



**Integrating Land Governance into the Post-2015 Agenda
Harnessing Synergies for Implementation and Monitoring Impact**

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TITLE OF THE PAPER

**USING EXISTING LAND GOVERNANCE ASSESSMENT TOOLS FOR MONITORING
VOLUNTARY GUIDELINES IMPLEMENTATION AT NATIONAL LEVEL**

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ABSTRACT

In May 2012 the Committee on World Food Security endorsed the text of the *Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security*. The first step towards implementing the Guidelines is often an initial assessment of the current status of governance which identifies gaps and challenges in the target fields of the Guidelines. One of the tools currently practiced for identifying current status of governance in the country is the Land Governance Assessment Framework (LGAF), which was developed by a consortium of interested bodies (including FAO) and is led by the World Bank. The LGAF has been piloted in 30 countries and is now being used increasingly widely in countries around the world.

In order to identify the best mechanism for promoting the Guidelines implementation FAO developed a methodology for collecting the information from the results of the existing land governance assessment tools, in order to assess their usefulness and completeness in the context of the requirements for the Guidelines implementation. The paper presents case study, where LGAF results in Ukraine, Moldova, Georgia and Philippines has been used to test the methodology.

Key Words: Governance of Tenure, Voluntary Guidelines, LGAF

1. INTRODUCTION

Tenure and land administration have been centre stage at the global level for the first time ever for the past three years. International negotiations have focused attention on their pivotal relevance in addressing climate change, natural disasters, violent conflicts and migration from rural areas, and have covered core land administration themes of registration and cadastres, property valuation and taxation, spatial planning, dispute resolution, and standards for sharing spatial and other information on tenure. Other topics under debate included transfers of tenure rights through markets, expropriation, land reform, land redistribution and land consolidation.

The negotiations resulted in the globally agreed document: Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security. As the name suggests, the Guidelines address tenure rights to land, fisheries and forests as many people depend on access to different natural resources. Governments from all regions and with diverse political, economic, social and religious views negotiated the text. Civil society and private sector organizations also participated in the process.

The Guidelines are based on a consultative process started by the Food and Agriculture Organization of the United Nations (FAO). The negotiations were led by the Committee on World Food Security, the United Nations forum for policies concerned with world food security, which officially endorsed the Guidelines in May 2012. The implementation of the Guidelines has since been supported in the Rio +20 Declaration and by the United Nations General Assembly, G20, G8, l'Assemblée parlementaire de la Francophonie, and the Berlin Summits of Agricultural Ministers. FAO is supporting the implementation of the Guidelines through a program of awareness raising, capacity development, support to countries, development of partnerships, and monitoring.

Section 26 of the Guidelines calls on States for the implementation and encourages them to set up multi-stakeholder platforms and frameworks at local, national and regional levels or use such existing platforms and frameworks. This process should be inclusive, participatory, gender sensitive, implementable, cost effective and sustainable.

The first step towards implementing the Guidelines is often an initial assessment of the current status of governance which identifies gaps and challenges in the target fields of the Guidelines. There are various mechanisms already in place in some of the countries to make the initial diagnostics and to monitor the impact of the proposed reforms. One of the popular tools for identifying current status of governance in the country is the Land Governance Assessment Framework (LGAF), which was developed by a consortium of interested bodies (including FAO) and is led by the World Bank.

The FAO has developed a methodology for collecting the information from the results of the existing land governance assessment tools, in order to assess their usefulness and completeness in the context of the requirements for the Guidelines implementation.

The main objective of is to speed up the process of implementation of the Guidelines at national level, using the available information, accessing its coverage and accountability and make recommendations for streamlining the existing monitoring mechanisms and develop a standard process description to help the countries/regions to quickly complete the gaps identification and gaps analyses between the current situation and the Guidelines and plan its implementation.

The paper presents the results of a case study, where LGAF results in Ukraine, Moldova, Georgia and Philippines have been used to test the methodology.

Why the case study started with LGAF?

Land Governance Assessment Framework was developed by the World Bank in partnership with FAO, UN Habitat, IFAD, IFPRI, the African Union, and bilateral partners with an objective to assess and diagnose key dimensions of land governance at the country level in a way that is technical and comprehensive, generates clear recommendations and builds a constituency for reform. The LGAF highlights areas for legal, policy or procedural reform to improve governance in land administration over time. Following the LGAF, the World Bank can provide financing to a country's land sector if priority actions have been agreed upon by key stakeholders and proven models for good land governance can be scaled up. The LGAF also proposes criteria to assess the effectiveness of these measures.

