development, and I am happy to find Governor Akinwunmi a willing partner”.

The Lekki Peninsula is a prime development site. The price for land on the peninsula is very high: a plot of 18m × 36m (648m²) in Ikate Elegushi can be sold for more than of €100,000.

FURTHER READING / KEY RESOURCES

Nigeria: Fire and demolitions that left 30,000 homeless must be urgently investigated
Amnesty International
[bit.ly/2fLRekV](https://www.amnesty.org/en/documents/AFR12/000/2016/08/01/)

Demolitions of Lagos waterfront communities could leave 300,000 homeless: campaigners
Reuters
[reut.rs/2ywQWLm](https://www.reuters.com/article/2016/11/16/2016-11-16-lagos-demolitions-idUSKBN13L001)

Lagos Slum Was Razed for Its Waterfront, Residents Say
The New York Times
[nyti.ms/2xNAmDp](https://www.nytimes.com/2016/11/16/world/africa/2016-11-16-lagos-slum-razed-for-its-waterfront-residents-say)

Press Release
The Nigerian Slum/Informal Settlement Federation
[bit.ly/2krxQwy](https://www.slumfederation.org/press-releases)

Letter to the Governor
The Nigerian Slum/Informal Settlement Federation
[bit.ly/2zilfDh](https://www.slumfederation.org/letter-to-the-governor)

FACTSHEET: Who owns the land in Nigeria?
Africa Check
[bit.ly/2ywP7Ne](https://africacheck.org/factsheet/who-owns-the-land-in-nigeria/)

Just Empower
NGO supporting waterfront communities in Lagos struggling against evictions
[bit.ly/2zhYhMt](https://www.justempower.org/)

Procedures, requirements for obtaining C of O in Lagos State
Vanguard
[bit.ly/2gjlw2FR](https://www.vanguardngr.com/2016/11/16/procedures-requirements-for-obtaining-c-of-o-in-lagos-state/)

Doing Business in Nigeria
The World Bank Group
[bit.ly/2zxjpPM](https://www.doingbusiness.org/en/economy)

ENDNOTES

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- 3 “Nigeria: Fire and demolitions that left 30,000 homeless must be urgently investigated”, Amnesty International (web), 11 November 2016 ([bit.ly/2fLRekV](https://www.amnesty.org/en/documents/AFR12/000/2016/08/01/))
- 4 “Mobile Police Officers Seen Burning Homes In Otodo-Gbame”, SaharaReporters (web), 16 November 2016 ([bit.ly/2xkz1HG](https://www.saharareporters.com/2016/11/16/mobile-police-officers-seen-burning-homes-in-otodo-gbame/))
- 5 “Expansion of \$300 million Ikate kingdom to begin April, Lagos monarch says”, Premium Times Nigeria (web), 16 February 2016 ([bit.ly/2h37UqW](https://www.premiumtimesng.com/news/local-news/2016/02/16/expansion-of-300-million-ikate-kingdom-to-begin-april-lagos-monarch-says/))
- 6 “Forced eviction and forced relocation in Nigeria: the experience of those evicted from Maroko in 1990”, Sage Journals (web), 2 October 1997 ([bit.ly/2yKcDZ7](https://www.sagepub.com/journalsPermissions.nav))
- 7 “Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests”, FAO, 2012 ([bit.ly/1IZY3gX](https://www.fao.org/3/a/i2730en.pdf))
- 8 “Doing Business in Nigeria”, The World Bank (web), ([bit.ly/2ggA8OQ](https://www.doingbusiness.org/en/economy))
- 9 “Lawyer Gives Instances Of Corruption In Nigeria’s Judiciary”, Channels Television (web), 24 October 2016 ([bit.ly/2f83emO](https://www.channels4.com/programmes/lawyer-gives-instances-of-corruption-in-nigeria-s-judiciary))
- 10 “Governor Ambode Is A Change Agent – Monarch Reassures Lagos Residents”, Naij.com (web), no date given ([bit.ly/2h3UGdH](https://www.naija.com/2016/11/16/governor-ambode-is-a-change-agent-monarch-reassures-lagos-residents/))

CASE STUDY 5: ENCROACHMENT BY AN INVESTOR IN KENYA

Yala Swamp is a trans-boundary wetland on the north-eastern shore of Lake Victoria in Western Kenya. Covering more than 200km², it was once one of East Africa's most valuable wetlands; being both a breeding habitat for rare fish and birds, as well as a filtration system for the Yala River that flows into the lake.

It is also densely populated, with 700,000 people living within a 10-mile radius. Until recently, most residents subsisted on a combination of gardening, fishing and cattle-raising, however, after the arrival of US investor Calvin Burgess in 2003, they have seen their livelihoods vanish almost as fast as the waters of the swamp.

Calvin Burgess is the CEO of Dominion Farms, a subsidiary of the Dominion Group of Guthrie, Oklahoma. In 2002, he signed a 25-year lease agreement with the Siaya and Bondo councils to turn an abandoned state farm into a modern rice plantation. Under Kenyan law, the land around Yala Swamp is classified as community land and is held in trust by the respective local authorities.

The Yala wetland provided an ideal environment for commercial agriculture: water was plentiful, the climate cool, labour cheap and the fields could produce at least two crops a year. For a country importing more than 200,000 tons of rice annually from India, Pakistan and Southeast Asia, the planting and harvesting of rice on a commercial scale looked like a welcome activity, particularly to the impoverished residents.

The original agreement with Burgess was for 2,300 hectares of land – reclaimed from the swamp in the 1970s – to be used to accommodate the farm. However, Dominion Farms soon expanded its activities to include fish and dairy farming, plus banana and sugarcane plantations. In early 2005, according to the NGO Friends of Yala Swamp, it applied for a further 9,200 hectares be reclaimed to accommodate these activities. Meanwhile, to ensure a year-round supply of irrigation, the Yala River was diverted through 12km of dykes; lowering the water table and speeding up the swamp's drying out.

By 2011, Dominion Farms controlled 6,800 hectares of Yala Swamp, by Burgess' admission, and relations with residents had hit an all-time low. Thousands of families, who once used the wetlands to graze their cattle, provide fish or drinking water, now found their access blocked by company fences.

"When Burgess came," said Erastus Odindo, a local farmer, "we did not object to him taking the lands that had already been allocated to the government years before for the development of an experimental farm. But Dominion Farms has put a fence around much more land than that. The company has taken over all our community lands without our consent and blocked our access to water."

Residents also accuse Dominion Farms of polluting their soil, water and air, and damaging the area's biodiversity. "When the company sprays pesticides by plane, it comes into our homes, poisoning people and contaminating our water supply," said Odindo.

A soil and water analysis in 2009, paid for by ActionAid International, concluded that people should not drink from the Yala River. Among the concerns mentioned was the presence of dieldrin, a chemical ingredient in some pesticides that have been linked to breast cancer and Parkinson's Disease.

However, the friction between the residents and Dominion Farms only tells half the story. Were it not for persistent local corruption, neither party would find itself in its present position. To secure the lease on the abandoned farm, Burgess claimed he paid its then-proprietor (the Lake Basin Development Authority) US\$120,000 in 2003; and, in 2007, he gave the Siaya County Council, trustees of the district's community land, a further US\$100,000. But both sums subsequently vanished.

VIOLATION OF NATIONAL LAWS AND INTERNATIONAL OBLIGATIONS

The case exposes the following complaints of inhabitants of the Yala Swamp area:

- **Unclear boundaries of Yala Swamp:** this means that although the initial 1970s-era (2,300 hectares) state farm that Dominion Farms purchased in 2003 was properly mapped and gazetted, Dominion Farm's subsequent 9,200 hectares expansion into community land was not.
- **Lease of Trust land to Dominion Farms by the Bondo and Siaya county councils was undertaken not according to the due procedures:** this leads to the question of whether Dominion's expanded land area was registered at the National Land Commission, whether Dominion has proper leasehold title and, if so, how did Calvin Burgess obtain such title?

- **Encroachment on private land by Dominion Farms:** if this claim is true, it is a criminal act and has to be prosecuted. Do people have witnesses, proofs of ownership, cadaster, survey, or satellite maps proving the boundaries were encroached upon by Dominion?
- **Environmental pollution and degradation:** this suggests that the National Environment Management Agency is not adequately controlling the investor. Before the sale of the land to Dominion Farms, an environmental impact assessment should have critically studied the effects of a project on the environment. The impact assessment must have been done for the management agency by a registered and licensed impact assessment expert and must have been conducted before the commencement of the project, with Dominion Farms having paid 0.1 per cent of the project cost to the agency. The expansion of Dominion Farms' operations – and especially its change in focus from rice-farming to fish and dairy farming, and banana and sugarcane farming – would have required a fresh impact assessment before commencement. Because it is an offence to commence any project without an environmental impact assessment license (National Environment Management Agency, Legal Notice No. 149-155 Environment Act), it is important to determine whether all the correct steps were followed and if an assessment was done, whether there was disclosure of the social and environmental impact assessment report.
- **Violation of the principles of land lease:** these principles should be registered as part of the leasehold title at the National Land Commission or be found in Dominion Farms' tax declaration. The leasehold title contract should state any payment of compensation or relocation of land-users, the proper demarcation of boundaries, and mutually agreed land use rights for grazing, protection of waterways, etc.
- **Intimidation of Swam residents by the provincial administration and the local councils:** this claim amounts to corruption and constitutes a criminal act.
- **No Free, Prior and Informed Consent was obtained from the communities:** although they are voluntary, this violates the United Nations-supported *Six Principles for Responsible Investment as well as the Voluntary Guidelines on the Responsible Governance of Tenure*. Although Yala Swamp communities initially welcomed Dominion Farms, it appears they were not fully informed either of its intentions or how its operations would affect the wetlands and their livelihoods.
- **Loss of income is endangering food security and depriving communities of access to public services like medical assistance and school attendance:** this right is derived from the *International Covenant on Economic, Social and Cultural Rights* which has 160 state parties as of May 2012, and which Kenya ratified in 1972.
- **Gendered impacts of the land dispute:** the local employees are not free to air their grievances, since they are afraid of losing their jobs, which disproportionately affects women who typically do not have alternative sources of income.
- **Lack of transparency:** the exact terms of the land deal were not known by the community, including whether the contract defined how risks, costs and benefits would be distributed.

LAND REFORM PROCESS IN KENYA

Kenya's debate on land is deeply rooted in colonial times and is predominantly connected to corruption. The so-called historical injustices are expropriations under colonial rule (farmland for the European Colonisers) that have driven huge parts of the population into the cities and urban areas. After independence, influential and rich families have acquired land forcefully and through various corrupt practices; once again producing urban landless poor known as "slum dwellers" and "squatters" who lack means to acquire property.

Several commissions have given recommendations on how to mitigate these injustices, but the problems have never been solved. In the aftermath of the 2007 electoral crises, land issues took on a new dynamic forcing wide-ranging constitutional and land sector reform. Today, Kenya has made major progress in reforming the land sector: the revised legal framework comprises of a new Constitution (2010), National Land Policy (2009) and the Land Act (2012), as well as complementary laws. A decentralisation process (devolution) led to the creation of the National Land Commission – the administrative arm of the Ministry of Land – with representation at the county level through County Land Management Boards. However, budget allocation and a clear definition of duties and tasks for these three entities are still not clear.

Only around 6 per cent of the country's land is formally designated for or owned by local communities. The new Community Land Act, signed into law on 31 August 2016, has the potential to tackle this large imbalance. The passage of the act marks the culmination of a long overdue effort to ensure formal legal recognition of community land rights. This was guaranteed by Kenya's

new constitution and the new Land Act, passed in 2012. At present, local county governments are empowered to act as trustees of communally managed land. Under this new Act, communities can apply for formal titles, and once these have been issued, county governments cease to administer that land or have powers to reallocate it.

Still, the legal review has not yet been terminated, and two essential acts are still due: the Resettlement Bill to determine how to give out land for homeless, squatters, IDP and other vulnerable groups, and clear regulations for the Land Commission/County Land Management Boards in how to pursue compensation in case of compulsory acquisition. There is also the benefit-sharing Act (2014), which provides alternatives for compulsory acquisition and compensation.

FURTHER READING / KEY RESOURCES

Dominion Farms Limited

Source Watch

bit.ly/2yz8JC8

Friends of Yala Swamp

bit.ly/2ywDkix

Institute for Law and Environmental Governance Kenya

bit.ly/2ySptoO

CASE STUDY 6: LAND REFORM EQUALS LAND THEFT IN ZIMBABWE

Chisumbanje is a small village in eastern Zimbabwe, on the border with Mozambique. Joyce Chachengwa had been growing maize and cotton here her whole life. Some years she produced as much as four tonnes of maize and 120 bales of cotton. But one morning in 2009, Chachengwa came out to find her entire crop – representing months of work – ploughed over. She learned that everyone's plots across all the surrounding villages had been sold to Green Fuel, a Zimbabwe-based ethanol company. The land was going to be converted into sugarcane fields. The processing plant was already under construction, eight miles away.

Chachengwa would be allocated a new plot: one-sixtieth the size of her original smallholding and much further from her home. Today, Chachengwa's plot yields little more than 100 pounds of maize per year, about one-eightieth of what she used to produce. The sugarcane farms now cover an area of eastern Zimbabwe the size of Manhattan, feeding a processing plant that is the largest in Africa. More than 1,700 households have been displaced.

Like much of the developing world, it's not always clear who owns the land in Chisumbanje. Families like Joyce Chachengwa's have been living and farming there for hundreds of years. They know which plot is theirs from oral tradition, not from a land title or ownership deed. Which is why, when their land was taken away, farmers didn't find out about it either from the company or the government. They got the news from their chief, the traditional leader with the knowledge and the power to engage in the process on their behalf.

Once Green Fuel planted sugarcane, the company announced they were saving 10 per cent of their holdings to be distributed back to the villagers. It was up to the chiefs, as members of a local land committee, to divide the land up and distribute it back to them.

Almost immediately, the system broke down. Former residents who hadn't lived in Chisumbanje for years returned to claim plots of land, leaving less for the people who had lost theirs. The chiefs allocated one plot to each household, rather than to each individual, without taking into account which had more land originally. Of the more than 1,700 households that were displaced by Green Fuel, only around 500 were compensated with a new plot of land. When villagers complained, the chief told them that the land had never been theirs, that it had been granted to their grandfathers only temporarily, and that the chief himself was the rightful owner.

The community eventually started fighting back against the company, stealing sugarcane and destroying tractors. At one point, someone burned down more than 1,000 acres of sugarcane fields. In 2015, local media reported multiple clashes between security forces and local farmers. The communities haven't met with Green Fuel representatives directly since 2013. All information is filtered through the chief and headmen, and usually in the form of decrees – such as, Green Fuel is taking a new block of land, the impound fee is increasing from \$3 to \$4 – rather than discussions or proposals. The protests and vandalism, farmers say, are their only way to communicate with the company. Force is the only way the company has communicated in response. The government hasn't only benefitted from the abuses committed by Green Fuel; it has actively participated in them. The company doesn't own its sugarcane plantations; it leases them from Zimbabwe's Agricultural and Rural Development Authority, a state-owned enterprise that is mandated, at least nominally, to boost the productivity of rural farmers.

