VOLUNTARY GUIDELINES ON THE
Responsible Governance of Tenure
OF LAND, FISHERIES AND FORESTS IN
THE CONTEXT OF NATIONAL FOOD SECURITY
Expert Consultation:
Options for Addressing Tenure under REDD+
Rome, FAO HQ
25 February, 2013

Introducing the Voluntary Guidelines:
Linkages to REDD+
VOLUNTARY GUIDELINES ON THE

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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

Inequitable access

Discrimination

Forced eviction

State capture

Bribery

Limited capacity

Expensive and difficult procedures

No accountability or transparency

Contradictory laws and policies

Increasing competition for natural resources:
- Population growth
- Urbanization
- Climate change
- Demand for energy

Governing institutions have not adapted to growing intensity of competition and new demands
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OF LAND, FISHERIES AND FORESTS IN THE CONTEXT OF NATIONAL FOOD SECURITY

A reference for improving the governance of land tenure
VOLUNTARY GUIDELINES ON THE

Responsible Governance of Tenure

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... as well as a reference for improving the governance of fisheries tenure
Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security

... and also a reference for improving the governance of forest tenure
VOLUNTARY GUIDELINES ON THE

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... and serve as a reference for the interface of land, fisheries and forestry sectors
• Voluntary
• Set out principles and practices
• Do not replace laws and treaties
• Do not reduce existing obligations
Arriving at the text

Consultations

Initial drafting

Negotiations

Official endorsement

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.
15 consultation meetings
2009-10

1000 people from 133 countries
Public sector, civil society, private sector and academia
Official endorsement of the consensus

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

Executive Summary

At its 38\textsuperscript{th} (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 . . .

Voluntary Guidelines on the
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Of Land, Fisheries and Forests in
The Context of National Food Security

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
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.
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.
Part 5: Administration of tenure

- Records of tenure rights.
- Valuation.
- Taxation.
- Regulated spatial planning.
- Resolution of disputes.
- Transboundary matters.
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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.
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Building on the consensus: Working on...

- Awareness raising
- Monitoring and evaluation
- Capacity development
- Strengthening partnerships
- Support to countries
From Principles to Actions: Raising Awareness Around the Globe

10 regional awareness raising workshops under way around the globe

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

VOLUNTARY GUIDELINES ON THE

Responsible Governance of Tenure

VOLUNTARY GUIDELINES
Negotiated political document

GOVERNANCE OF TENURE TECHNICAL GUIDES
Technical documents

E-LEARNING PROGRAM
Dissemination and Capacity Development
Strengthening of partnerships

Monitoring and evaluation
Thank you