The LGAF is now completed or ongoing in over 50 countries worldwide. Application also started at the sub-national level (e.g. states In Brazil and India, megacities like Kinshasa). Experience with LGAF shows that even in highly complex situations with weak land governance, the technical and participatory nature of the process, and putting existing information into a strategic context helped provide an unbiased assessment of the land sector. It produced agreement amongst experts from across the sector on next steps which were subsequently backed by a broad range of stakeholders, while results are feeding into policy discussions. Moreover, the use of a consistent framework facilitates transfer of good practice across countries. Experience suggests that building on the foundation of the first LGAF for monitoring and dialogue with national stakeholder platforms is relatively simple and can be done with limited resources.

The land governance assessment framework (LGAF) allows to identify how arrangements in these countries match with global good practice in key areas of good governance identified as (i) how property rights to land are defined, can be exchanged, and transformed; (ii) how public oversight over land use, management, and taxation is exercised; (iii) how the extent of land owned by the state is defined, how the

state exercises it, and how state land it is acquired or disposed of; (iv) the management of land information and ways in which it can be accessed; (v) avenues to resolve and manage disputes and hold officials to account; and (vi) procedures to deal with land-related investment.

The LGAF is designed to help countries to do so through a 6-9 month participatory technical assessment involving all relevant stakeholder groups to assess and rank countries' land governance status against global good practice using a common framework. It is a diagnostic instrument to assess the status of land governance at the country or sub-national level using a highly participatory and country-driven process that draws systematically on local expertise and existing evidence rather than on outsiders. The ranking is based on a comprehensive review of available conceptual and empirical material regarding experience in land governance by local experts.

Changes in LGAF, following the endorsement of the Voluntary Guidelines

Revised LGAF is inspired by the endorsement of the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests (VGGT) by the Committee on World Food Security (CFS) in May 2012 is a global milestone for land governance and resulted in greater attention to land issues. This was preceded by the endorsement in 2009 of the African Union *Framework and Guidelines on Land Policy in Africa* (F&G) as well as the *Declaration on Land Issues and Challenges in Africa*, by the African Union Heads of State. Instruments at country level assessments, priority setting and monitoring are important for putting these guidelines into practice.

The LGAF groups land topics into five core thematic areas which together provide a relatively exhaustive assessment of land governance issues relevant for most developing countries, but traditionally often have been dealt with separately from each other.

These themes are:

1. Recognition and respect for existing rights (legal and institutional framework)
2. Land Use Planning, Management and Taxation
3. Management of Public Land
4. Public Provision of Land Information
5. Dispute Resolution and Conflict Management

Assessment of these 5 thematic areas is done by the following expert panels including representatives from Government, Private Sector, NGOs and Academia:

6. Panel 1: Land tenure recognition

7. Panel 2: Rights to forest and common lands & rural land use regulations
8. Panel 3: Urban land use, planning, and development
9. Panel 4: Public land management
10. Panel 5: Transparent process and economic benefit: transfer of public land to private use follows a clear, transparent, and competitive process.
11. Panel 6: Public provision of land information: registry and cadaster
12. Panel 7: Land valuation and taxation
13. Panel 8: Dispute resolution
14. Panel 9: Review of institutional arrangements and policies

Following scoring indicators, panel members discuss and elaborate policy recommendation to be presented to the government at the Policy Dialogue.

2. METHODOLOGY FOR USING EXISTING LAND GOVERNANCE ASSESSMENT TOOLS FOR VOLUNTARY GUIDELINES IMPLEMENTATION

The methodology looks at to what extent, and how an existing tenure governance assessment tool, such as LGAF can be used to support the Guidelines implementation. The content of the Guidelines has been split in three parts:

A. Five General principles

Each point within each general principle has been considered individually

B. Ten implementation principles

Each point within each principle has been considered as a group, not individually

C. Headings for each VGGT Sections (par. 4 – 26)

To be covered very briefly, as in each of the paragraphs 4 to 26 there are between 100 and 200 headings.

Case study: LGAF

Voluntary Guidelines	Coverage in LGAF?
General principle number 1: recognize and respect all legitimate tenure right holders and their rights.	Covered by LGI 1
General principle number 1: take reasonable measures to identify, record and respect legitimate tenure right holders and their rights, whether formally recorded or not.	Covered by LGI 2 and LGI 3
General principle number 1: refrain from infringement of tenure rights of others.	Partially covered by LGI 2
General principle number 1: meet the duties associated with tenure rights.	Partially covered by LGI 4
General principle number 2: Safeguard legitimate tenure rights against threats and infringements.	Partly covered in LGAF, updated LGAF has introduced additional safeguards for first-time registration
General principle number 2: protect tenure right holders against the arbitrary loss of their tenure rights, including forced evictions that are inconsistent with their existing obligations under national and international law.	Partly covered by LGAF
General principle number 3: Promote and facilitate the enjoyment of legitimate tenure rights.	Partly covered by LGI 1, 2 and 3
General principle number 3: take active measures to promote and facilitate the full realization of tenure rights or the making of transactions with the rights, such as ensuring that services are accessible to all.	Partly covered by LGI 1, 3 and 19
General principle number 4: Provide access to justice to deal	Covered by LGI 20 and 21