It was the Agricultural and Rural Development Authority, not the company Green Fuel, that owned the tractors that ploughed under villagers' crops. Green Fuel pays more than \$100,000 to the local government every year as part of its lease from the authority. At least part of this payment is supposed to be distributed back to local residents, but every year it disappears before they see any of it. Other government bodies are implicated in the human rights violations, too. Police officers have beaten villagers who participate in protests. Local authorities have refused to release toxicity reports after cattle died from drinking the irrigation water.

Since 2008, Green Fuel has been the subject of three parliamentary investigations. In 2015, 22 Members of Parliament came to talk to the communities. They produced a report documenting all the above violations and called on the government to fix them. The Zimbabwe Environmental Management Agency sent teams of inspectors in 2012 and 2013 to find out why the company never carried out an environmental impact assessment before it started operating. They tested the water and found it just as poisonous as the locals said it was. Everything happening in Chisumbanje is illegal under domestic law, but that doesn't seem to matter. The parliamentary recommendations have been shouted into the ether. The fines issued by the environmental agency were reduced to just \$20.

Adapted from *The Untouchables*, by Michael Hobbes, Foreign Policy, April 2016 (atfp.co/23xf1YG)

LAND ADMINISTRATION IN ZIMBABWE

All communal lands in Zimbabwe are administered according to customary tenure. The Communal Lands Act of 1982 provides for the classification of land in Zimbabwe as communal land and for the alteration of such classification. It also alters and regulates the occupation and use of communal land and provides for matters incidental to, or connected with, land in communal areas. The Act defined 16 communal land areas, which were formerly “Tribal Trust Land”. Title in all communal land is vested in the President, who may permit occupation and use. Therefore, the inhabitants are entitled to occupy and use the land at the discretion of the President, but not as of right. Permits are issued in the name of the President by the Rural District Councils. Communal area residents have only usufructuary rights (to use and enjoy the profits) and are not permitted to sell their lands. Rural District Councils, however, have a dispensation to allocate land to qualified persons on behalf of the state.

Usufructuary rights allow landholders to freely grow and harvest crops and trees and make permanent improvements. While acknowledged as tenure rights, they are not secure since they use the land only at the discretion of the Rural District Councils and political figures. This kind of institutional arrangement provides fertile ground for abuse of authority, which is enhanced by a lack of accountability, transparency or legal and institutional checks and balances in the top-down system of land administration.

Statutory law includes the Land Acquisition Act of 1992 which regulates how land is identified for acquisition, outlines a due process for land acquisition and stipulates that compensation is paid to former owners. It makes provision for the compulsory acquisition of commercial farms for public resettlement purposes. The Traditional Leaders Act of 2001 created a board of authority that would plan, coordinate, implement, promote and assist agricultural development in Zimbabwe. Meanwhile, the Gazette Land (Consequential Provisions) Act of 2006 has specifications that should be read with the Constitution of Zimbabwe Amendment No. 17 and the Land Acquisition Act (chapter 20:10). It states that it is unlawful for former owners and land occupiers to occupy land without an offer letter from the acquiring authority.

CORRUPTION LAWS IN ZIMBABWE

While Zimbabwe has some anti-corruption laws and policies relevant to land-related work, the greatest weakness has been their poor enforcement and implementation. For instance, during the Fast Track

Land Reform Programme of the 2000s, the government adopted the “One Man-One Farm” policy, although media reports and research studies showed that most government officials owned more than one farm. The country also has a Prevention of Corruption Act, which can be used in regulating land corruption. For instance, among many functions of the Anti-Corruption Commission spelt out in the act, the commission is mandated to receive and investigate any complaints alleging any form of corruption, and to “investigate any conduct of any person whom the Commission has reason to believe is connected with activities involving corruption”. While the Commission has all these functions, it has hardly investigated any cases of land corruption.

The new Constitution is another piece of legislation that can be used to regulate land corruption. It prescribes the establishment of the Land Commission whose main function is to ensure accountability, fairness and transparency in the administration of agricultural land vested in the state, and to make recommendations to the government regarding issues, such as the acquisition of private land for public purposes. Therefore, while the country has laws and policies that regulate land corruption, these laws and policies are rarely enforced or implemented.

DIGGING DEEPER: THE INVESTMENT PARTNERS

Muller Conrad (‘Billy’) Rautenbach, is a wealthy and controversial Zimbabwean businessman. In the mid-1990s, Rautenbach’s business empire had spread to more than a dozen African countries earning him the nickname “Napoleon of Africa”. He also owns companies in Australia and the UK. Rautenbach was able to build a bio-ethanol plant at Chisumbanje along the lines of Brazil’s bio-fuel cane industry. The ambitious project was for a “Build, Operate and Transfer” partnership between Zimbabwe’s Agricultural Rural Development Authority, Rautenbach’s Green Fuel Investments and two other partners (Rating Investments and Macdom Investments).

Zimbabwe’s Agricultural Rural Development Authority is a farming parastatal under the Ministry of Agriculture Mechanisation and Irrigation Development. It has a substantial land holding across the country, including 21 estates of varying sizes, with a total of 98,000 hectares of arable land, 19,000 of which is irrigable. In the last few years, as part of a reform programme focused on parastatals, the government has encouraged the authority to go into public-private partnerships with private companies in an attempt to revive their fortunes, seeking new finance and investment from the private sector. 40 companies bid for such partnerships in 2014, involving a mix of local and foreign capital.

The 20-year pact was signed in February 2009. Some media claimed the 20-year project was a “land grab” because of the vast tracts of land bought by the investors, but repeated visits by government officials, the World Bank and the United Nations Industrial Development Organisation qualified it as vital for the poverty-stricken district.

The Chisumbanje project made Zimbabwe the first country in Africa with a flexi-fuel capacity. It provided blends of up to 85 per cent ethanol, reduced the fuel import bill by US\$2 million a month and created over 4,500 jobs. However, the mandatory fuel blending imposed by the government on behalf of Green Fuel has been met with disdain and viewed as a symbol of Rautenbach’s far-reaching influence on the ZANU-PF government.

FURTHER READING / KEY RESOURCES

An overview of the Chisumbanje Green Fuel ethanol project

TechZim

bit.ly/2fM0AjL

Ethanol Plant Displaces Zimbabwean Villagers

Platform for Youth Development

bit.ly/2xqYgZn

National and International Actors in the Orchestration of Large-scale Land Deals in Zimbabwe: What’s in It for Smallholder Farmers?

Organisation for Social Science Research in Eastern and Southern Africa

bit.ly/2xpVlef

Nuanetsi Ranch a waste land

Zimbabwe Independent

bit.ly/2jXn7P2

What Is Land Grabbing?

Cornell Land Project

bit.ly/2xAcQNi

Plans afoot for ethanol plant at Nuanetsi ranch

The Herald

bit.ly/2xzSdRr

Tycoon behind Zim ethanol firm named in Panama Papers

fin24

bit.ly/2xqzust

CASE STUDY 7: ACCESS TO INFORMATION

Extracts from *Drinking With Ghosts: The Aftermath of Apartheid's Dirty War* by Michael Schmidt.

THISDAY NEWSROOM, SANDTON, 3 DECEMBER 2003

A week ago, on 28 November, I headlined the newspaper with a story that took the wind out of the sails of the political faction centred on old communist Mac Maharaj, which was trying to prevent the National Director of Public Prosecutions, Bulelani Ngcuka, from prosecuting rising ANC star Jacob Zuma on prima facie evidence of corruption related to the R60 billion strategic arms deal signed in 1999. Schabir Shaik, Zuma's former financial advisor, had allegedly solicited a R500,000 bribe for Zuma from French arms firm Thint, one of the successful bidders in the arms deal – a deal subject to the parliamentary oversight of Shaik's brother 'Chippy' Shaik. In a possible attempt to besmirch Ngcuka's reputation, another of the four Shaik brothers, Mo Shaik, a former ANC intelligence agent, had fed to Sunday Times political journalist Ranjeni Munusamy a tale that Ngcuka had been an apartheid mole within the ranks of the ANC during the liberation struggle, a claim that, while it attracts no legal sanctions, is understandably socially and politically very damaging in democratic South Africa. Sunday Times editors hadn't trusted the story and had refused to publish without firmer proofs; irritated, Munusamy had foolishly slipped the story to the competing City Press, where it was run verbatim under journalist Lukas Ledwaba's byline. Recognising her unaltered story immediately, the Sunday Times axed Munusamy. But her head was far from the last to roll in this tale of deception and disinformation: City Press Editor Vusi Mona was also fired (allegedly over his private business dealings); and a national commission of enquiry was convened in Bloemfontein in October under Judge Johann Hefer to get to the root of the matter.

Under a PAIA [Promotion of Access to Information Act] request filed by the South African History Archives, I had got hold of the Justice Department file that had monitored Ngcuka's banning order in the 1980s. SAHA revealed to me that the file, 'Ngcuka, Bulelani T', number 6526, was one of more than 7,000 unreleased files on opponents of the apartheid regime; these files had been compiled by the Justice Department's Security Legislation Directorate between the introduction of the Suppression of Communism Act in 1950 and the

unbanning of the resistance organisations in 1990. The existence of the files had not been made public during the TRC hearings. The collection is believed to be linked to a rumoured cache of Security Branch (SB) surveillance files; it may be one of the few stores of security data that escaped the shredders and the furnaces before the change of regime in 1994, and so will prove a treasure trove of information. What my front page lead story on 28 November, under the headline 'Ngcuka's real apartheid number' made crystal clear was what Ngcuka's Justice Department file had revealed: that, far from being viewed as a friend, the apartheid state had clearly seen the young founder of the Black Lawyers' Association as hostile to its interests. On 12 November, Judge Hefer locked horns with the state intelligence services, which claimed that security laws prevented the disclosure of the contents of files on Ngcuka and the anti-apartheid organisations of which he had been a part. But the fist-thick Justice Department file on Ngcuka looks set to break that logjam – bypassing the intelligence services entirely...

BLOEMFONTEIN, 10 DECEMBER 2003

Earlier this week Frank Chikane, the director-general in the Presidency, wrote to the Hefer Commission stating that President Mbeki had 'unfettered access to all information in the possession of the state intelligence and security structures' – structures which, Chikane averred, had 'made no allegations' about Ngcuka having been an apartheid spy. With the Presidency's backing and the file that SAHA and I have unearthed in the hands of Ngcuka's lawyers, the wind is starting to blow in the accused man's favour. Strengthening his case is the fact that although Mo Shaik had first claimed that Ngcuka was 'most probably' SB informant number RS452, according to information he had gleaned from stolen SB reports in the 1980s, former activist Vanessa Brereton has admitted that the informant number was hers; her statement has been backed up by a sworn affidavit from her former SB handler, Colonel Karl Edwards. Shaik then changed tack, claiming that Ngcuka had been, rather, a National Intelligence Service agent, and that the RS452 number was a cover; but former agent Morris van Greunen, who Shaik claimed had recruited Ngcuka, has sworn in an affidavit that he had no knowledge of Ngcuka working for the National Intelligence Service. We expect the last nail in the coffin for the Shaik brothers' supposed Ngcuka spy dossier to be the Justice Department file.

BLOEMFONTEIN, 11 DECEMBER 2003

I'm sitting having lunch in the office of Les Sackstein, the former lawyer of disgraced cricket hero Hansie Cronjé who got to know Bulelani Ngcuka at the time of the

Cronjé saga, minutes after Ngcuka's apparent victory at the Hefer Commission. Extracts from the Justice Department file were read out at the Commission, showing that Ngcuka had been viewed as a hostile 'militant' whose legal training might make him too difficult to incarcerate on Robben Island, where he would exert the 'wrong influence' on other political prisoners. ThisDay photographer Rian Horn has taken, from a distance, the most evocative picture of the Commission: the small, defeated figure of Mo Shaik walking alone in the shimmering heat across the tarmac at the airport to his waiting plane. In the lawyer's office, however, the mood is jubilant.

Drinking with Ghosts: The aftermath of apartheid's Dirty War is by Michael Schmidt (Institute for the Advancement of Journalism) and published in South Africa by BestRed.

ASSIGNMENTS

ASSIGNMENT 1: WHAT'S INVESTIGATIVE AND WHAT'S NOT?

Read the following short descriptions of reporting projects.

A man comes into your newspaper office with his hand heavily bandaged. He shows you his injuries and describes how his boss forced him to use unguarded machinery and would not supply protective gloves. You telephone the employer, who denies everything. You take pictures of the man's mangled hand and run a front-page story demanding that the factory is inspected.

You are a TV reporter. You go out on assignment in a local police patrol car and record everything that happens on a hidden camera, including the violent arrest of two men who the police tell you are notorious drug-dealers. When you return, you edit the recording into a half-hour programme to show the reality of police work.

A reporter comes back from an event at a casino resort with photographs that show a well-known, married, industrialist kissing and cuddling with a woman who is not his wife. You check carefully and establish from the hotel front desk and room staff that he and the woman were booked in as "Mr & Mrs" and spent three nights together. You manage to identify the woman and discover that she too is married to someone else: another highly placed tycoon. You are certain that your sources are reliable, and publish a story about the scandalous misbehaviour of public figures.

You notice what looks (and smells) like untreated sewage running down the gutter beside the spot where you catch your taxi to work. You take a sample of the stuff in an old jar and take it to a friend who works in a lab, for analysis. You walk up the road and see that the sewage is flowing from a hole in the pavement. You check with the council and discover from interviews that two different departments are involved in getting such problems fixed and that there is poor communication between them. You run a story that starts with the leak and its risks but focuses mainly on the lack of coordination in local government.

ASSIGNMENT INSTRUCTIONS

1. Which would you say qualify as investigative reporting, and which don't?
2. Why/why not?
3. Take 10 minutes to think about this.

