

VOLUNTARY GUIDELINES ON THE

Responsible Governance of Tenure

OF LAND, FISHERIES AND FORESTS IN
THE CONTEXT OF NATIONAL FOOD SECURITY



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Expert Consultation:

Options for
Addressing Tenure
under REDD+

Rome, FAO HQ
25 February, 2013

Introducing the
Voluntary
Guidelines:

Linkages to
REDD+



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**The first global
soft law
instrument on
tenure**

**Negotiated by
governments,
with participation
of civil society
and private sector**



Problems of tenure and weak governance

Tenure rights not recognized

**Increasing
competition for
natural resources:**

- Population growth
- Urbanization
- Climate change
- Demand for energy

Inequitable access

Discrimination

Forced eviction

State capture

Bribery

Limited capacity

Expensive and difficult procedures

No accountability or transparency


Contradictory laws and policies

**Governing
institutions have
not adapted to
growing intensity
of competition and
new demands**

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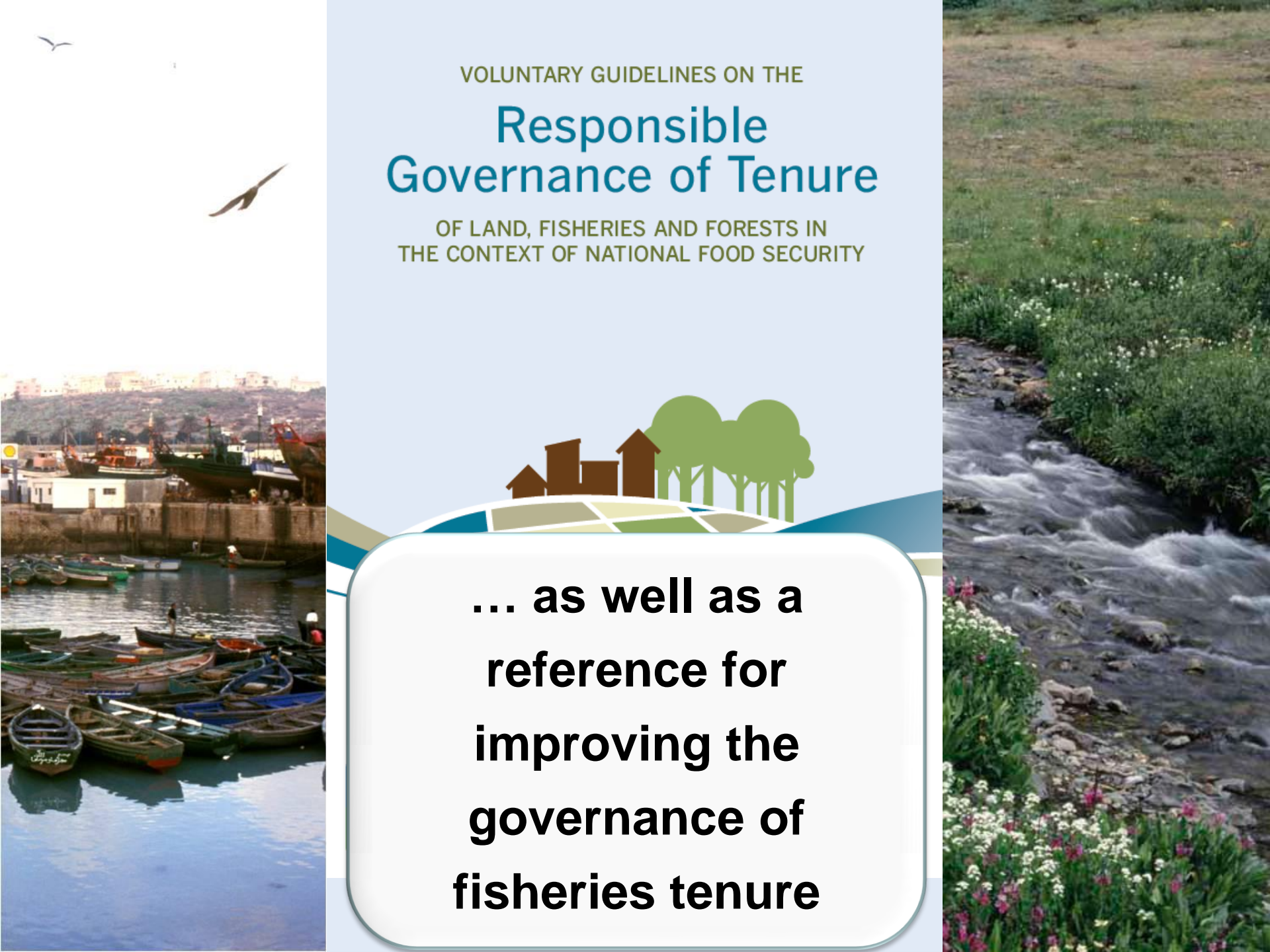
An illustration of a landscape featuring several brown houses and green trees on a hill. Below the houses is a stylized representation of a field or land with green and yellow patches.