with infringements of legitimate tenure rights.	
General principle number 4: provide effective and accessible means to everyone, through judicial authorities or other approaches, to resolve disputes over tenure rights.	Covered by LGI 20 and 21
General principle number 4: provide affordable and prompt enforcement of outcomes.	Not covered by LGAF
General principle number 4: provide prompt, just compensation where tenure rights are taken for public purposes.	Covered by LGI 13 and 14
General principle number 5: Prevent tenure disputes, violent conflicts and corruption.	Partially covered by various LGIs
General principle number 5: take active measures to prevent tenure disputes from arising and from escalating into violent conflicts.	Partially covered by various LGIs
General principle number 5: endeavor to prevent corruption in all forms, at all levels, and in all settings.	Partially covered by LGI 3, 15 and 19
Implementation principle number 1: Human dignity: recognizing the inherent dignity and the equal and inalienable human rights of all individuals	Covered in various places by LGAF, including LGI 1 and 6
Implementation principle number 2: Non-discrimination: no one should be subject to discrimination under law and policies as well as in practice.	Covered in various places by LGAF, including LGI 1, 2 and 6
Implementation principle number 3: Equity and justice: recognizing that equality between individuals may require acknowledging differences between individuals, and taking positive action, including empowerment, in order to promote equitable tenure rights and access to land, fisheries and forests, for all, women and men, youth and vulnerable and traditionally marginalized people, within the national context.	Covered in various places by LGAF, including LGI 1, 2 and 6
Implementation principle number 4: Gender equality: Ensure the equal right of women and men to the enjoyment of all human rights, while acknowledging differences between women and men and taking specific measures aimed at accelerating de facto equality when necessary. States should ensure that women and girls have equal tenure rights and access to land, fisheries and forests independent of their civil and marital status.	Partly covered in LGI 1, 2 and 6
Implementation principle number 5: Holistic and sustainable approach: recognizing that natural resources and their uses are interconnected, and adopting an integrated and sustainable approach to their administration.	Not covered in LGAF
Implementation principle number 6: Consultation and participation: engaging with and seeking the support of those who, having legitimate tenure rights, could be affected by decisions, prior to decisions being taken, and responding to their contributions; taking into consideration existing power imbalances between different parties and ensuring active, free, effective, meaningful and informed participation of individuals and groups in associated decision-making processes.	Covered in LGI 6 and 7
Implementation principle number 7: Rule of law: adopting a rules-based approach through laws that are widely publicized in	

applicable languages, applicable to all, equally enforced and independently adjudicated, and that are consistent with their existing obligations under national and international law, and with due regard to voluntary commitments under applicable regional and international instruments.	Not specifically covered in LGAF, but referenced throughout
Implementation principle number 8: Transparency : clearly defining and widely publicizing policies, laws and procedures in applicable languages, and widely publicizing decisions in applicable languages and in formats accessible to all.	Covered by LGI 7, 10, 14, 15 and 19
Implementation principle number 9: Accountability : holding individuals, public agencies and non-state actors responsible for their actions and decisions according to the principles of the rule of law.	Covered by LGI 12
Implementation principle number 10: Continuous improvement : States should improve mechanisms for monitoring and analysis of tenure governance in order to develop evidence-based programs and secure on-going improvements.	Covered in various places
4. Rights and responsibilities related to tenure	Covered by LGI 1 and 3
5. Policy, legal and organizational frameworks related to tenure	Covered by LGI 1, 2, 3 and 12
6. Delivery of services	Partly covered in LGI 1, 2, 17 and 19
7. Safeguards	Partly covered by LGAF
8. Public land, fisheries and forests	Public Land is covered by LGI 12 and LGI 15; Forests are covered by optional module on forestry; Fishery is not covered
9. Indigenous peoples and other communities with customary tenure systems	Partially covered by LGI 1 and 2, large scale land acquisition and forestry modules
10. Informal tenure	Covered in LGI 3 and various other LGIs
11. Markets	Partially covered by LGI 15, 16
12. Investments	Covered by Large scale land acquisition module
13. Land consolidation and other readjustment approaches	Covered by LGI 7 and LGI 8
14. Restitution	Not covered
15. Redistributive reforms	Not covered
16. Expropriation and compensation	Covered by LGI 13 and LGI 14
17. Records of tenure rights	Covered by LGI 1, 2, 3, 16, 17
18. Valuation	Covered by LGI 10
19. Taxation	Covered by LGI 11
20. Regulated spatial planning	Covered by LGI 7, 8 and 9
21. Resolution of disputes over tenure rights	Covered by LGI 20 and 21
22. Transboundary matters	Not covered
23. Climate change	Partially covered by Forestry
24. Natural disasters	Not covered
25. Conflicts in respect of tenure of land, fisheries and forest	Partially covered by 20
26. Promotion, implementation, monitoring and evaluation	Partially covered

3. LGAF IMPLEMENTATION IN GEORGIA, MOLDOVA AND PHILIPPINES

LGAF Georgia, Moldova and Philippines covered all five thematic areas (legal and institutional framework, land use planning, management and taxation, management of public land, public provision of land information and dispute resolution and conflict management) and two optional modules on large scale land acquisition and forestry.