ASSIGNMENT 2: EVALUATING STORY SOURCES

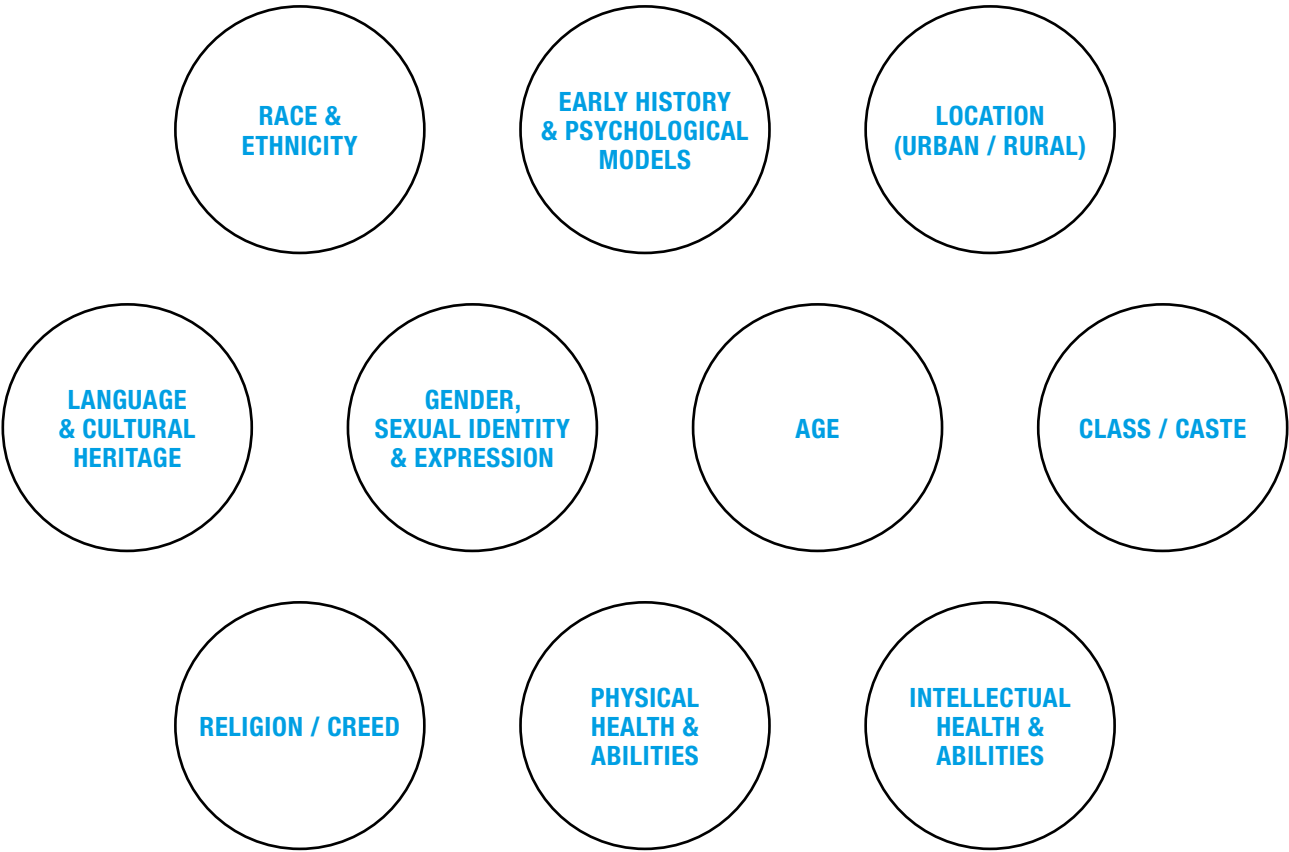
Look at the list of story inspirations below. Use the table to suggest what the advantages and disadvantages might be for each source of inspiration:

Inspiration	Advantages	Disadvantages
Personal experience and travel		
Experiences of friends and others		
Following up “shallow” news		
Reading books, reports, etc.		
Online browsing and research		
Press conferences and diary events		
“Roadside Radio” (gossip, social media, etc.)		
Routine checks of public information		
Regular conversations with insider contacts		

Use the following table to review how often you use these inspirations:

Inspiration	Regularly	Occasionally	Never
Personal experience & travel			
Experiences of friends and others			
Following up “shallow” news			
Reading books, reports, etc.			
Online browsing and research			
Press conferences and diary events			
“Roadside Radio” (gossip, social media, etc.)			
Routine checks of public information			
Regular conversations with insider contacts			

ASSIGNMENT 3: DIFFERENCE MATRIX



Adapted from the Poynter Institute (USA) by Michael Schmidt.

ASSIGNMENT 4: INVESTIGATIVE HYPOTHESES

Read and critique the following investigative journalism story hypotheses. Make notes on which are adequate as the foundation for the development of a holistic story, and which are not. Make notes on how any faulty hypotheses could be improved?

Hypothesis 1	<i>The immigrants flooding into this country are causing crime.</i>
Adequate / inadequate	
Comments	
Hypothesis 2	<i>The death penalty should be brought back as it will deter murderers.</i>
Adequate / inadequate	
Comments	
Hypothesis 3	<i>The restrictions imposed on Aids education by US Pefar-linked donor funding are making it harder for organisations servicing key populations to render proper service.</i>
Adequate / inadequate	
Comments	
Hypothesis 4	<i>A bribe was given to Cabinet Minister X in 2016, to secure his vote in favour of a multi-million arms sale to our country.</i>
Adequate / inadequate	
Comments	
Hypothesis 5	<i>Nurses at hospital X in province Y are selling medicines out of the hospital pharmacy for private profit.</i>
Adequate / inadequate	
Comments	

Use the following table to describe the pros and cons of each approach to various sources:

Story approach	Pros	Cons
<p>"I am investigating the impact of Chinese investment in my country. I plan to do many interviews with the employees of Chinese-owned factories. I know this will give me primary evidence of how Chinese investors exploit local workers."</p>		
<p>"I am investigating how poverty in my country has raised the cost of 'lobola' (bride-price). I plan to start with a couple whose marriage has been made impossible because the young man cannot afford the price demanded by his fiancée's parents. I will talk to older married couples, traditional elders, pastors, marriage officers and a sociologist at the university to try and create a timeline of how this cost of marriage has risen over the past ten years. Then I'll try to correlate this with other economic data, to see if I can prove that worsening family poverty is making parents more demanding. But I will also talk to parents, to get their viewpoint, so that the story is not just an attack on 'greedy' parents."</p>		
<p>"I'm investigating the links between multinational land ownership in my country and changing agricultural practices. It seems as if the foreign food companies put pressure on peasants to grow only crops for export. There is a lot of stuff on the internet about this, from all over the world. All I need to do here is a couple of local interviews to confirm it's happening here too."</p>		

ASSIGNMENT 5: STORY EXAMPLE (THE POINT)

Read through the article below, paying particular attention to the story structure and key elements including the headline, introduction and “kicker”.

THE POINT: DURBAN'S FLAGSHIP OF FAILURE?

By Michael Schmidt

Published in the Sunday Times (South Africa) in 1998

Durban's multi-billion rand flagship Point Waterfront project has ground to a halt because its Malaysian developers have run out of money. And the 15-month delay to develop the prime tourist site has angered Premier Ben Ngubane who this week urged the developers to “come clean and let the people of South Africa know what the real position is.”

The development downed tools as a result of a lack of capital because of the Asian economic downturn earlier this year. The 55ha Point area was earmarked for a world-class entertainment venue boasting a yacht mole and a giant statue of King Shaka.

Ngubane said: “We are all concerned that such a strategic development, which was going to be an anchor project around which other developments and investments would grow, isn't taking place.”

Provincial Economic Affairs and Tourism MEC Jacob Zuma said he would meet with the developers and Metro mayor Obed Mlaba to discuss the crisis.

Despite public assurances last week that the project was on schedule, Rocpoint – Renong and black empowerment partners Vulindlela Investments – were snubbed by some South African financial institutions who were not impressed with the Malaysians' track record in the country.

In August, the London-based Hilton International chain was forced to buy out a Renong subsidiary's share in the Durban Hilton after the Malaysians apparently failed to honour their agreement to make good their hotel's shortfall on operating costs.

But Bheki Shezi one of Rocpoint's directors, said that, despite the “stand-off” between the company and some banks, “everything that had been a problem has now been sorted out.”

“Although the [Renong] group scaled down their other developments as a result of the currency situation in Malaysia, they resolved they would still be a part of the Point project,” he said. He said the delays had been caused mainly by the complicated process of transferring land ownership and by the legal challenge which had been mounted by Stocks & Stocks over access to their King's Battery site.

But he admitted that the project had had to be reorganised, with the five-star bubble-shaped hotel planned for the harbor mouth put on ice and a more modest “boutique hotel” to be built first.

Zuma remained unconvinced, saying this week that the Point had become a critical issue.

“We want this project yesterday, but it's been too quiet for my liking. What happened to the Hilton doesn't augur well,” he said.

Viv McMenemy, Metro's director of economic development, said: “In a way, Point has become Durban's flagship of failure.”

The German investors behind the R500-million six-hectare Bluff Waterfront project were aware of Rocpoint's problems and had considered investing in the Point, Bluff Development Company director Ivor Daniel confirmed.

Peter Kettle, chairman of the Point Waterfront Business and Property Owners' Association, said his members were disillusioned at the slow progress and the way they were kept in the dark.

Ray Lee, owner of the Crow's Nest Bar in the Alexandra Hotel on Point Road, said: “When I moved in two years ago, the waterfront was supposed to have started, but still nothing's happened. Some of the building contractors have pulled out because the Malaysians have no money and they weren't being paid up front. As a result, the banks are not too keen either.”

Tenants in the area said Renong had pushed rentals up by hundreds of percentage points, fueling fears that the company was so badly cash-strapped that it was trying to squeeze development capital out of rentals alone. Read through the following reflections from the article's author below:

WHERE DID THE STORY ORIGINATE?

The idea for the story came from a daily press report in Johannesburg (I was working in Durban at the time, but we obviously read the press of other cities), which made me aware that the new Hilton Hotel in Johannesburg had been forced to take over ownership of the development. Hilton was not happy at all because their business is

managing hotels, not developing them. I realised there was a new Hilton Hotel in Durban too and wondered if the same issue had cropped up there, so I made some discreet inquiries and found out that indeed the Durban hotel had also been taken over by Hilton. The common thread was that the Malaysian company Renong, which was developing both hotels, was experiencing an acute cash-flow shortage because of the Asian financial crisis at the time. I immediately realised that the story was far bigger because Renong was also the prime contractor for Durban's largest development – the Point, which was intended to boast a new five-star hotel, sailing club and giant King Shaka statue. And yet the Durban financial press had been slavishly reporting what Renong had told them in their press releases: that the Point project was on track and on time.

WHAT DID THE INVESTIGATION ENCOMPASS?

After my initial inquiries revealed that Renong was in financial trouble because of the Asian crisis, and it was this that had forced Hilton Hotels to take over the development of the Durban Hilton, I knew I had a seemingly solid story hypothesis.

It was simple to disprove – by referring to previously published project timelines – that the Point development was, in fact, fifteen months behind schedule. This put the lie to Renong's position in the financial press – but although such delays are not unusual in large-scale building projects, Renong's financial position meant something more serious was afoot, and that this would directly affect the viability of the Point development.

I heard rumours that the South African banks were refusing to extend finance to Renong, which made their cash-strapped situation even more serious. Although none of the banks were prepared to go on the record about the status of a business client like Renong, I confirmed off the record that this was in fact the case. Note the importance of knowing such information – even if you can't prove it in print or on air – for use in the interviews you will have to conduct.

I then plotted on a spider diagram (source map) the people I would have to interview. I decided I would not start with Renong's local partnership company, Rocpoint, or the province and city's top officials, but with stakeholders more closely affected by any delay, circling in towards my goal: first the Point Waterfront Business and Property Association, then the Bluff Development Company, then tenants in the Point area like the Crow's Nest and others, and finally Durban's Metro economic development chief – and she gave me the juicy "flagship of failure" quote that gave me my headline.

The real surprise – as so often in such stories – came from the "grassroots," from the tenants in the Point area

who described how their rentals had sky-rocketed by hundreds of percentage points. Most did not want to go on the record as they feared Rocpoint evicting them, but this gave me the perfect "kicker" for the story: fears that Rocpoint was trying to raise development finance through rent hikes, a highly unusual and desperate business rescue strategy.

Having got my basic story together, it was time to confront Bheki Shezi at Rocpoint. Note how I neither roasted him nor let him off the hook: I let him offer as reasons for the development's delay the complicated land ownership transfer process and the Stocks & Stocks lawsuit (in this straightforward news report, I only sketch these in simple terms; in a financial newspaper, I would go into greater detail here); but I also make my case that the Point development is in crisis.

It is only once that was all in the bag that I finally approached the provincial Economic Affairs head and the provincial Premier with my evidence. Too many journalists make the mistake of going first to the top officials for comment before they have done their investigation. The thing is, I did not know if they were aware of the problem or not before I approached them, but because I already had my evidence and presented them with it, they were forced to respond – and did so with outrage, which gave me my strong intro.

ASSIGNMENT INSTRUCTIONS

1. Once you have read and fully understood the article and supporting text above, make preparations to discuss the technical challenges in this investigation with your fellow participants. If time permits, we also recommend reading *Chapter 3: Planning the Investigation* of the *KAS Investigative Journalism Manual*.
2. Take some time to identify a real-life investigation you would like to conduct, preferably related to land corruption issues.
3. Prepare a written plan and spider diagram for the investigation, including the following:
 - Story hypothesis (one paragraph)
 - Source map (spider diagram)
 - Information required to prove the case
 - Angles of attack/approaches
 - Potential problems and alternative angles of attack/approaches

ASSIGNMENT 6: STORY EXAMPLE (READY-MADE TOWNS)

Read through the article below, paying particular attention to the story structure and key elements including the headline, introduction and “kicker”.

READY-MADE TOWNS

By Michael Schmidt

Published in the Financial Mail (South Africa) in 2017

While the link roads are built for South Africa's new Chinese-funded US\$6,2bn city east of Joburg, a rash of spanking-new cities are changing skylines across Africa. And most of them are private ventures, offering tens of thousands of urban Africans the opportunity to live in comfort “off the grid,” insulated from the chaos that characterises so many of our cities.

By far the most ambitious – and the largest real estate development on the continent according to Deloitte – is Centenary City, a \$18,6bn smart eco-city for 137,000 residents and 500,000 daily commuters being built from scratch on virgin land outside the Nigerian capital Abuja, a few minutes' drive from the Nnamdi Azikwe International Airport.

Developed by Abu Dhabi-based Eagle Hills in a public-private partnership with the Federal Capital Territory, Centenary City will form a free trade zone and have its own liberal banking and tax regulations. Construction has begun on the first phase, 25ha of bespoke hotel and residential space.

The entire city is designed to feature efficient transportation, biomimetic water and waste management, finance, commerce, science, sports, medical and cultural facilities, and will be independent of Abuja thanks to its own 500MW gas-fired power station. Including the planned 308m-tall Africa Tower, it is scheduled to be operational and occupied by 2024.

The city's construction has been dogged by controversy, however: a public hearing by a committee of the Nigerian House of Representatives is now under way into allegations that Centenary City Company Plc, owned by corporate lawyers Paul Oki and Boma Ozobia Oon, had varied from, and had been given special waivers on, federal regulations; while a land claim by indigenous Izzi evicted by the development is currently in court.