**A reference for
improving the
governance of land
tenure**

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**... as well as a
reference for
improving the
governance of
fisheries tenure**




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**... and also a
reference for
improving the
governance of
forest tenure**







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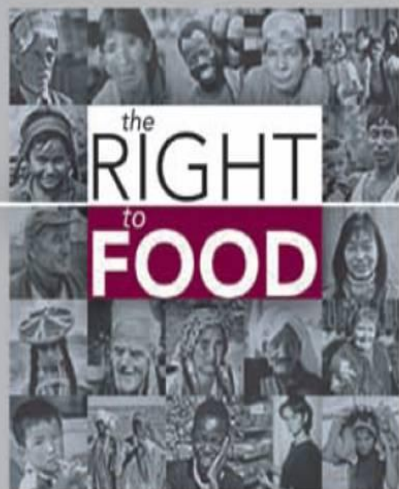


**... and serve as
a reference for the
interface of land,
fisheries and forestry
sectors**



VOLUNTARY GUIDELINES

to support the progressive realization of
the right to adequate food
in the context of national food security



- **Voluntary**
- **Set out principles and practices**
- **Do not replace laws and treaties**
- **Do not reduce existing obligations**

VOLUNTARY GUIDELINES ON THE **Responsible Governance of Tenure**

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Preliminary

1. Objectives

- 1.1 These Voluntary Guidelines seek to improve governance of tenure of land*, fisheries and forests. They seek to do so for the benefit of all, with an emphasis on vulnerable and marginalized people, with the goals of food security and progressive realization of the right to adequate food, poverty eradication, sustainable livelihoods, social stability, housing security, rural development, environmental protection and sustainable social and economic development. All programmes, policies and technical assistance to improve governance of tenure through the implementation of these Guidelines should be consistent with States' existing obligations under international law, including the Universal Declaration of Human Rights and other international human rights instruments.
- 1.2 These Guidelines seek to:
1. improve tenure governance by providing guidance and information on internationally accepted practices for systems that deal with the rights to use, manage and control land, fisheries and forests.
 2. contribute to the improvement and development of the policy, legal and organizational frameworks regulating the range of tenure rights that exist over these resources.
 3. enhance the transparency and improve the functioning of tenure systems.
 4. strengthen the capacities and operations of implementing agencies; judicial authorities; local governments; organizations of farmers and small-scale producers, of fishers, and of forest users; pastoralists; indigenous peoples and other communities; civil society; private sector; academia; and all persons concerned with tenure governance as well as to promote the cooperation between the actors mentioned.

* There is no international definition of land within the context of tenure. The meaning of the word may be defined within the national context.

Arriving at the text

Consultations

Initial drafting

Negotiations

Official endorsement

15 consultation meetings 2009-10



1000 people from 133 countries

Public sector, civil society, private sector and academia

Official endorsement of the consensus



منظمة الأغذية
والزراعة للأمم
المتحدة

联合国
粮食及
农业组织

Food and
Agriculture
Organization
of the
United Nations

Organisation des
Nations Unies
pour
l'alimentation
et l'agriculture

Продовольственная и
сельскохозяйственная
организация
Объединенных
Наций

Organización
de las
Naciones Unidas
para la
Alimentación y la
Agricultura

Report of the 38th (Special) Session of the Committee on World Food Security (11 May 2012)

Executive Summary

At its 38th (Special) Session, the Committee endorsed the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT), which was the only substantive item on the agenda.