LGAF assessments take cross-sectorial approach and involve multiple local experts with vast experience and diverse backgrounds from Government, Private, NGO and Academia. The number of participants in LGAF assessments demonstrates their great interest and commitment to this initiative however the proportion of private sector, NGOs, academia and public sector representatives varies from country to country.

LGAF Background Papers which describes land governance situation according to 21 indicators and 80 dimensions are followed by meeting the completed scorecards and policy recommendations. The composition of panel members in the table below shows that in Moldova representatives from public sector were almost twice as much as from private sector, while in Georgia it was the opposite, but in Philippines over half of the panel members were from public sector.

Country	Total	Public	Private	Academia	NGO
Ukraine	37	7	15	6	9
Georgia	37	10	18	7	2
Philippines	40	27	6	2	5
Moldova	37	17	9	7	4

3.1. Georgia

LGAF Georgia started in 2011 involving four expert investigators and took eight months to complete. The team gathered information on each of the five LGAF thematic areas, reviewed the existing legal framework related to the topics and collected data from the relevant government institutions, NGOs and private sector participants in land and real estate projects. Following LGAF guidelines, the Georgian team conducted nine panel meetings to share their findings with panels of three to five experts, including specialists in the legal and legislative issues regarding land use and property, land planning and development as well as managing public lands. Assessment involved a total of 37 experts including lawyers, architects, academics and NGO representatives selected on the basis of their qualifications and track records.

Forty representatives from government, civil society, NGOs, the private sector and academia attended the LGAF Technical Validation workshop to discuss findings and endorse policy recommendations elaborated by the team. The guest list also included experts working on the project, panel members and representatives from World Bank headquarters in Washington DC who had traveled to Georgia to participate in the event.

After the TW and Policy Dialogue, as a follow-up to the LGAF, the Government of Georgia organized a round table involving representatives from the relevant ministries and other institutions with land-related responsibilities to discuss the findings and possible initiatives to address the remaining problem areas that the LGAF had revealed.

The following are the policy recommendations elaborated by LGAF Georgia and accepted by the government that are in line with VG Principles:

Policy Recommendations	The Guidelines Principles
The lack of textual and spatial data on land use currently constrains policy formulation and monitoring. Remedying this problem should not be too costly, and updating the database should be a relatively easy task	Principle 3, 6
An overall strategy for promoting agriculture is necessary, which takes an integrated, area-based view, and should rely as much as possible on markets to address land fragmentation. At this stage, however, what is most needed is to elaborate a vision for Georgia’s agricultural land sector	Principle 11, 13
Although communal land tenure over village pastures is in line with traditions and enjoys legitimacy among the public, the practice is not legally recognized and is likely to be a source for future conflicts over the rights to agricultural land. “Best practice” experiences in other countries should be investigated	Principle 8, 9

3.2. Moldova

The Land Governance and Assessment Framework (LGAF) commenced in February 2012 which included five expert investigators and took 10 months to complete. Expert investigators prepared background paper for discussion in the panel sessions. Within the project, seven basic and two optional panel sessions were organized. The Panel sessions were moderated by LGAF Country Coordinator and assisted by responsible Expert Investigators. Optional module on large-scale acquisition of land and forestry module were also included in the study. A total of 37 specialists attended panel meetings, out of which 17 were from the public sector.

The LGAF results were endorsed at a Technical Validation Workshop which confirmed the findings and accepted policy recommendations. The conclusions from the process and key policy recommendations were then presented to policy makers from relevant institutions through a Policy Dialogue.

The following are the policy recommendations elaborated by LGAF Moldova and accepted by the government that are in line with VG Principles:

Policy Recommendations	The Guidelines Principles
Complete identification and registration of immovable property (for all ownership types: state, LPAs, private and all types of land uses including public infrastructure: roads, water supply and irrigation networks, other utility networks) and ensure interoperability of real estate register with other state information resources to improve access to information, promoting support to land market development, access to financial resources and ensuring social inclusion	General Principle 1 Principle 11
Improving management of public land resources (state and local public authorities) aimed at more efficient and transparent use of public assets and resources protection	Principle 8
Improving urban planning, land allocation and management of buildings for stimulating the housing market and ensure the efficient use of land resources	General Principle 1 Principle 11
Improving the methodology of immovable property valuation to ensure efficient taxation and for land expropriation	Principle 16, 18, 19

3.3. Philippines

The Land Governance and Assessment Framework (LGAF) commenced in December 2012 with six expert investigators and took seven months to complete. The scope of the Philippines LGAF covered all five and two additional modules. In all, the assessment covered 29 indicators involving 104 dimensions of the LGAF.