There are three types of new cities in Africa, all characterised by being greenfields developments only lightly reliant on existing infrastructure. There are self-sufficient satellite cities on the outskirts of major conurbations, like Centenary City. Then there are tech hubs, like the \$14,5bn Konza Technology City for 200,000 residents in Kenya 64km south of Nairobi which is intended to become the core of the continent's “Silicon Savannah.” Lastly, there are dormitory cities for ports and free trade zones like the 78,000-resident King City, designed to serve the Ghanaian port of Takoradi, rapidly expanding thanks to offshore oil wells.

A few, like Luanda's \$5,5bn ring of five new Chinese-built cities, are state-funded, erected within months, and mostly occupied on a rent-to-buy basis; but by far the majority, like Joburg's Modderfontein New City, are private ventures intended to be built in phases over a decade or two and aimed at attracting a mixture of buyers and tenants.

The mushrooming of these “insta-cities” was the focus of a lengthy 2015 Christian Science Monitor feature that criticised the class exclusivity of the \$6bn Eko Atlantic city for 250,000 wealthy residents and an additional 150,000 commuters that is going up on the reclaimed foreshore of Victoria Island, Lagos.

Prof Vanessa Watson of the University of Cape Town's African Centre for Cities warned that while rapid growth in Africa had excited property developers, a likely result of “these fantasy plans is a steady worsening of the marginalisation and inequalities that already beset these cities.” Some plans, such as that announced in 2013 for a \$10bn Hope City tech hub that was supposed to spearhead an ICT revolution in Ghana, remain stillborn, while others like one-time ghost city Kilambo (sic) in Angola, though now occupied, experienced the birth pangs of the absence of proper transport integration, of a mortgage market, and of a rent-collection system.

The largest developer of new cities across Africa is Rendeavour, founded in 1995 by Kiwi billionaire investment banker Stephen Jennings. Rendeavour is responsible for Ghana's King City and the new 90,000-resident Appolonia City of Light outside of Accra – with a combined price-tag of \$1bn – as well as Kenya's \$2,6bn Tatu City for 70,000 residents and 30,000 day-visitors outside Nairobi, the \$758m Kiswishi City outside of Lubumbashi, DRC, and other developments in Nigeria and Zambia. All were initially funded by Jennings' Moscow-based investment bank Renaissance Capital but in 2013, Jennings divested from Russia, retaining only the African cities projects under Rendeavour.

Rendeavour spokesman Tim Beighton told Financial Mail from Lagos that their developments deliberately included affordable and low-income housing “so that those who provide the services are also able to live there.” Mixed-income housing was vital to ensure the socio-economic

viability and vitality of the new cities – which were all integrated into national developmental plans and local municipal administrations.

Beighton said that housing finance differed across the five countries, with a mature and fairly strong mortgage market in Kenya, but “a cash-and-carry economy” in Nigeria that made accessing finance difficult – yet, he said, government was looking at creating a mortgage market. So, the new private cities were driving the development of new financial instruments, and also an improvement of state service infrastructure, as well as acting as a pole of attraction for further investment.

Tatu City is Rendeavour’s flagship, and broke sod in 2011 – but was delayed for two years by a court case in which Tatu City Ltd’s minority shareholders unsuccessfully sued to have the company either wound up or to have their shares bought out by the majority.

By July 2015, the developers were able to announce that construction had begun on the city’s residential suburbs where 150 plots had been sold, and that 13 firms including Unilever, the Bidco Oil Refinery Ltd, and Dorman’s Coffee had signed deals for sites, the latter’s 4ha plant, now under construction, designed to process, package and ship more than 15,000t of coffee a year. This January, a South African-based Nova Academies’ secondary school for girls opened in Tatu, a sign that the new city’s future generation has finally arrived.

Read through the following reflections from the article’s author below:

WHERE DID THE STORY ORIGINATE?

The idea for the story had its origins in the research I had done for a client into “ghost cities” in China. Ghost cities are built purely speculatively to artificially boost provincial GDP and so advance the careers of provincial leaders in the Chinese Communist Party. I was interested to know whether the Chinese were building ghost cities in Africa too, focusing on the Chinese-built city of Kilamba outside of Luanda, Angola, that was originally a ghost city. That story was pretty intensely researched, with interviews conducted with development specialists studying Africa from as far afield as the USA and France, and it led me to the *Deloitte Africa Construction Trends Report 2016* and annual survey of building in Africa. In the original ghost city story, I used the Deloitte report to focus on the five Angolan “new cities”, but I realised there was a bigger story in the Russian-financed construction of private cities across Africa that I then pitched to Financial Mail.

WHAT DID THE STORY RESEARCH ENCOMPASS?

I started out with a table in the Deloitte report that enumerated lots of privately funded new city developments and focused first on those financed by Russian investment firm Renaissance Capital (RenCap) as it held the largest portfolio of such developments.

I looked at RenCap’s website on its developments and took down the contact details for its Johannesburg office, but then read widely on news reports on the company in Africa; the story was complicated because the Russian firm had experienced financial difficulties and had broken up; it turned out that the New Zealander who had founded RenCap had divested in stages from Russia and appeared to only own Rendeavour (its African development arm) today. So the RenCap Johannesburg office no longer had anything to do with the private cities. But they were still funded by Rendeavour so I tracked down their spokesman and booked a Skype interview.

In the interim, I looked in detail at the Rendeavour portfolio and similar private developments in Africa. I especially researched the largest, Centenary City in Nigeria, its ownership, stage of development, and legal troubles relating to alleged corruption and dispossession of a local tribe. I sent interview requests with detailed questions to the development company but received no response by the time I went to press, so relied on the reports of a trustworthy Nigerian investigative journalist on the project’s troubles.

It was apparent from the Deloitte report that not all privately built cities were the same, so I categorised them into three types to make it easier for my readers to understand this new trend – making sure to translate all figures into US dollars and hectares so that my comparisons were simple.

I read in-depth critiques of such developments, such as those by the Christian Science Monitor and Professor Watson, and integrated them along with my background knowledge on the Angolan ghost city problem into the story to show that not all was roses when it came to these new cities. Remember: developers artists’ impressions and the big finance involved may wow your readers or audience, but there are invariably issues with land rights involved in such large-scale developments, even if, as with Tatu City, the legal challenge against the developers fails.

I finally interviewed the Rendevour spokesman, and it was a lengthy interview – not least because I had to find a simple way to disentangle the complicated backstory of how the initial Russian investment had devolved. The story took a week to compile, and I cross-checked all figures rigorously to ensure that I had not made any errors. In the end, I was satisfied that I had a solid story on an interesting new trend in Africa that encompassed several different countries – but which was only an overview, which suggested further investigations as there were so many complex land rights problems involved in each development.

ASSIGNMENT INSTRUCTIONS

1. Once you have read and fully understood the article and supporting text above, make preparations to discuss the technical challenges in this investigation with your fellow participants. If time permits, we also recommend reading *Chapter 6: Basic Research – Skills and Tools* of the *KAS Investigative Journalism Manual*.
2. Revisit your story ideas (including hypothesis and source map) developed during *Assignment 5: Story Example (The Point)*.
3. Prepare the following supporting information:
 - A detailed list of the documentary or verbal evidence required to prove the case.
 - A preliminary data map of the nature of the relationships between sources, evidence and story elements.
 - A list of potential challenges to the investigation.
 - A realistic timeline and budget estimations.

ASSIGNMENT 7: INTERNET RESEARCH

Search engines have revolutionised how we find information on the internet, becoming an indispensable tool for investigative journalists around the world. The best known is Google, but there are many others including Bing and DuckDuckGo, as well as “meta-crawlers” which do the same search on four or five search engines at the same time. The trick to conducting efficient and effective web searches is to choose your search terms (keywords and phrases) with enough precision to exclude the masses of results that are irrelevant to what you are interested in uncovering.

Here are some techniques for optimising your results (using Google) and getting the best results from your internet research:

CHANGE SETTINGS TO RETURN THE MAXIMUM RESULTS

Google has a link marked “settings”, which allows you to set search preferences (for example, search only English language pages) but the most useful setting to change is the number of results per page. The default setting is 10 results, which means you have to change the page (click “next”) each time to view the next set of results. Change this setting to the maximum (100 results per page), which allows you to scan much bigger chunks of data to see if it is relevant. Note: this may slow down the appearance of your search results.

USE SPECIFIC KEYWORDS

Keywords provide a simple way of narrowing down your focus, however, keywords alone are often not enough. For example, if you are looking for John Smith. Simply typing: *John Smith* in the search bar is going to give you every document where both of those names appear: hundreds of thousands of documents. To avoid drowning, you will need to find relatively unique features that identify the John Smith you are trying to track down.

USE QUOTATION MARKS

Searching for “*John Smith*” (in quotes) will return only those results where the words appear together. If you have a middle name you can add that, for example: “*John Sylvester Smith*”. You can combine options using the OR command written in capitals, which Google uses to distinguish from the word ‘or’. For example, you could search for: “*John Sylvester Smith*” OR “*John S Smith*” OR “*JS Smith*”.

ADD FACTS THAT YOU KNOW (OR SUSPECT)

Say the John Smith you are interested in is alleged to be involved in drug smuggling and operates out of Zurich. You could search: “*John Smith*” Zurich or perhaps “*John Smith Zurich drugs*” which would return only pages where all those words occur.

COUNTRY-SPECIFIC SEARCHES

You may not be certain that John Smith operates out of Zurich, but you might know he is based in Switzerland. Using the “site:” command, Google allows you to search only pages with a specific country domain designation. The Swiss domain designation is .ch so you might type in the search bar: “*John Smith*” site:.ch which would return all Swiss pages containing the name John Smith; or “*John Smith*” drugs site:.ch

The domain designation for South Africa is .za, for Britain .uk. If you are unsure of the country designation, simply search for: “domain by country”.

ORGANISATION-SPECIFIC SEARCHES

Many commercial websites end with .com; many NGO’s, developmental organisations’ sites and activist groups end with .org. So if you are researching wind turbines, and want the companies, you might use “wind turbines” site: .com. If you want to find criticism about wind turbines, you might use “wind turbines” site: .org. If you want data on activist groups in South Africa, you type “wind turbines” site: .org.za.

USE THE NET TO FIND SOURCES

Drug smuggler John Smith may never have appeared on the net in that context (as an accused drug smuggler), so the next best thing is to find an expert on the drug trade in Switzerland who might have heard of John Smith and be able to give you more information. “*drug smuggling in Switzerland*” or “*drug smuggling*” *site:.ch* should give you access to newspaper or academic articles giving the names of such experts. You can then search to find their names and telephone numbers or email addresses and make contact.

USING AUTOMATIC TRANSLATIONS

Your articles from Switzerland may be in German or French. Google results offer an automatically translated version which can give you a good sense of what the article says (click on “translate this article” under the result), but be aware this is a very inexact process and you may have to struggle to make sense of the machine-generated translation!

USING GOOGLE CACHE

Web pages change over time, while many are shut down or removed. You may get a result on Google and find the page has gone. If this happens, click on the “cached” link on the specific result. Google saves a copy of the pages that it catalogues as it searches the web, and that is the cache version: the snapshot from when Google indexed the page. These copies are often still available long after the original page has disappeared from the internet, which is very useful for tracking companies and individuals who have “disappeared” as they often still exist in caches.

FINDING DATABASES THAT ARE NOT COVERED BY SEARCH ENGINES

Many useful databases are not covered by search engines. This includes many newspaper archives and municipal property databases and in some countries (for example, the USA) its court archives. In looking for traces of John Smith, it might be useful to access Swiss newspaper sites and search their archives. Most archive searches work the same way that Google does. You can also type in the URL of the archive you are searching in the “domain” box that appears when you click on Google Advanced. In that way, you can get Google to search that specific archive.

USE THE INTERNET’S PHONEBOOK

Nearly every country has an extensive telephone database, usually under the term “white pages” (even many non-English-speaking countries list “white pages” of their phone directories in English). For example, if you want to look up John Smith’s telephone number in Switzerland, you would Google “*white pages*” *site:.ch* and find the sites that offer Swiss telephone directories. In general, directories require that you specify at least the town or city, as well as the name.

DOWNLOAD LONG ARTICLES FOR LATER READING

If you have limited opportunity to go online, then save pages that look useful for background research so you can go through them carefully later.

BUILD UP YOUR OWN DATABASE IN A STRUCTURED, SEARCHABLE WAY

When you save documents from the internet, or save transcripts of interviews or notes, do so in a way which will allow you to find information again easily, or your virtual desktop will end up like many journalists’ actual desks: a vast, widely spread pile of assorted data where it is difficult to find anything at all, let alone quickly. There is a great free internet tool called Google Desktop that searches and lists your computer files for you. Simply key in “*John Smith*”, and the tool will give you a list of all the files you have saved.

HANDOUTS

HANDOUT 1: INTERNATIONAL LAND INSTRUMENTS

UNIVERSAL FRAMEWORKS

Throughout Africa, democratic land-governance systems are key to protecting the rights of diverse communities and creating a stable economic environment for investors. These are not necessarily foreign or large-scale investment: the majority of investors are small and medium enterprise farmers, seeking to acquire only a few hectares.

The UN Food and Agriculture Organisation began consultations to develop the *Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests* (see *Annexe I. Sources and Links On Land Rights*), resulting in their adoption by the Committee for World Food Security in 2012 as the first detailed land-governance guidelines to be endorsed by the international community. The guidelines are based on Article 32 of the *UN Declaration of Indigenous Rights* (see *Annexe I. Sources And Links On Land Rights*), adopted in 2007.

ARTICLE 32

1. Indigenous peoples have the right to determine and develop priorities and strategies for the development or use of their lands or territories and other resources.
2. States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources.
3. States shall provide effective mechanisms for just and fair redress for any such activities, and appropriate measures shall be taken to mitigate adverse environmental, economic, social, cultural or spiritual impact.

United Nations Declaration on the Rights of Indigenous Peoples

While Article 32 of the declaration defines the right of indigenous peoples to self-determination, it is Article 10 that protects against eviction, expropriation and displacement. When advocacy groups and lawyers refer to “Free, Prior and Informed Consent” they are referring to these articles and principles.

ARTICLE 10

Indigenous peoples shall not be forcibly removed from their lands or territories. No relocation shall take place without the free, prior and informed consent of the indigenous peoples concerned and after agreement on just and fair compensation and, where possible, with the option of return.

United Nations Declaration on the Rights of Indigenous Peoples

The *Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests* is not an enforceable law but is a useful tool for lobbying, and for those NGOs entering a mediation process with investors. The guidelines also advocate for fair land transactions, including protection of formal and informal tenure rights; tasks and responsibilities for states and private business; and transparency and accountability in land transactions.