Suggested action by the Council and the Conference

The Council and the Conference are requested to acknowledge the decisions and recommendations of the Committee.

Since CFS and FAO Council endorsement . . .

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Implementation encouraged by:

- G8 (May)
- G20 (June)
- Rio+20 (June)
- General Assembly (Dec)
- Berlin Agriculture Ministers' Summit (Jan)



International recognition:

- more than 100,000 media references since endorsement



RIO+20

United Nations Conference
on Sustainable Development



GENERAL ASSEMBLY
OF THE UNITED NATIONS

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Guidance which applies
to all sections

Part 1: Preliminary

Sets the direction:

- Objectives.
- Nature and scope.

Part 2: General Matters

Provides overall guidance:

- Guiding principles.
- Tenure rights.
- Policy, legal and organizational frameworks.
- Delivery of services.

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Part 3: Legal recognition and allocation of tenure rights

- Safeguards.
- Public lands, fisheries and forests.
- Indigenous peoples and others with customary tenure.
- Informal tenure.

Part 4: Transfers and other changes to tenure rights

- Markets.
- Investments.
- Readjustments.
- Restitution.
- Redistributive reforms.
- Expropriation.

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Part 5: Administration of tenure

- Records of tenure rights.
- Valuation.
- Taxation.
- Regulated spatial planning.
- Resolution of disputes.
- Transboundary matters.

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Part 6: Responses to climate change and emergencies

- Climate change.
- Natural disasters.
- Conflicts.

Part 7: Promotion, implementation, monitoring and evaluation



Voluntary Guidelines: Links to REDD+

Many tenure problems, critical to REDD+, carbon rights, and their implementation, are commonly even more severe in forest areas than in agricultural areas:

- Problems of recognition and identification of legitimate rights, particularly for the vulnerable, including indigenous peoples.
- Problems of transfers and changes in rights and responsibilities
- Problems in administration of tenure, particularly lack of policies and of capacities
- Problems in addressing and resolving conflicts relating to tenure

The Voluntary Guidelines provide globally endorsed guidance on good practice in each of these areas.

Building on the consensus: Working on...