Its implementation followed the general steps described in the LGAF Manual, which consist of an expert investigation to prepare background materials and panel briefing notes; panel workshops to review the preliminary scoring by experts; a technical validation workshop to discuss the initial results with stakeholders; and a policy dialogue to present the key findings and recommendations to government officials and other sectors.

The following are the policy recommendations elaborated by LGAF Philippines and accepted by the government that are in line with VG Principles:

Policy Recommendations	The Guidelines Principles
Support the passage of the Land Administration Reform Act - The establishment of a single land agency is a key to improving land governance.	Principle 5
Support the passage of the Property Valuation Reform Act - (VRA) The proposed Bill should address the systemic issues associated with LGU failure to adopt market based valuation and conduct regular updating of SMVs.	Principle 18, 19
Remove/minimize disincentives for registration of land transactions - High transfer taxes (particularly the capital gains tax which is computed at 6% of the property value), perceived bureaucratic processes, and low confidence in the registry all contribute to unreliable and out-of-date records in the registry.	Principle 3, 6
Undertake an accelerated titling program	General Principle 1
Provide better incentives to local forest managers to improve sustainable forest management	Principle 8
Develop a National Resettlements Policy	Principle 16

3.4. Ukraine

LGAF Ukraine started in 2011 and took eight months to complete. The team of experts gathered information on each of the five LGAF thematic areas, reviewed the existing legal framework and collected data from the relevant government institutions, NGOs and private sector participants in land and real estate projects. Following LGAF guidelines, the Ukrainian team conducted nine panel meetings to share their findings and get assessment of indicators from panel members.

The LGAF also has two optional thematic modules the one on large-scale land acquisition (LSLA), with 16 additional parameters and another on forestry module with 12 parameters that were also assessed by the LGAF Ukraine.

Following the panel sessions, all panel members and other invited stakeholders participated in a technical validation workshop in May 2012 to discuss the findings of the LGAF study, review the full scorecard, and generate policy recommendations. In June and July 2012, the team held regional meetings to discuss and share LGAF findings and recommendations to a broader audience.

The following are the policy recommendations elaborated by LGAF Ukraine and are in line with the Guidelines principles:

Policy Recommendations	The Guidelines Principles
Lifting the moratorium on the sale-purchase of agricultural land in a phased manner, so as to allow for the development of implementing regulations, institutions, and the conduct of public education campaign	General Principle 1, implementation principle 1 and 2
Further consideration of the creation of a single registry for land and property in order to avoid duplication of registration, increase public trust in registration services, facilitate savings of state funds, and increase the efficiency of respective state institutions	Section 6 - Delivery of services and 17 Records of tenure rights
Consideration of the introduction of land taxation based on market valuation	18 Valuation and 19 Taxation
Provision of the following support to accelerating the process of demarcation of state and communal land	8. Public land, fisheries and forests and 20 Regulated spatial planning
Support for the adoption of legislation on land auctions, with transparent and streamlined procedures, and the inclusion of town planning terms and restrictions in the package of documents required during land auctions	General principle 3 and Implementation principle 7. Rule of law and 8. Transparency

4. CASE STUDY GEORGIA, MOLDOVA, PHILIPPINES AND UKRAINE

The Guidelines	LGAF Manual	Georgia	Moldova	Philippines	Ukraine	Comments
General principle number 1: recognize and respect all legitimate tenure right holders and their rights.	Covered by LGI 1	Covered by LGI 1	Covered by LGI 1	Covered by LGI 1	Covered by LGI 1 and dimensions, with focus on laws	Updated LGAF requires practical experience as well
General principle number 1: take reasonable measures to identify, record and respect legitimate tenure right holders and their rights, whether formally recorded or not.	Covered by LGI 2 and LGI 3	Covered by LGI 2 and LGI 3	Covered by LGI 2 and LGI 3	Covered by LGI 2 and LGI 3	Covered by LGI 2 and LGI 3	