Transparency features prominently as an essential principle of implementation (see paragraph 3B.8), including transparency of policies, laws and procedures as well as all transactions in tenure rights (see paragraphs 3B.8 / 5.5 / 12.3 / 12.5). The enactment of legislation mandating transparent administration and transactions of tenure rights can support efforts to reduce rent-seeking, corruption and mismanagement. The fundamental principles of the guidelines are as follows:

Transparency: defining and widely publicising policies, laws and procedures in applicable languages, and widely publicising decisions in applicable languages and formats accessible to all.

Accountability: holding individuals, public agencies and non-state actors responsible for their actions and decisions according to the principles of the rule of law.

Note: There is an obligation to provide information to the public relating to any contract. Investigative journalists may argue that the fundamental principles of the *Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests* provide the basis for obtaining information not only from individuals but also from public agencies and private business.

What is an illegal land deal?

One in which national rights are violated.

What is an unfair land deal?

Any land acquisition that violates human rights and FPIC principles.

What is land corruption?

The use of power and/or money to acquire land unfairly.

ANTI-CORRUPTION LAND INITIATIVES

World leaders acknowledged the need for greater transparency and accountability on land, open data and extractives; during the 2013 G8 Summit, and pledged to work towards achieving this. In a fact sheet provided by the UK government, lack of transparency is described as an obstacle to responsible and sustainable investment, essential for economic growth and food security. Lack of transparency around land deals can:

- Create a barrier to responsible investment.
- Weaken livelihoods and ignore rights of local communities.
- Create space for corruption and money laundering.
- Reduce space for legitimate business activity.

The discussion about a future Land Transparency Initiative resulted in the G8 launching seven pilot “Land Partnerships” between Burkina Faso/USA; South Sudan/EU; Namibia/Germany; Nigeria/UK; Niger/EU; Senegal/France; and Tanzania/UK. Essentially, the partnership agreements are meant to improve land administration according to the guiding principles of the *Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests*, albeit with a focus on creating an enabling investment environment rather than improving indigenous landowners’ rights. While just two of the partnerships were directly referred to as “Transparency Partnerships”, see *International & African Legal Land Instruments in Annexe I. Sources And Links On Land Rights*, all of the partnerships are supposed to increase transparency and accountability by:

- Supporting local authorities to formally register and protect land rights.
- Helping countries collect better data on land transactions.
- Helping countries attract high-quality investment that benefits the country’s economy.

AFRICAN LAND POLICY

To encourage more effective development, the African Union established the *Framework and Guidelines on Land Policy in Africa* (see *Annexe I. Sources And Links On Land Rights*). The land policy was endorsed in a declaration in Sirte (Libya) in 2009. The road map for implementing this policy – the framework and guidelines – was elaborated by a tripartite consortium of the African Union Commission, the United Nations Economic Commission for Africa and the African Development Bank, through a Land Policy Initiative based in Addis Ababa. To counter land grabbing in Africa, which developed at high speed after the financial crises in 2007-08, the African Union developed the *Guiding Principles on Large-Scale Land-Based Investments*. You will find links to this, and other key documents relating to this handout, in *Annexe I. Sources And Links On Land Rights*.

Providing guidance on good governance, strengthening the role of small-scale farmers and demanding the recognition of women’s land rights, the *Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests* and the *Framework and Guidelines on Land Policy in Africa* became key tools for NGOs dealing with land governance. Neither set of guidelines are legally binding, but they provide useful guidance to policy-makers and arguments for activists, campaigners and investigative journalists.

CHECKLIST FOR FREE, PRIOR AND INFORMED CONSENT

Participatory process

- ☐ Did the communities determine how Free, Prior and Informed Consent was to be obtained? Or did the investor/government dictate the path?

Resources

- ☐ Did the communities involved have the necessary resources to participate fully?

Such resources might include access to information; means of dissemination of position to, and consultation among, members of the communities; transport required to access information and attend meetings; translations of key documents; access to media to address their concerns; etc.

Time

- ☐ Was the timeframe sufficient for the communities to develop a position and give consent?

Communications at the community level are often much more complex and sometimes slower than international business operations, for example.

Broad participation

- ☐ Were sufficient efforts made to ensure the widest possible participation of people from across the communities involved?

Often only key representatives, traditional authorities and provincial governments are contacted.

Accessible information

- ☐ Did communities receive correct and relevant information, including a variety of perspectives from a range of sources?

Trust

- ☐ Are the communities involved aware of efforts to sell, lease, develop or otherwise repurpose the land in question?

A peaceful coexistence of communities and investors is only possible if an open and transparent process is taking place.

Cultural sensitivity

- ☐ Have customary laws and traditional decision-making systems been respected and abided by?

Decisions in Africa are often taken following complex procedures to achieve a long-lasting and peaceful agreement. This also includes a regulation for religious sites and non-commercial use of land, such as for the collection of medicinal plants.

Right of refusal

- ☐ Has the negotiation included not only the price and conditions to acquire the land, but also the option to refuse?

Free, Prior and Informed Consent includes the option to choose an alternative way of development.

The United Nations Permanent Forum on Indigenous Issues (UNPFII) has defined the concept of Free Prior Informed Consent as the following:

- Firstly 'Free' simply means that there is no manipulation or coercion of the Indigenous People and that the process is self-directed by those effected by the project.
- Secondly 'Prior' implies that consent is sought sufficiently in advance of any activities being either commenced or authorised, and time for the consultation process to occur must be guaranteed by the relevant agents.
- 'Informed' suggests that the relevant Indigenous people receive satisfactory information on the key points of the project such as the nature, size, pace, reversibility, the scope of the project, the reason for it, and its duration. This is the more difficult term of the four, as different groups may find certain information more relevant. The Indigenous People should also have access to the primary reports on the economic, environmental cultural impact that the project will have. The language used must be able to be understood by the IPs.
- Finally 'Consent' means a process in which participation and consultation are the central pillars

Source: "Free, prior and informed consent", Wikipedia (bit.ly/2xQPujC)

HANDOUT 2: STRUCTURAL CAUSES OF LAND CORRUPTION

WHAT IS LAND CORRUPTION?

Land corruption is quite simply corruption that takes place in the land sector. It is usually associated with unresponsive, unaccountable and often ineffective land governance, as recognised in the *Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests* (see *Annexe I. Sources And Links On Land Rights*). Land corruption includes administrative corruption and some “grand” corruption, in the case of investments or large land sales. “Petty” corruption is the everyday reality of citizens who have to pay to register land parcels; it occurs during land deals between neighbours, the allocation of plots in rural areas and land transfers in the case of succession.

The best-known cases involve “agents” (who pledge to speed up land-registration procedures or facilitate land deals between investors) on the one hand, and ministries, land commissions and traditional authorities on the other. Also worth remarking on are cases in which tribal chiefs and elders conspire with men in the community to share compensation for the compulsory acquisition of community lands, while excluding the women who often depend upon it for survival. The most difficult cases to prove are those that involve politicians and senior officials, using their influence and/or funds to acquire land for investors.

GENDER, LAND AND CORRUPTION

Women and men face very different forms of land corruption. Women are more likely to be its victims since they have less secure land rights than men and usually depend on male relatives for access. Security of tenure is extremely difficult when land is not registered and customary law blocks women from inheriting it.

Women are in the most precarious situation in terms of access and control of land. While not discriminated against in statutory law and guaranteed the same rights to access as men to purchase land, custom often precludes women from inheriting land from their families. In Muslim societies, customary law tends to follow Sharia-based rules that may deny women the rights of land ownership or inheritance. Women rely on their husbands to acquire land for farming and other activities

but lose those rights when divorced or widowed. In matrilineal societies, children or the widow’s brothers-in-law inherit, but not the family of the deceased. Traditional leaders can allocate land to widows at their discretion, and also mediate conflicts between family members and a widow to obtain lifelong right of use.

Less than 8 per cent of women in West Africa own land and less than 30 per cent in East Africa, while up to 70 per cent of food is produced as a result of women’s farming activities. A husband may secure land rights for his wife and female children through a notarised will or by registering the land under statutory law. In both cases, a lawyer can support a widow’s attempt to have her rights recognised in law.

MAIN ACTORS IN LAND CORRUPTION

The main actors in petty and administrative corruption are public officials and, in some cases, traditional leaders, often operating in collusion with land professionals and commercial developers. Politicians and senior civil servants are the key actors in cases of grand, systematic and political corruption.

Although social values and “practical norms” play a role in framing corruption, the prime incentive for corruption in land governance at a national level is profit and personal gain through the extraction of bribes, and access to profits from land sales and development in administrative and petty corruption. An additional incentive is the use of land as an asset for patronage to consolidate political influence in cases of political corruption. International investors often have to rely on local agents to access land, but also get involved in corrupt practices to access land via senior officers in ministries and investment agencies.

STRUCTURAL CAUSES OF LAND CORRUPTION

In sub-Saharan countries, the weak governance of land resources provides fertile ground for corruption. It is important to lobby for moral integrity to reduce corruption. But even more important is to analyse what are the structural causes of land corruption. This is what is called the “risk of corruption”. Features of corruption, observed and investigated by journalists and researchers, are always connected to weaknesses in governance.

The term “land grabbing” usually refers to an act of force to take possession of lands. It refers to the irregular acquisition of the land occupied by indigenous people by (often international) investors for speculation, enrichment, estate development and industrial agriculture. By researching the risk of corruption, the focus is on structures facilitating the unjust and often violent take-

over. It changes the focus from monitoring the “loss of land” to a more comprehensive perspective to put the victims at the centre of research, to differentiate different forms and analyse the power structures. In summary, it is a paradigm shift for investigative journalists, from hunting the villain to illustrating the corrupt process and highlighting the impact on people.

Area	Risks	Forms
Land administration	<ul style="list-style-type: none"> • Inadequate land laws and procedures, and the prevalence of excessive discretionary power within land administration. • Excessive or unpublished fees for land services. • The partial or non-recognition in law of established customary rights. • Underdeveloped and non-transparent land registration systems. Absence of up-to-date and accurate land records. • Existence of multiple land management authorities / parallel institutions for land management, including overlapping formal and customary institutions. • Irregular practices in the collection of land taxes. • Limited accessibility of services. • Lack of effective complaint, grievance and independent oversight mechanisms. • Absence of a code of conduct. • Non-transparent procedures for the allocation and privatisation of public land. 	<ul style="list-style-type: none"> • Bribery of land administration officials and law-enforcement authorities. • Fraud and production of false land claim documentation. • It can take the form of small bribes that must be paid to register property, change or forge titles, acquire land information, process cadastral surveys and generate favourable land-use plans. • Such bribery is facilitated by complicated processes, limited information about available services and any applicable fees.
Customary tenure	<ul style="list-style-type: none"> • Lack of legal recognition and delineation of customary land. • Traditional practices of payments and exchanges. • Opaque systems, absence of outside control and lack of clarity in allocation of land. • Monetisation and speculation on land sales. 	<ul style="list-style-type: none"> • Abuse of power. • Conversion of property and capture of revenues by chiefs and influential people. • National institutions and business interests override local land rights.
Management of state owned land	<ul style="list-style-type: none"> • Lack of inventory, delineation and management of state land. • Irregularity of land prices for disposal and acquisition. • Lack of effective complaint, grievance and independent oversight mechanisms. 	<ul style="list-style-type: none"> • Bribery of government officials to obtain public land at a fraction of market value. • Manipulation of compulsory acquisition and compensation processes by government officials and investors. • Irregular conversion of property and land classification status by government officials.

Area	Risks	Forms
Land use planning, conversion, and investments	<ul style="list-style-type: none"> • Lack of transparency of planning processes and land allocation procedures. • Opaque, slow and bureaucratic processes for issuing building development permits. • Unclear land use and property rights. • Lack of effective complaint, grievance, independent oversight and enforcement mechanisms. • Lack of an independent media. 	<ul style="list-style-type: none"> • Capture of rent and profits originating from land conversion and re-zoning by government officials and investors. • Abuse of government officials' discretionary power to propose real estate and land developments that increase the value of her / his personal property. • Acquisition of land through state capture and/or by investors and developers having received insider information from government officials. • Bribery of government officials by investors and/or developers.
Payments for environmental services (for example the 'Reducing Emissions from Deforestation and Forest Degradation' [REDD+] programme)	<ul style="list-style-type: none"> • Lack of legal recognition of tenure rights. • Lack of recognition of protected areas and land reserved for environmental protection. • Opaque, slow and bureaucratic payment mechanism. 	<ul style="list-style-type: none"> • Capture of funds by developers, investors and government officials. • Acquisition of parcels eligible for payments by developer, investors and government officials.

Source: Corruption in the Land Sector: Working Paper #04/2011 (Transparency International / FAO)

COUNTRY SPECIFIC RISKS OF LAND CORRUPTION

As legislation and institutions differ from country to country, the forms and risks of corruption also take different shapes. Corruption has been shown to be extensive in the processes of developing urban land for commercial and residential purposes, with local elites profiting from their political networks.

In West Africa, the role of traditional rulers is often crucial but unregulated; agents who facilitate contacts with institutions, authorities and political decision-makers have great importance. In East and Southern Africa, historic injustice plays a major role in shaping local land corruption: the distribution of land along racial lines (Zimbabwe, Kenya); the inheritance of colonial settler lands by political elites (Kenya, South Africa); and the unregulated privatisation of land after the introduction of market-driven economies in the 1990s (Zambia, Tanzania).

Land titling in most countries is confined to the middle class and the urban areas, while vast areas of rural Sub-Saharan Africa remains unregistered. To date, only 1 per cent of Sub-Saharan land is registered in a cadastre and the verification of property rights is a cumbersome

process. Shadowy processes of land acquisition, utilisation of land revenues by customary authorities and local administrations or influential politicians are the norm rather than the exception.

LARGE-SCALE LAND ACQUISITION: A MAJOR RISK FOR LAND CORRUPTION

The financial crisis in 2007-08 opened a new "rush for land" in Africa. Investors sought opportunities to invest in natural resources and in land they found a valuable commodity for the production of biofuel. From politicians to traditional rulers and local administrators, many profited from the land rush. However, Land Matrix – a platform monitoring large-scale land acquisitions (see Annexe I) – stated in 2016 that 30 per cent of the land acquired had not been developed, although the farmers using these lands had lost their traditional and legal rights to the soils of their forefathers.

Worldwide, the Land Matrix has documented 1,204 completed deals, covering over 42.2 million hectares. Planned deals target a further 20 million hectares while failed deals amounted to some 7.2 million hectares. Africa remains the most significant target area. Land

acquisitions are concentrated along major rivers and in East Africa. The exclusion of local communities during the negotiation phase suggests that they frequently oppose foreign investors, as was the case in 60 per cent of the deals monitored. At the same time, in just 15.4 per cent of the total deals monitored, equity is shared between international and domestic investors. The cases with domestic shareholdings are mostly in Africa, typically with the target government as a joint venture partner. In about 14 per cent of cases, a process of community consultation to obtain Free, Prior and Informed Consent has been conducted, while in 43 per cent of cases some limited form of consultation has taken place.