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**Awareness
raising**

**Monitoring and
evaluation**



**Capacity
development**

**Strengthening
partnerships**

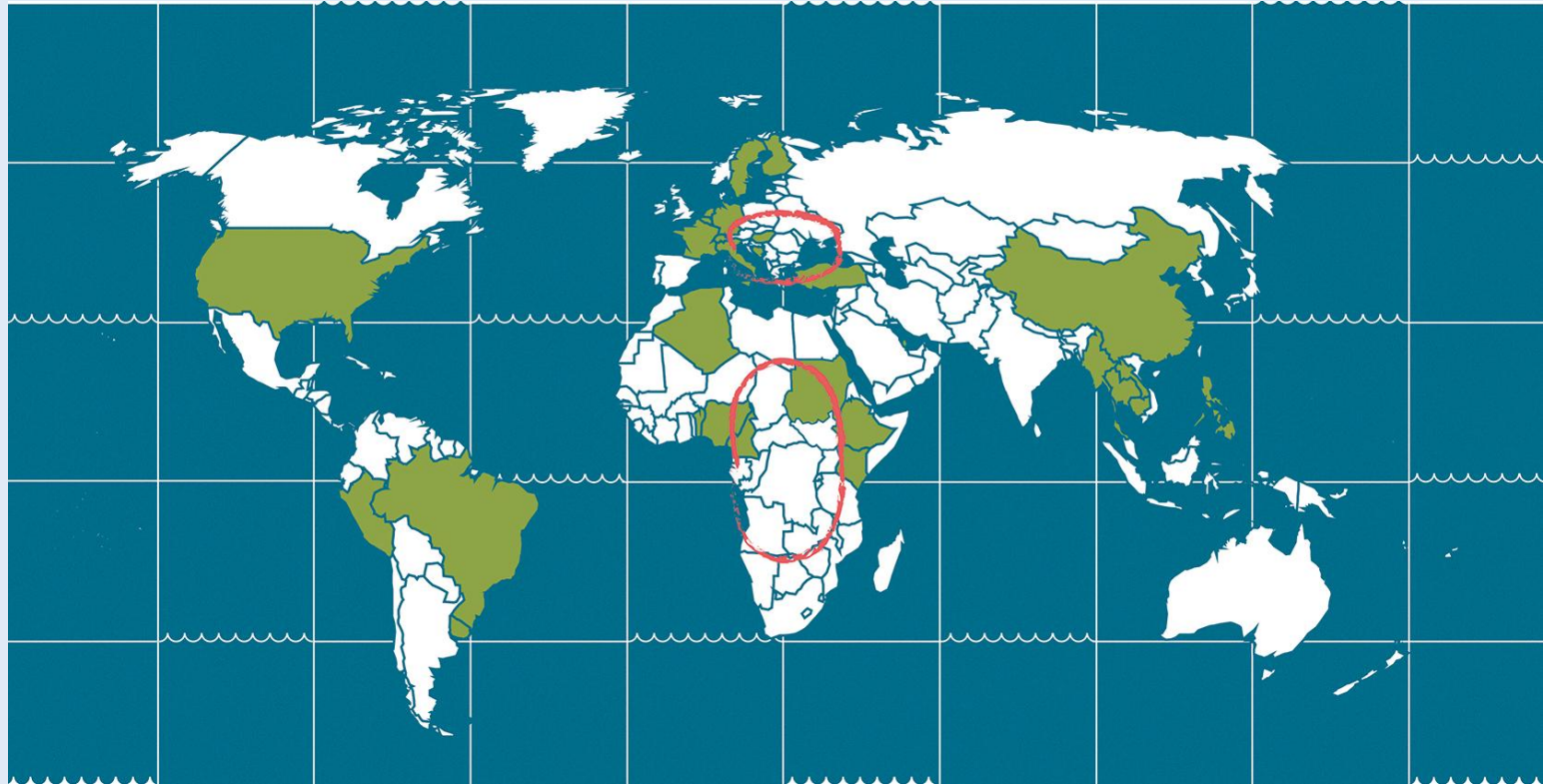
**Support to
countries**

From Principles to Actions:

Raising Awareness Around the Globe

VOLUNTARY GUIDELINES ON THE

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10 regional awareness raising workshops under way around the globe

- 17 country level information workshops already requested
- 53 briefings in 33 countries already finalized

From Principles to Actions:

An FAO Priority Function

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Already responding to country requests:

Recent requests include:

- Myanmar
- Namibia
- Philippines
- Sierra Leone
- Zambia

... and mainstreaming in all relevant country work

From Principles to Actions:

Capacity Development Tools

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VOLUNTARY GUIDELINES
Negotiated political document

GOVERNANCE OF TENURE TECHNICAL GUIDES
Technical documents

E-LEARNING PROGRAM
Dissemination and Capacity Development



From Principles to Actions:

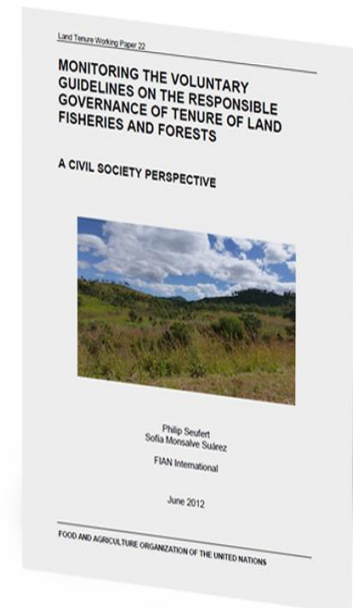
Partnerships and Monitoring

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Strengthening of partnerships

Monitoring and evaluation



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Thank you