General principle number 1: refrain from infringement of tenure rights of others.	Partially covered by LGI 2	Not covered	Not covered	Not covered	Not covered in LGAF	
General principle number 1: meet the duties associated with tenure rights.	Partially covered LGI 4	Partially covered LGI 4	Partially covered LGI 4	Partially covered LGI 4	Duties are not included in LGAF, although LGI 4 touches on obligations	
General principle number 2: Safeguard legitimate tenure rights against threats and infringements.	Partially covered by LGI 2 and various other places	Partially covered by various LGIs	Partially covered by various LGIs	Partially covered by various LGIs	Not specifically covered in LGAF, but referred to in various places	Updated LGAF includes safeguard issues during the first-time recording
General principle number 2: protect tenure right holders against the arbitrary loss of their tenure rights, including forced evictions that are inconsistent with their existing obligations under national and international law.	Partially covered by various LGIs	Partially covered by various LGIs	Partially covered by various LGIs	Partially covered by various LGIs	Partly covered in LGAF	
General principle number 3: Promote and facilitate the enjoyment of legitimate tenure rights.	Partially covered by LGI 1, LGI 2 and LGI 3	Partially covered by LGI 1, LGI 2 and LGI 3	Partially covered by LGI 1, LGI 2 and LGI 3	Partially covered by LGI 1, LGI 2 and LGI 3	Not covered in LGAF	
General principle number 3: take active measures to promote and facilitate the full realization of tenure rights or the making of transactions with the rights, such as ensuring that services are accessible to all.	Partially Covered by LGI 1 LGI 3, LGI 19	Partially Covered by LGI 1 LGI 3, LGI 19	Partially Covered by LGI 1 LGI 3, LGI 19	Partially Covered by LGI 1 LGI 3, LGI 19	Not covered in LGAF	
General principle number 4: Provide access to justice to deal with infringements of legitimate tenure rights.	Covered by LGI 20 and LGI 21	Covered by LGI 20 and LGI 21	Covered by LGI 20 and LGI 21	Covered by LGI 20 and LGI 21	Covered by LGI 20	

General principle number 4: provide effective and accessible means to everyone, through judicial authorities or other approaches, to resolve disputes over tenure rights.	Covered by LGI 20 and LGI 21	Covered by LGI 20 and LGI 21	Covered by LGI 20 and LGI 21	Covered by LGI 20 and LGI 21	Covered by LGI 20	
General principle number 4: provide affordable and prompt enforcement of outcomes.	Not covered	Not covered	Not covered	Not covered	Not covered by LGAF	
General principle number 4: provide prompt, just compensation where tenure rights are taken for public purposes.	Covered by LGI 13 and LGI 14	Covered by LGI 13 and LGI 14	Covered by LGI 13 and LGI 14	Covered by LGI 13 and LGI 14	Covered by LGI 14, and also partly by LGI 13	
General principle number 5: Prevent tenure disputes, violent conflicts and corruption.	Partially covered by various LGIs	Partially Covered by LGI 20	Partially Covered by LGI 20	Partially Covered by LGI 20	Not covered by LGAF	
General principle number 5: take active measures to prevent tenure disputes from arising and from escalating into violent conflicts.	Partially covered by various LGIs	Partially Covered by LGI 20	Partially Covered by LGI 20	Partially Covered by LGI 20	Not covered by LGAF	
General principle number 5: endeavour to prevent corruption in all forms, at all levels, and in all settings.	Partially covered by LGI 3, LGI 15, LGI 19	Partially covered by LGI 15, LGI 19	Partially covered by LGI 3, LGI 15, LGI 19	Partially covered by LGI 3	Not covered by LGAF	
Implementation principle number 1: Human dignity: recognizing the inherent dignity and the equal and inalienable human rights of all individuals	Covered in various places, including LGI 1, LGI 6	Covered in various places, including LGI 1	Covered in various places, including LGI 1	Covered in various places, including LGI 1, LGI 6	Not covered by LGAF	
Implementation principle number 2: Non-discrimination: no one should be subject to discrimination under law and policies as well as in practice.	Covered in various places, including LGI 1, LGI 2 and LGI 6	Covered in various places, including LGI 1, LGI 2 and LGI 6	Covered in various places, including LGI 1, LGI 2 and LGI 6	Covered in various places, including LGI 1, LGI 2 and LGI 6	Covered in various places by LGAF, including LGI 6	
Implementation principle	Covered in	Covered in	Covered in	Covered in	Not	

number 3: Equity and justice: recognizing that equality between individuals may require acknowledging differences between individuals, and taking positive action, including empowerment, in order to promote equitable tenure rights and access to land, fisheries and forests, for all, women and men, youth and vulnerable and traditionally marginalized people, within the national context.	various places, including LGI 1, LGI 2 and LGI 6	various places, including LGI 1, LGI 2 and LGI 6	various places, including LGI 1, LGI 2 and LGI 6	various places, including LGI 1, LGI 2 and LGI 6	covered by LGAF	
Implementation principle number 4: Gender equality: Ensure the equal right of women and men to the enjoyment of all human rights, while acknowledging differences between women and men and taking specific measures aimed at accelerating de facto equality when necessary. States should ensure that women and girls have equal tenure rights and access to land, fisheries and forests independent of their civil and marital status.	Partially covered by LGI 1, 2 and LGI 6	Partially covered by LGI 1	Partially covered by LGI 1	Partially covered by LGI 2	Partly covered in LGI 1, 2 and 6	
Implementation principle number 5: Holistic and sustainable approach: recognizing that natural resources and their uses are interconnected, and adopting an integrated and sustainable approach to their administration.	Not covered	Not covered	Not covered	Not covered	Not covered in LGAF	
Implementation principle number 6: Consultation and participation: engaging with and seeking the support of those who, having legitimate tenure rights, could be affected by decisions, prior to decisions being taken, and responding to their contributions; taking into consideration existing power	Covered by LGI 6 and LGI 7	Covered by LGI 6 and LGI 7	Covered by LGI 6 and LGI 7	Covered by LGI 7	Covered in LGI 6	