HANDOUT 3: INVESTIGATIVE INTERVIEWING TECHNIQUES

TYPES OF QUESTIONS

Question type	Purposes	Examples
Factual	<ul style="list-style-type: none">• Obtain information.• Open discussion.	<i>Who, what, where, when, why? (the 5 Ws)... and how? "What does it mean?"</i>
Explanatory	<ul style="list-style-type: none">• Get reasons and explanations.• Broaden discussion.• Develop additional information.	<i>"In what way would this help solve the problem?"</i> <i>"What other aspects of this should be considered?"</i> <i>"Just how would this be done?"</i>
Justifying	<ul style="list-style-type: none">• Challenge old ideas.• Develop new ideas.• Get reasoning and proof.	<i>"Why do you think so?"</i> <i>"How do you know?"</i> <i>"What evidence do you have?"</i>
Leading	<ul style="list-style-type: none">• Introduce a new idea.• Advance a suggestion (of your own).	<i>"Should we consider this as a possible solution?"</i> <i>"Would this be a feasible alternative?"</i>
Hypothetical	<ul style="list-style-type: none">• Develop new ideas.• Suggest another, perhaps unpopular, opinion.	<i>"Suppose we did it this way – what would happen?"</i> <i>"Another company does this – would it work here?"</i>
Alternative	<ul style="list-style-type: none">• Make decisions between alternatives.• Get agreement.	<i>"Which of these solutions is best – A or B"</i> <i>"Is A our choice in preference to B?"</i>
Co-ordinating	<ul style="list-style-type: none">• Get agreement.• Pave the way for action.	<i>"Can we conclude that this is the next step?"</i> <i>"Is there general agreement on this plan?"</i>

ACTIVE LISTENING TECHNIQUES

Type of statement	Purposes	Actions	Examples
Encouraging	<ul style="list-style-type: none"> Convey interest. Keep the person talking. 	Don't agree or disagree. Use non-committal words with positive tone of voice.	<i>"I see..."</i> <i>"Uh-huh..."</i> <i>"That's interesting..."</i>
Restating	<ul style="list-style-type: none"> Show that you are listening and understanding. Let the person know that you grasp the facts. 	Restate the other's basic ideas, emphasising the facts.	<i>"If I understand, your idea is..."</i> <i>"In other words, this is your decision..."</i>
Reflecting	<ul style="list-style-type: none"> Show that you are listening and understanding. Let others know you understand their feelings. 	Restate the other's basic feelings.	<i>"You feel that..."</i> <i>"You were upset by this..."</i>
Summarising	<ul style="list-style-type: none"> Pull together important ideas, facts etc. Establish a basis for further discussion. Review progress. 	Restate, reflect and summarise major ideas and feelings.	<i>"These ideas seem to be the key ideas you have expressed ..."</i> <i>"If I understand you, you feel this way about the situation..."</i>

PREPARING FOR AN INTERVIEW

- Interview preparation is key. Devote as much time to research, collecting primary documents, question planning and rehearsal as you can.
- Set up the interview in a way that suits the story and circumstances.
- A calm, neutral demeanour and questioning style will produce better results; even in interviews that may become adversarial.
- Have a strategy for the whole interview. Always move from the warm-up and broad, less threatening questions towards more precise, focused questions that will allow you to pin the interviewee down on key aspects.
- Use data-mapping techniques to pinpoint the areas of short information and contradiction your interview needs to deal with.
- Keep questions clear, simple and direct.
- Establish ground rules (for example what is on/off the record) and confirm basic information at the start of an interview.
- Follow-up, re-phrase or reflect back to get answers that are clear and direct.
- Take your time and don't be scared of silences.
- Understand and strategise in relation to the motivations of 'spin doctors'.
- Handle reluctant or fearful interviewees kindly and carefully – but don't let them off the hook.
- Establish support structures and strategies to help you deal with threats and intimidation.
- Use covert interviewing techniques only after careful, ethical decision-making – and be sure you have the technical skills to carry them off.
- Never take interview answers out of context.

HANDOUT 4: GUIDELINES FOR BRIEFINGS

When preparing for a briefing or interview with a source, it is important to establish the “terms” before it begins. If the source wants their comments to be “off the record”, from the outset or asks at a later point in the proceedings, you should be prepared to begin immediate negotiations. In preparation for this eventuality, try asking yourself the following questions:

1. Does the source need the media more than vice versa? Are you, as a journalist, using the source in the interests of informing the public, or is the source using you for a different agenda? If so, what is their agenda? What information is the source likely to be leaving out of the briefing? Can you, rather than the source, set the terms of the engagement?
2. If the source argues for the briefing to be confidential (in one form or another), is this absolutely necessary? Can you persuade him or her to go “on the record” before or after the engagement? Can you convince the person to take named responsibility for the sake of the credibility of the story and veracity of the information?
3. Have you assessed how much trust and reliability there is in the relationship, before agreeing to confidentiality?
4. Are both the contents of the briefing as well as the fact of its occurrence, supposed to be confidential? Does the source realise whether this is practical or not?
5. If the source is not “media savvy”, do you have a responsibility to explain the implications of his/her name going into the media? Are there legitimate reasons why the source should be advised to speak in confidence?
6. If the source speaks “on the record” and then retrospectively declares something “off the record”, you must argue that this was not agreed beforehand and that it is, therefore, something that you are not bound to respect.
7. If the engagement is agreed in advance as being “off the record”, “background”, or “deep background”, is the meaning of these words mutually understood and agreed? In particular, it is important to clarify whether “confidential” is taken to mean:

Not for attribution: meaning the information may be used but not attributed to the particular source.

- In such a case, is the precise public form of the sourcing (for example “a source close to the Minister”) agreed by both parties?
- Is it possible to increase the credibility of the source by getting as close an identification as possible without jeopardising the individual's anonymity (for example “an official in the Presidency”)?

Not for use: meaning the information may not be used under any circumstances.

- In such a case, may the info still be followed up independently through pursuing other avenues?
- If not, is it possible to point out to the source that no purpose is served by the briefing if the information or perspective given is not to have some manifestation in the media?
- If not, is it possible to go back to the source at a later point and persuade him/her to drop the restrictions? Will changing situations affect the status of the information and enable you to re-negotiate?

If the source begins to touch on information which you already possess, and you do not want to be bound by “not for use, nor for independent follow up”, are you ready to promptly and explicitly terminate your participation in the confidential briefing/interview or particular phase thereof?

8. Does the source know whether you may need to disclose his/her identity to your editor?
9. Does the source require that she/he can see your story before publication and have veto rights over what you will publish? Do you know your newsroom's policy on this?
10. Are you abiding by professional ethics and respecting the terms of a commitment to confidentiality which you have given in the name of journalism?
11. Is your negotiation on confidentiality the best deal that can be secured for the public interest? Will you be able to defend your participation in it if the need ever arises?

HANDOUT 5: LEGAL FRAMEWORKS

CUSTOMARY AND STATUTORY LAW

Most Sub-Saharan African countries have parallel systems of customary and statutory land law, even when the land is nationalised (for example Zambia, Cameroon, Nigeria) and the government is the legal owner of most of the land. The Land Policy Initiative, based at the UN Economic Commission for Africa, defines customary land as that which is based on customary principles and managed by customary authorities. See *Land Rights Organisations* under *Annexe I. Sources And Links On Land Rights* for a link to the initiative's website, where you can find regional surveys on existing land laws and regulations of land administration.

The term "customary land" is used to represent the different categories of rights and interests held within traditional systems and controlled by a chief, autochthon, head of clan, family or village. These rights are based on the fact that they are recognised as legitimate by the community. The rules governing the acquisition and transmission of these rights are usually explicitly known in the communities, but mostly not recorded in writing. Lack of written documents produce important challenges when communities deal with outsiders. Key among them are boundaries/rights/titles that often appear undefined or unclear to the outsider, undocumented transactions, and disputes that sometimes escalate into fully fledged conflicts; all of which require time, patience and local knowledge to understand.

In Burkina Faso and Niger, village committees and land commissions respectively have been established to administer rural lands and settle disputes associated with their use. In Ghana, however, the state controls the allocation and revenue accruing from some customary (stool) lands through legislation. Thus, even though the land is owned by the customary authorities, the state's extensive regulatory powers render customary authorities relatively ineffective in dealing with their lands. The key challenge is how to fashion simple and inexpensive mechanisms for recording customary rights and giving them legal recognition. This has been done in Niger and Burkina Faso and to some extent in Ghana.

Customary law may be applied without ever being written down, but it may make use of land titles or deeds, registered in a Lands Commission or a Cadaster. Customary law is often based on complex rituals

(a hearing by the community and/or elders; payment of "drink money", royalties or commodities; consultation with the ancestors or gods). They may also include the service of a surveyor to determine boundaries or rely on a visit in situ. Ghana has introduced Customary Land Secretariats with modern features of land registration in some districts, but lack of transparency in fees, rents and royalties still cloud the acquisition of deeds and use of the land.

Customary law practice is difficult to investigate, as many traditional gatekeepers are reluctant to discuss their procedures and are free to make arbitrary decisions claiming to act "according to the market". Registries are often not organised in a modern way and are stored at random.

On the other hand, statutory laws regarding land is likely to comprise of the following elements:

- Land being of high value for cultural identity and the basic livelihood of a nation, land rights are usually enshrined in the national constitution.
- Land Use Acts or Land Codes describe fundamental rights and obligations. It is important to check whether customary rights, environmental protection, equality of men and women are established.
- Land Commissions and their structures are usually equipped with a separate law.
- Environmental Protection Laws or equivalents sometimes have to be consulted to find the right clauses for compensation and resettlement.
- Cadasters are surveys of the total land of a given country to define the dimensions and location of the individual land parcels referred to in legal documents. Cameroon and Togo have cadasters based on the German Grundbuch-Amt. Cadastral coverage is rated at less than 1 per cent in Sub-Saharan Africa.
- A Land Bank is a more recent idea, based on the creation of a cadaster usually of state or public land that is available for purchase, rent, lease or any other form of transfer.

INSTITUTIONS INVOLVED IN LAND ACQUISITION

When you have developed your story hypothesis and conducted the first interviews, you have to verify your information. For background checks on companies and influential personalities you might start with online research, but to investigate land you have to find the right institutions in your country.

Both traditional authorities and land commissions can allocate land, issue deeds and register titles. Land transactions in the countryside include the chief's allocation of a plot for farming or house construction, dignified by a simple ceremony according to traditions and customs. The resulting title, however, is fragile and may be challenged by anyone with the power or wealth to do so. The title can be converted into a legally binding leasehold or freehold contract by the issuance of a "deed" from the national land commission. Unfortunately, few rural residents are willing to spend money to secure an official deed as long as their community is peaceful and no major development is planned.

In urban areas and zones of development, land titles are essential. The land has to be surveyed, site plans drawn and an inspection by the land commission may be mandatory. Large-scale investments require the elaboration of a business plan and an environmental impact assessment. Agents or service providers for these services are often scarce, expensive and vulnerable to bribes and extortion. Nationally owned land allocation usually has a longer planning procedure for the assignment of land to be given out. These procedures should be published and open for public scrutiny.

HANDOUT 6: LAND-TRANSFER CONTRACTS

Land transfer contracts should include the price, plot size and duration of the transaction agreed. A site plan should be attached to the contract. When a large-scale investment is planned, government should stipulate the purpose of the investment and the size of land affected. Other requirements include:

- an environmental impact assessment (official survey of project's likely impact on water, soil and air)
- ministerial approval
- a parliamentary vote on the project

Leasehold is a form of transfer of user rights that does not affect the ultimate ownership of the property.

Freehold gives all rights to the individual or company acquiring the land.

Usually, a Memorandum of Understanding is drawn up before the land title is transferred and registered in the cadaster or land commission. The investigative journalist should verify under which conditions and with which partners the memorandum and contract have been signed, whether all signatory parties are eligible to sign, and whether the memorandum is accessible to key stakeholders. See *Reading Land Transfer Contracts* in *Annexe I. Sources And Links On Land Rights* for some online tools.

- Women are often confronted with discrimination, sexual abuse and demands for sexual services when seeking to access land title, whether for private or national land.

- Service providers, also known as agents, commissioned to facilitate contact with public and traditional authorities, are particularly prone to corruption. Fees are not fixed, and the agents of land commissions often pose as private companies to monetise their privileged access.

CHECKLIST FOR LAND CONTRACTS

- ☐ Is the title registered with the Lands Commission?
- ☐ Is there a Memorandum of Understanding or Letter of Grant for the investment?
- ☐ Did local government agree to the acquisition?
- ☐ Are the signatory parties legitimate representatives of government, local community, companies?
- ☐ Is the company acquiring the land also the final user?
- ☐ Is the plot size stipulated?
- ☐ Is the use stipulated?
- ☐ Has an Environmental Impact Assessment been conducted? Was it done by an authorised state agency?
- ☐ What are the rights and access of local communities (for example access to water and right of trespass)?
- ☐ What is the period of the lease/rent of the parcel?
- ☐ Are the price and compensation spelt out for relocation and/or loss of income?
- ☐ How many jobs will the project create, and for whom?
- ☐ Who (name, address) will receive compensation and who controls the compensation payments?

HANDOUT 7: INVESTIGATING LAND IN NIGERIA (INSTITUTIONAL SOURCES)

The following are examples of institutions that might be approached when investigating a land corruption story in Nigeria:

TRADITIONAL LEADERS / LOCAL GOVERNMENT

The local chief or local government representative should hold copies of title deeds, known as a Certificate of Occupancy (sometimes referred to as “C of O”). Local elders or district heads can be approached to facilitate contact with the relevant officials.

CADASTRE

Ownership details should be registered in the cadaster, for example, Abuja Geospatial Information System (Abuja), Nasarawa Geographic Information Service (Nassarawa), Lagos GIS (Lagos). Other states may have a Lands Bureau at the office of the state Governor.

CORPORATE AFFAIRS COMMISSION

Companies should be registered at the Corporate Affairs Commission, which can provide details of owners together with annual financial reports.

LAND AND TOWN PLANNING DEPARTMENT

The Land and Town Planning Department, at the local and district level, holds information necessary to determine whether land acquisitions/investments follow the overall development plan of the state or local government authority. If compensation is an issue, these offices have to be included in the resettlement plan and allocation of alternative space for landless people.

NIGERIAN INTERNAL REVENUE SERVICE

The revenue authority, the Nigerian Internal Revenue Service, can provide information on tax affairs relating to the land in question, including whether the correct income tax was paid.

ENVIRONMENTAL PROTECTION AGENCY

The Environmental Protection Agency is responsible for evaluating large-scale investments. The agency should be able to provide the associated business plan, development plan and maps for any large-scale land scheme. The necessary Environmental Impact Assessment should give details on the predicted impact on forests, grazing reserves, access to water and human settlements, together with a forecast of pollution and damage to the natural environment.

ECONOMIC AND FINANCIAL CRIMES COMMISSION

The Economic and financial Crimes Commission investigates money laundering, embezzlement of public funds, and other crimes. They will be able to provide information on any earlier infringements associated with the case. The commission has the power to prosecute and arrest.

INDEPENDENT CORRUPT PRACTICES AND OTHER RELATED OFFENCES COMMISSION

The Independent Corrupt Practices and Other Related Offences Commission investigates corruption and graft across Nigeria and may hold information relevant to the case under investigation.

PUBLIC COMPLAINTS COMMISSION

For cases relating to corruption in land administration, the Public Complaints Commission may already have information relevant to the case or be interested in supporting the investigation.

NATIONAL ASSEMBLY

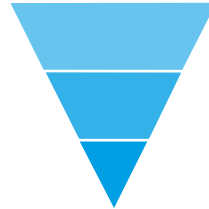
The associated district representative to the National Assembly may have relevant information.

HANDOUT 8: STORY SHAPES

The following are four different shapes that can be used to structure your story:

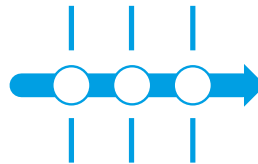
INVERTED PYRAMID

The introductory paragraph gives the five Ws and one H: Who, What, Where, When, Why and How. Information is presented in descending order of importance. This format allow for stories to be cut from the bottom. However, the story becomes less interesting, and readers are inclined to stop before the end.



CHRONOLOGICAL

The story starts with an introduction and then tells what happens chronologically: something happened, then something else and finally something else concludes the series of events. This story is easy to write, but the reader has to hunt for the important information, and unnecessary detail can clutter the narrative.



MARTINI GLASS

This combines the Inverted Pyramid with Chronological storytelling (see above) and adds a “kicker” (a strong ending). This helps clarify complex and dramatic events by using a narrative style. However, it is longer and therefore harder to cut down.



STACK OF BLOCKS

This form has a straight introduction, several distinct sections and a “kicker”. Structuring the information into distinct sections allows for in-depth exploration and explanation, while the kicker takes readers back to the central point. However, with this story shape, the reader has to read the whole article to get the full story.



HANDOUT 9: STORY FORMS

FEATURES

Features (including news, human interest, analysis, context and narrative) are longer-form articles exploring issues from many perspectives. A feature takes an in-depth look at what's going on behind the news. Unlike "hard" news, features do not have to be tied to a current event or a breaking story, however, they might develop out of something reported in the news. Features often do one (or more) of the following:

- profile people who make the news
- explain events that move or shape the news
- analyse what is happening in the world, nation or community
- teach an audience how to do something
- suggest better ways to live
- examine trends
- entertain

Some different types of features include:

Personality profiles are written to bring an audience closer to a person in or out of the news. Interviews and observations, as well as creative writing, are used to paint a vivid picture of the person.

Human interest stories are written to show a subject's impact on people or its practical, emotional, or entertainment value.

Trend stories examine people, things or organisations that are having an impact on society.

In-depth stories combine extensive research and interviews providing a detailed account well beyond a basic news story or feature.

Backgrounders (also known as analysis pieces) add meaning to current issues in the news by explaining them further.

Colour stories are descriptive and can be used to bring a variety of different types of themes to life. Keen observations — eye, ear, sense, and touch — are key to developing good colour stories.

Take-out pieces are, in general, major stories where teams (including journalists, photographers, graphic artists and designers) work together to bring various elements of a story together into a comprehensive writing, editing and design package.

FACT BOX

Fact boxes can be particularly useful and effective when figures or additional facts that are interesting cannot be accommodated in a story.

GRAPHICS

Graphics are an excellent tool to explain complex issues or events, or to lighten complex stories.

COLUMNS (OPINION)

Opinion-based columns are normally written by experts who have authority in their field. Respected columnists draw readers to newspapers as they are regarded as "thought leaders" and can stimulate debate and discussion.

SIDEBAR

This usually accompanies a story and is either an element of the story full-explained or a complementary story.

HANDOUT 10: WRITE TIGHT!

The following are some techniques for writing by Chip Scanlan, from the Poynter Institute (USA), called “Write Tight!”:

- Keep it simple.
- Keep sentences short.
- Keep to one idea per sentence; one issue per paragraph.
- Ensure your story has one clear focus. If not, eliminate distractions. Don’t shove in all the information you have gathered — just put in what is necessary.
- Follow a Subject-Verb-Object structure with each sentence. Use active speech.
- Ensure your introduction gives the reader a clue about the story — get to the point as soon as possible.
- Choose strong verbs over weaker verbs.
- Avoid jargon, clichés and predictable formulas.
- Don’t clutter your sentences with numbers. Try to simplify numbers as much as possible.
- Avoid adverbs.
- Use concrete language and examples rather than abstract.

IDEA

- Move quickly from assignment to budget line.
- Brainstorm the reader’s questions.
- Decide on a focus early but being willing to be flexible, to change with the information you report.

FOCUS

- Be ruthless about finding the heart of the story: an effective story has a single dominant impression.
- Address the question, “What’s the story really about?” and answer it in one word.
- Ask two questions that keep track of the focus of any story: What’s the news? What’s the point? Do they address the reader’s concerns: What’s new here? What’s this story about? Why am I reading this?
- Keep thinking through the entire process: What’s this story really about and what are the essentials I must include?

REPORT

- Keep in mind the “iceberg effect”. The strength of a story is the mountain of reporting that lies underneath, the interviews, details, understanding that the reader will never see but will infuse your story with power.
- Mine for gold. With short stories, you only want the best; the most illustrative anecdote, the most telling detail, the most pungent quote, the most revealing statistic.
- Look for revealing details that put people on the page. For example, the female police officer who wears size four steel-toe boots or the widow who sprays her dead husband’s aftershave on her pillow.
- Use the five senses in your reporting and a few others: sense of place, sense of people, sense of time, sense of drama.

“In a good story, a paranoid schizophrenic doesn’t just hear imaginary voices, he hears them say, ‘Go kill a policeman.’”

David Finkel, The Washington Post

ORGANISE

- Think “short” from the beginning. This is a suggestion echoed in *The Elements of Style*, Strunk & White’s indispensable guide: “You raise a pup tent from one sort of vision, a cathedral from another.” Staying faithful to an 800-word length will help you jettison irrelevant information and avoid reporting detours that might be interesting but will consume valuable time.
- End it first. Once you settle on a destination, it’s easier to plan your route.
- Work the Rubik’s Cube. Move, cut, shift the elements of your story.

FIVE BOXES APPROACH

This approach from Rick Bragg doesn’t involve outlining stories, but uses boxes to organise the story:

The first box, the lead, contains the image or detail that draws people into the story.

The second box is a “nut graph” that sums up the story.

The third box begins with a new image or detail that resembles a lead and precedes the bulk of the narrative.

The fourth box contains material that is less compelling but rounds out the story.

The fifth, and last, box is the “kicker,” an ending featuring a strong quote or image that leaves the reader with a strong emotion.

“Even if you just completely scramble it later on, at least it got you rolling”, Bragg says.

DRAFT

- Write early: find out what you know, what you need to know
- Write the end first. Most reporters concentrate on the lead. When you’re writing short, especially, the ending is more important for time management and psychological reasons.

- Find a narrative line
- Put your notes aside before you start to write.

“Notes are like velcro,” says Jane Harrigan of the University of New Hampshire. “As you try to skim them, they ensnare you, and pretty soon you can’t see the story for the details.” Her advice: Repeat over and over, “The story is not in my notes. The story is in my head.” A good practice to develop is to work out your intro and first two paragraphs in your head while driving back to the newsroom from an assignment.

REWRITE

- Raise the bar: is it good enough?
- Murder your darlings!
- Cut “like a surgeon,” as poet Anne Sexton says. “Down to the bone.”
- Select, don’t compress: wholes, not parts
- Is there a beginning, middle and end?
- Is the ending resonant?
- Are the sentences active?
- Can I use punctuation as a tool?
- Role-play the reader. Step back and pretend you’re reading your story for the first time. Does the lead make you want to keep reading? Does it take you too long to learn what the story is about and why it’s important? If not, are you intrigued enough to keep reading anyway? What questions do you have about the story? Are they answered in the order you would logically ask them?

TEN TIPS FOR STRONGER INTROS

1. Keep them short. Aim for 25 words or less.
2. What would you tell a friend? Keep the intro direct.
3. Don’t drag down the intro with too much detail — put in only what you need.
4. Aim for present tense, active. Things happen. They also happen with structure: subject, verb, object: “I wrote an intro.”

5. Avoid acronyms, clichés, jargon and unnecessary punctuation. Write the way we speak. Keep it conversational.
6. Keep it simple. Short, strong words are better than a multi-syllabic usage of the dictionary.
7. The 4Ws and 1H is a good checklist to ensure you have the elements of a story. But all five don't all have to be in the intro.
8. If you're asking a question in the intro, make sure it is valid. Don't ask a question the story does not answer or at least tackle.
9. Does your completed intro flow? Read it aloud.
10. Great intros rarely emerge after the first draft. Can I use stronger, more active words? Can I shorten this sentence?

HANDOUT 11: UNPACKING COMPLEX STORIES

The following are some simple questions to assist you in “unpacking” complex stories:

- What is the story about?
- What is the focus?
- Who am I writing this for?
- What questions would the reader have?
- Have I got all the information to answer these questions?
- How can I tell this story?
- What should be the story structure?
- What visuals will bring this story to life?
- Should I use graphics?
- Can I use a fact box?
- Do I need more than one story?
- What is my most important information?
- Are other pieces of information essential to relay to the reader?
- What information is non-essential and can be omitted in this article?

HANDOUT 12:

ACCURACY CHECKLIST

- Do you have a high level of confidence about the facts in your story and the sources that are providing them? If not, can you tell your story more accurately? If you have any doubts about your sources, can you delete them or replace them and achieve a higher level of reliability?
- Have you attributed or documented all facts?
- Have you double-checked the key facts?
- Can you provide the properly spelt name and accurate telephone number of every source cited?
- Are you highly confident that all the factual statements in your story reflect the truth?
- Are you prepared to defend publicly your fact checking and whatever other measures that were taken to verify your story?
- Are the quotes in your story presented fairly, in context?
- Are you quoting anonymous sources? Why are you using those? Are you prepared to defend the use of those sources publicly?
- Are you using any material (documents or pictures) provided by anonymous sources? Why? What is your level of confidence in the validity of this material? Are you prepared to defend publicly the use of that material?
- Have you described persons, minority groups, races, cultures, nations, or segments of society (for example business people, war veterans, cheerleaders) using stereotypical adjectives?
- Are such descriptions accurate and meaningful in the context presented? Have you used potentially objectionable language or pictures in your story? Is there a compelling reason for using such information? Would the story be less accurate if that language or picture were eliminated?
- Do your headlines (or broadcast promos or teases) accurately present the facts and context of the story to which they are referring?

ANNEXES

ANNEXE I: SOURCES AND LINKS ON LAND RIGHTS

INTERNATIONAL & AFRICAN LEGAL LAND INSTRUMENTS

UN Declaration of Indigenous Rights

A groundbreaking declaration adopted by the United Nations General Assembly on 13 September 2007, by a majority of 144 states in favour.

bit.ly/1bKlrMs

Voluntary Guidelines on Responsible Governance of Tenure of Land, Fisheries and Forests

Adopted by the Committee for World Food Security in May 2012 as the first detailed land-governance guidelines to be endorsed by the international community.

bit.ly/1IZY3gX

The People's Manual

Explains how the *Voluntary Guidelines on Responsible Governance of Tenure of Land, Fisheries and Forests* apply to people's daily lives and struggles. For journalists trying to understand land issues, there are a number of cases that describe the interests of investors and how communities are affected by investments.

bit.ly/297qGKI

African Union Framework and Guidelines on Land Policy in Africa

Elaborated by a tripartite consortium of the African Union Commission, the United Nations Economic Commission for Africa and the African Development Bank, through a Land Policy Initiative based in Addis Ababa.

bit.ly/2fEximh

African Union Guiding Principles on Large-Scale Land-Based Investments

A non-binding guide to prevent and ameliorate land grabbing.

bit.ly/2xQlmcZ

G8 Tanzania Land Transparency Partnership

An example of a Land Transparency Partnership agreement from 2013 between the G8 and Tanzania.

bit.ly/2hPwFqR

Responsible Governance of Tenure and the Law

Useful resource for answering legal questions published by Food and Agriculture Organization of the United Nations.

bit.ly/2bmSPj9

READING LAND TRANSFER CONTRACTS

The IISD Guide to Negotiating Investment Contracts for Farmland and Water

The International Institute for Sustainable Development has developed a manual for fair land deals. It includes checklists for environmental impacts on water and other eco-systems, impact on food security and the social environment, as well as guidance on how to estimate the value of the land and, hence, the rent, royalties and tax regulations applicable. All terms and legal definitions to understand contracts are fully explained. Part two of the manual offers a Model Contract, with suggested provisions and explanations of the significance of these aspects of the document.

bit.ly/29tNneL

Land deals in Africa: What is in the contracts?

Forms of contracts of land transfers differ tremendously. To obtain a comprehensive picture of the land deal, you may need to consult different agencies. The Sustainable Development Strategies Group has published a document that helps to read a contract and understand the implicit gaps and pitfalls.

bit.ly/2zAhSbL

Open Land Contracts

An initiative of the Columbia Centre on Sustainable Investment (CCSI), a joint project of the Earth Institute and Columbia Law School at Columbia University in New York. Its sister site is ResourceContracts.org, an online repository of oil, gas, and mining contracts, created by the Natural Resource Governance Institute, the World Bank and CCSI, with support from the UK's Department for International Development. However, the site had gathered only 170 contracts by early 2017.

bit.ly/2l1mX9E

LAND RIGHTS ORGANISATIONS

Land Matrix

Land Matrix is an independent land-monitoring initiative that promotes transparency and accountability in decisions concerning land and investment. It provides a global database of all large-scale land acquisitions that can be considered 'land grabs'. Most of its reports have not been verified on the ground, but are based on media reports found in web crawlers like Farmlandgrab.org.

bit.ly/2dY29Z5

International Land Coalition

Formed originally to eradicate hunger, the International Land Coalition focuses on land policy and best practice with support from the UN's Food and Agriculture Organization, the World Bank and other international donors. A founder of the Land Matrix (see above), it recently launched a platform on 'Land and Conflict'.

bit.ly/2yyYqxu

Sam Moyo African Institute for Agrarian Studies

Based in Zimbabwe, the Sam Moyo African Institute for Agrarian Studies is an independent policy research institution committed to the development of agrarian systems that enhance equitable land rights, and sustainable land uses throughout Africa.

bit.ly/2yU0KjZ

This is Place

A platform produced by the Thomson Reuters Foundation, This is Place features professional, well-researched reports on land and property issues from around the world. It goes beyond mainstream reporting to put into focus those most affected by land issues.

bit.ly/2zmlNqB

Grain

Grain is a small international NGO based in Spain, working to support small farmers and social movements in their struggles for community-controlled and biodiversity-based food systems.

bit.ly/2zlc2KA

The Land Policy Initiative

A joint programme of the tripartite consortium of the African Union Commission, the African Development Bank and United Nations Economic Commission for Africa, this is the African initiative for Land Reform. The site provides a calendar of activities in the land sector, as well as details of policies, studies, frameworks and debates and regional surveys of land administration in North, West, East and Southern Africa.

bit.ly/2yUamvp

UN-Habitat

UN-Habitat focuses on improving urban settlements and alternative ways of documenting property rights.

bit.ly/1cgZYgu

Institute for Poverty, Land and Agrarian Studies

The Institute for Poverty, Land and Agrarian Studies undertakes research, policy engagement, teaching and training about the dynamics of chronic poverty and structural inequality in Southern Africa, with a particular emphasis on the key role of restructuring and contesting land holding and agro-food systems in the subcontinent and beyond.

bit.ly/1TgQDWN

Land Rights Now!