<p>imbalances between different parties and ensuring active, free, effective, meaningful and informed participation of individuals and groups in associated decision-making processes.</p>						
<p>Implementation principle number 7: Rule of law: adopting a rules-based approach through laws that are widely publicized in applicable languages, applicable to all, equally enforced and independently adjudicated, and that are consistent with their existing obligations under national and international law, and with due regard to voluntary commitments under applicable regional and international instruments.</p>	<p>No specific LGI but covered in various places</p>	<p>Covered in various places</p>	<p>Covered in various places</p>	<p>Covered in various places</p>	<p>Not specifically covered in LGAF, but referenced throughout</p>	
<p>Implementation principle number 8: Transparency: clearly defining and widely publicizing policies, laws and procedures in applicable languages, and widely publicizing decisions in applicable languages and in formats accessible to all.</p>	<p>Covered by LGI 7, LGI 10, LGI 14, LGI 15 and LGI 19</p>	<p>Covered by LGI 7, LGI 10, LGI 14, LGI 15 and LGI 19</p>	<p>Covered by LGI 7, LGI 10, LGI 14, LGI 15 and LGI 19</p>	<p>Covered by LGI 7, LGI 10, LGI 14, LGI 15 and LGI 19</p>	<p>Covered in various places in LGAF</p>	
<p>Implementation principle number 9: Accountability: holding individuals, public agencies and non-state actors responsible for their actions and decisions according to the principles of the rule of law.</p>	<p>Covered by LGI 12</p>	<p>Covered by LGI 12</p>	<p>Covered by LGI 12</p>	<p>Covered by LGI 12</p>	<p>Not covered in LGAF</p>	
<p>Implementation principle number 10: Continuous improvement: States should improve mechanisms for monitoring and analysis of tenure governance in order to develop evidence-based programs and secure on-going improvements.</p>	<p>Covered in various places</p>	<p>Covered in various places</p>	<p>Covered in various places</p>	<p>Covered in various places including LGI 6</p>	<p>Not covered in LGAF</p>	

4. Rights and responsibilities related to tenure	Covered by LGI 1 and LGI 3	Covered by LGI 1 and LGI 3	Covered by LGI 1 and LGI 3	Covered by LGI 1 and LGI 3	Partly covered in LGAF	Updated LGAF focuses on equity and poverty reduction goals which is publicly monitored
5. Policy, legal and organizational frameworks related to tenure	Covered by various LGIs, Mostly LGI 1, LGI 2, LGI 3 and LGI 12	Covered by various LGIs	Covered by various LGIs	Covered by various LGIs	Covered in LGAF	
6. Delivery of services	Partially covered by LGI 1, LGI 2, LGI 17 and LGI 19	Partially covered by LGI 1, LGI 2, LGI 17 and LGI 19	Partially covered by LGI 1, LGI 2, LGI 17 and LGI 19	Partially covered by LGI 1, LGI 2, LGI 17 and LGI 19	Partly covered in LGAF	
7. Safeguards	Partially covered	Partially covered	Partially covered	Partially covered	Partly covered in LGAF	Updated LGAF includes safeguard issues during the first-time recording
8. Public land, fisheries and forests	Public Land is covered by LGI 12 and LGI 15; Forests are covered by optional module on forestry; Fishery is not covered	Public Land is covered by LGI 12 and LGI 15; Forests are covered by optional module on forestry; Fishery is not covered	Public Land is covered by LGI 12 and LGI 15; Forests are covered by optional module on forestry; Fishery is not covered	Public Land is covered by LGI 12 and LGI 15; Forests are covered by optional module on forestry; Fishery is not covered	Covered in LGAF regarding public land under thematic heading 3 and regarding forestry under optional module on forestry	
9. Indigenous peoples and other communities with customary tenure systems	Partially covered by LGI 1 and 2, large scale land acquisition and forestry modules	Partly covered by LGI 1 and 2, and large scale land acquisition	Partly covered by LGI 1 and 2, large scale land acquisition and forestry modules	covered by LGI 1 and 2, large scale land acquisition and forestry modules	Partly covered in LGAF, including LGI 1 and 2	