This is a network of grassroots organisations mobilising for land rights of communities and indigenous people worldwide.

bit.ly/2l1ngBp

Via Campesina

A network of farmers' organisations fighting for food sovereignty, with a vast knowledge of land grabbing and coherent strategies for combating it.

bit.ly/2gltJ53

Farmlandgrab

A web crawler specialised in finding posts on land grabbing. Originally set up by GRAIN (see above), it is the most comprehensive information portal on land issues.

bit.ly/2gSApsi

AFRICaphonie

Based in Cameroon, AFRICaphonie is a pan-African organisation founded by writer, poet, pan-Africanist and peace activist George Ngwane. It has a strong focus on environmental sustainability and ecology.

bit.ly/1RX9FQQ

groundWork

A non-profit environmental justice service and developmental organisation based in South Africa and working primarily in Southern Africa in the areas of climate & energy justice, coal, environmental health, global green and healthy hospitals, and waste management.

bit.ly/2gtLHpB

Earthlife Africa

Based in Namibia and South Africa, Earthlife Africa is a campaigning non-profit lobby organisation working in the fields of biodiversity and toxins, zero waste, renewable energy, climate change and others.

bit.ly/2yTAG2d

UN World Food Programme

The UN World Food Programme works on food security, nutrition, gender equality, sustainable livelihoods and ecosystems, disaster risk mitigation, smallholder market access, social protection, and climate action. It has a strong focus on Africa.

bit.ly/2oRCXeU

READINGS ON LAND CORRUPTION

Working Paper on Land Corruption

This working paper from Transparency International and the FAO introduces forms corruption adopts in the land sector; key actors, impact, risks and response measures.

bit.ly/2zlFZtZ

Call for Corruption-Free Land Governance Worldwide

A resolution from the Transparency International membership on ending the secrecy that enables corruption, including a call for corruption-free land governance worldwide.

bit.ly/2hQDCIj

Tackling Corruption in Land Governance

This paper from LEGEND seeks to analyse causes, types and effects of corruption in land governance and provide evidence-based recommendations to address corruption, with a particular focus on Sub-Saharan Africa.

bit.ly/2yTSpNg

What is Land Grabbing?

This resources from the Cornell Land Project puts land grabbing in the spotlight, exploring its impacts on local communities and strategies to prevent its adverse effects.

bit.ly/2iph45C

International Land Deals for Agriculture: Analytical Report II

This report aims to contribute to the body of knowledge available on land acquisitions in low/middle-income countries by presenting an up-to-date analysis of the data contained in the Land Matrix database and providing complementary evidence based on case studies.

bit.ly/2p4FrpO

ANNEXE II: SUPPORT AND RESOURCES FOR AFRICAN INVESTIGATIVE JOURNALISTS

INVESTIGATIVE JOURNALISM & JOURNALISM SAFETY MANUALS

KAS Investigative Journalism Manual

This manual was compiled for the Konrad Adenauer Stiftung by African journalists and training consultants with a specific focus on operating in the African environment – that is, often with hostile press laws, secretive and abusive officials, and slender resources. It is intended for both trainers and trainees in investigative journalism. It is available in English, French and Portuguese.

bit.ly/2gd7Fth

Story-Based Inquiry: A Manual for Investigative Journalism

This manual by Mark Lee Hunter et al. and published by UNESCO in 2009 has become one of the most influential manuals used by investigative journalists because its focus is strongly on producing publishable stories. It is available in English, French and Arabic.

bit.ly/1jfH20u

Story-Based Inquiry Manuals

Mark Lee Hunter's Story Based Inquiry Associates website (see above) has other manuals that you might find useful such as The Story Tells the Facts on investigative storytelling, and The Hidden Scenario on how to build timelines and research databases:

bit.ly/2zkyTFT

Investigative Journalism Manuals

The Global Investigative Journalism Network has numerous links to different investigative journalism manuals on its website.

bit.ly/1tYKPt9

Follow the Money: A Digital Guide to Tracking Corruption

This guide from the International Centre for Journalists deals with how to find money hidden offshore, how to do online company searches, digital security and much more.

bit.ly/2Ry3zQY

A Watchdog's Guide to Investigative Reporting

Produced by the Konrad Adenauer Stiftung, this is a simple introduction to the nuts and bolts of investigative journalism with a particular focus on operating in Africa.

bit.ly/2zlZEKn

Data Journalism Handbook

This handbook is the result of an international, collaborative effort involving dozens of data journalism's leading advocates and best practitioners. It provides instructions for journalists on how to access, analyse and package data.

bit.ly/1hZXrFi

Investigative Journalism in Emerging Democracies: Models, Challenges, and Lessons Learned

This report published by the Centre for International Media Assistance has some ideas on how small, under-resourced newsrooms can raise funds for investigations.

bit.ly/2ilgu8G

Tools to Support Transparency in Land Administration Toolkit

This publication forms a part of a two-volume training package on Tools to Improve Transparency in Land Administration. The training package comprises a Training Toolkit and a Trainers' Guide. The first provides content and the latter training methods. The publication is a product of a series of training workshops implemented across Sub-Saharan Africa, South and South East Asia.

bit.ly/2gSokDr

A Survival Guide for Journalists

Put together by the international News Safety Institute and the Africa office of the International Federation of Journalists this guide focuses on surviving the often dangerous conditions reporting in Africa.

bit.ly/2x7DnPy

INVESTIGATIVE JOURNALISM NETWORKS

Wealth of Nations

Countries in Sub-Saharan Africa lose up to ten per cent of their GDP in money produced by multinational corporations in the region and which should go into those countries' tax coffers — a significant proportion of this stolen wealth being derived from land speculation and corrupt land deals. Wealth of Nations is a project by Thomson Reuters tracking illicit financial flows out of Africa. Its website showcases stories and offers support for journalists and newsrooms to conduct investigations.

bit.ly/2kZRUeF

Investigative Dashboard

The Investigative Dashboard helps journalists track people, companies and assets anywhere in the world. It is operated by the Organised Crime and Corruption Reporting Project, a not-for-profit network of award-winning investigative reporting teams.

bit.ly/1oAwIPa

Impact Africa Fund

Africa's largest fund for data-driven journalism, Impact Africa offers US\$500,000 in prizes to support innovative reporting that tackles development issues, such as healthcare, in six African countries: Ghana, Kenya, Nigeria, South Africa, Tanzania and Zambia.

bit.ly/1Qskk8g

Code for Africa

The sponsor of the Impact Africa Fund, Code for Africa is a people-driven movement that aims to empower civic watchdogs to help governments improve services to citizens through the diffusion of data skills and tools.

bit.ly/2u83eW9

African Network of Centres for Investigative Reporting

Africa's largest association of investigative newsrooms, the African Network of Centres for Investigative Reporting works to strengthen investigative journalism by providing the best encryption and semantic analysis technologies, support to forensic research, legal services, and seed grants for cross-border collaborations.

bit.ly/28oexss

Hacks/Hackers

Hacks/Hackers is a rapidly expanding international grassroots journalism organisation with dozens of chapters and thousands of members across four continents. The Hacks/Hackers Africa movement brings together journalists ("hacks") and technologists ("hackers") to reboot journalism in Africa.

bit.ly/1rYudH

Africa Check

Africa Check is a non-partisan organisation that exists to promote accuracy in public debate. It seeks to combat the "fake-news" phenomena in Africa with rigorous fact-checking. A useful source of current urban myths.

bit.ly/1Or2ZJC

Premium Times Centre for Investigative Journalism

The non-profit arm of Nigeria's Premium Times, Premium Times Centre for Investigative Journalism provides training in data journalism, internet security and investigative journalism.

bit.ly/2zkb29u

INTERNATIONAL INVESTIGATIVE JOURNALISM NETWORKS

The Pulitzer Centre on Crisis Reporting

A non-profit journalism organisation dedicated to supporting in-depth engagement with under-reported global affairs. Resources, grants, materials for teachers.

bit.ly/1IAc9s1

Global Investigative Journalism Network

An international association of non-profit organisations that support, promote, and produce investigative journalism, the Global Investigative Journalism Network is best known for its cross-border investigations, most notably the "Panama Papers" leak. A valuable resource for investigative journalists.

bit.ly/1GLpjdk

International Consortium of Investigative Journalists

Founded in 1997 as a branch of the Center for Public Integrity, the International Consortium of Investigative Journalists is now an independent association of 190 journalists who collaborate on investigative stories in more than 65 countries. In addition to professional tips for investigative journalists, its projects include watchdog sites on tax avoidance, the World Bank, the extractive industries and fisheries.

bit.ly/2uc7W7T

International Center for Journalists

In addition to training journalists, the International Center for Journalists supports news organisations, media associations and networks of citizen journalists who are using mobile services to engage underserved communities in India, Indonesia and Ghana. It has also organised the first Africa News Innovation Challenge to solve digital bottlenecks and create new applications for use in newsrooms across the continent.

bit.ly/2ek7spS

PRESS FREEDOM LINKS

Reporters Without Borders

Based in Paris, Reporters Without Borders is an independent NGO with consultative status with the United Nations, UNESCO, the Council of Europe and the International Organisation of the Francophone. Its website includes an annual World Press Freedom Index and is available in English, French, Arabic, Portuguese and Spanish.

bit.ly/2fR3JzO

Amnesty International

Amnesty International is a global human rights non-profit organisation founded in 1961 and claiming seven million supporters world-wide. It produces annual country reports on human rights conditions. The Amnesty website is available in English, French, Arabic, and Spanish.

bit.ly/2xQVXjl

Freedom House

Freedom House is a US government-funded non-profit that supports democratic freedoms. Freedom House publishes an annual Freedom in the World report on its website, which is available in English and Spanish.

bit.ly/1X0CfH4

Committee to Protect Journalists

Committee to Protect Journalists is an American independent non-profit organisation based in New York City with correspondents around the world. The committee promotes press freedom and defends the rights of journalists. It publishes reports on journalism safety conditions across the world on its website, which is available in English, French, Arabic, Portuguese and Spanish.

bit.ly/2jHDEft

Human Rights Watch

Human Rights Watch is an international NGO that focuses on research and advocacy on human rights. It publishes country reports on human rights conditions globally on its website, which is available in English, French, Arabic, Portuguese and Spanish.

bit.ly/1XYC00P

Declaration of Table Mountain

The Declaration of Table Mountain for the scrapping of criminal defamation/insult laws across Africa was originally drafted by The World Association of Newspapers and News Publishers meeting at the 60th World Newspaper Congress and 14th World Editors' Forum Conference in Cape Town, South Africa, in June 2007. It has since been signed by 23 organisations.

bit.ly/2yUQb0m

EVALUATION FORM

EVALUATION FORM

Thank you for taking part in the *Investigating Land and Corruption in Africa* training. Please take some time to provide feedback on the training, to assist our evaluation and help us to make improvements for the future.

TRAINING DATE _____

VENUE _____

FACILITATOR(S) _____

1. What motivated you to apply for this course? (Tick applicable answer)

- ☐ Content applies to my needs
- ☐ Content applies to my organisation's needs
- ☐ Supervisor/Organisation wanted me to attend
- ☐ Other (Please specify) _____

2. Were any topics not covered that you think ought to have been covered?

- ☐ Yes
- ☐ No

If yes, which topics? _____

3. Were the materials provided to you during the training sufficient? If not, suggest improvements.

- ☐ Yes
- ☐ No

If no, please suggest improvements _____

4. Please evaluate the facilitator in terms of overall effectiveness with regards to skill in discussion, content, delivery, relevance to the purpose of the workshop and needs of participants, and any particular strengths and weaknesses. Tick use the table below:

Skill in	Excellent	Good	Satisfactory	Poor	Very Poor
Discussion					
Content					
Delivery					
Relevance					

5. Please rate the following sessions (if necessary, refresh your memory by looking at the Training Programme). Tick the suitable answer.

Session	Excellent	Good	Satisfactory	Poor
1.1 Welcome and Introduction				
1.2 Debating Land Rights				
1.3 What is Investigative Journalism?				
1.4 Seeing and Identifying the Story				
1.5 Overview of Corruption in Land Governance				
1.6 The Ethics of Investigative Journalism				
1.7 Initiating the Investigation				
1.8 Forensic Interviewing				
1.9 Building your Land Rights Case				
1.10 Developing Story Ideas (setting overnight assignment)				
2.1 National Legal and Institutional Frameworks in Land				
2.2 Gendered Land Corruption				
2.3 Violation of Community Rights				
2.4 Forced Evictions for Urban Development				
2.5 Large-Scale Land-Based Investment				
2.6 Profiteering from Land Reforms and Privatisation				
2.7 Deepening Story Development (setting overnight assignment)				
3.1 Legal Environment of the Investigative Journalist				
3.2 Researching your Land Rights Case				
3.3 Constructing a Land Corruption Story				
3.4 Land Corruption Story Presentation				
3.5 Investigating Land Rights from a Small Newsroom				
3.6 Reviewing the Land Rights Investigation Process				

6. Did you get enough time to say/do everything you wanted to say/do during the workshop? If not, suggest what could have been done to help you overcome this problem.

☐

Yes

☐

No

If no, please suggest improvements

7. Did you find the work-load:

☐

Too heavy

☐

Too light

☐

Well-balance

8. Did you find the assignments:

☐

Too heavy

☐

Too light

☐

Well-balance

9. What did you think of the mix of participants and the exchange among individuals? If anything regarding the mix could have been changed, what would it have been?

10. Briefly, state what key things you learned on how to investigate land rights and corruption in Africa:

11. Will you be able to apply the lessons learned during the training to your work? Do you foresee any obstacles?

12. Any additional remarks/suggestions:

Thank you for taking the time to complete this evaluation form.