10. Informal tenure	Covered in LGI 3 and various other LGIs	Covered in LGI 3 and various other LGIs	Covered in LGI 3 and various other LGIs	Covered in LGI 3 and various other LGIs	Covered in LGI 3	
11. Markets	Partially covered by LGI 15, 16	Partially covered by LGI 15, 16	Partially covered by LGI 15, 16	Partially covered by LGI 15, 16	Not covered in LGAF	
12. Investments	Covered by Large scale land acquisition module	Covered by Large scale land acquisition module	Covered by Large scale land acquisition module	Covered by Large scale land acquisition module	Not covered in LGAF	
13. Land consolidation and other readjustment approaches	Covered by LGI 7 and LGI 8	Covered by LGI 7	Covered by LGI 5 and LGI 6	Not covered	Not covered in LGAF	
14. Restitution	Not covered	Not covered	Not covered	Not covered	Not covered in LGAF	
15. Redistributive reforms	Not covered	Not covered	Not covered	Not covered	Not covered in LGAF	
16. Expropriation and compensation	Covered by LGI 13 and LGI 14	Covered by LGI 13 and LGI 14	Covered by LGI 13 and LGI 14	Covered by LGI 13 and LGI 14	Covered in LGI 13 and 14	
17. Records of tenure rights	Covered by LGI 1, 2, 3, 16, 17	Covered by LGI 1, 2, 3, 16, 17	Covered by LGI 1, 2, 3, 16, 17	Covered by LGI 1, 2, 3, 16, 17	Covered in LGI 1, 2 and 3	
18. Valuation	Covered by LGI 10	Covered by LGI 10	Covered by LGI 10	Covered by LGI 10	Covered in LGI 10	
19. Taxation	Covered by LGI 11	Covered by LGI 11	Covered by LGI 11	Covered by LGI 11	Covered in LGI 11	
20. Regulated spatial planning	Covered by LGI 7, 8 and 9	Covered by LGI 7, 8 and 9	Covered by LGI 7, 8 and 9	Covered by LGI 7, 8 and 9	Covered in LGI 7, 8 and 9	
21. Resolution of disputes over tenure rights	Covered by LGI 20 and 21	Covered by LGI 20 and 21	Covered by LGI 20 and 21	Covered in LGI 20 and 21	Covered in LGI 20	
22. Trans boundary matters	Not covered	Not covered	Not covered	Not covered	Not covered in LGAF	
23. Climate change	Partially covered by	Partially covered by	Partially covered by	Covered by Forestry	Not covered in	

	Forestry	Forestry	Forestry		LGAF	
24. Natural disasters	Not covered	Not covered	Not covered	Not covered	Not covered in LGAF	
25. Conflicts in respect of tenure of land, fisheries and forest	Partially covered by 20	Partially covered by 20	Partially covered by 20	Partially covered by 20	Not covered in LGAF	
26. Promotion, implementation, monitoring and evaluation	Partially covered	Partially covered	Partially covered	Partially covered	Not covered in LGAF	

5. CONCLUSIONS AND RECOMMENDATIONS

While LGAF does not cover all themes of the Guidelines, the case study results show that LGAF is a good base for assessing land governance status in the context of the Voluntary Guidelines at country level in a short period of time and with low cost. Considering the number of countries in which LGAF assessment has been completed or is ongoing, it could be an effective tool for monitoring the Voluntary Guidelines implementation.

Recommendations for LGAF further improvement:

- i. In order to ensure full completeness of LGAF with the Guidelines it could be further expanded to cover the key missing thematic area like Fisheries. LGAF two optional modules on large scale land acquisition and forestry could be supplemented by the third one on Fisheries, applicable only to those countries that are involved in the fishery business.
- ii. LGAF should also put more emphasis on such topics as: tenure safeguards with special focus on women and the vulnerable, climate change, natural disasters, restitution and redistributive reforms.
- iii. The LGAF Country Coordinators and LGAF teams have to be familiar with the Voluntary Guidelines and make sure that the elaborated policy recommendations be in line with the Guidelines.

The case study shows that the FAO developed methodology for using existing land governance assessment tools for the Voluntary Guidelines implementation is a valuable tool to assess usefulness and completeness of those tools in the context of the Voluntary Guidelines implementation.

Recommendations for improving the methodology:

The VGGT information mapping methodology could be further improved by adding the following issues to provide more comprehensive and accurate information about the coverage of the topics:

- i. Since one of the key benefits of LGAF together with legal and practical assessment of land governance at the country level are the policy recommendations developed by multiple local experts and accepted by the government, it would be useful to identify the compliance of those policy recommendations with the specific principles of the Guidelines.
- ii. As number of Voluntary Guidelines principles and themes are partially covered by LGAF and it would be the case with other land governance assessment tools, introducing ambiguity over the level of coherence of these two documents, it would be useful to introduce some form of ranking/scaling (i.e. up to 10 point) in the VGGT information mapping methodology to better assess the coverage of these issues by the land governance assessment tools.