



Food and Agriculture
Organization of the
United Nations

PUTTING THE VOLUNTARY GUIDELINES ON TENURE AND
THE VOLUNTARY GUIDELINES ON SMALL-SCALE FISHERIES INTO PRACTICE

A LEARNING GUIDE FOR CIVIL SOCIETY ORGANIZATIONS



FIAN
INTERNATIONAL

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Foreword

The *Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security* (hereinafter VGGT) and the *Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication* (hereinafter SSF Guidelines) are two internationally agreed instruments that can be used by different actors to improve the governance of tenure of land, fisheries and forests as well as to improve the socioeconomic conditions of small-scale fishers and fishworkers, with the aim to contribute to the progressive realization of the human right to food.

The VGGT and the SSF Guidelines were developed through an open intergovernmental process with the full and effective participation of civil society and a vast array of relevant actors. States committed to these human rights-based international instruments that set out clear principles to improve the governance of tenure and equitable development of small-scale fishing communities.

Adopted by the United Nations Committee on World Food Security (CFS) in 2012, the VGGT are situated in a context of decades of struggle for peoples' access to and control over their territories and natural resources. The VGGT establish internationally accepted principles and norms to define responsible practice for the ownership, management, and use of land, fisheries and forests. They convey a powerful message: that the responsible governance of tenure of natural resources supports the realization of the human rights of peasants, small-scale fishers, pastoralists, Indigenous Peoples, the landless, rural workers, youth, men and women.

The SSF Guidelines are also the result of a bottom-up participatory development process based on the recommendations of the Twenty-ninth and Thirtieth Sessions of the Food and Agriculture Organization of the United Nations' (FAO) Committee on Fisheries (COFI). Between 2010 and 2013, FAO facilitated a global consultation process, leading to the endorsement of the SSF Guidelines by the Thirty-first Session of COFI in June 2014. Like the VGGT, the SSF Guidelines place a high priority on the realization of human rights, focusing specifically on the rights of vulnerable and marginalized peoples.

Since their adoption, FAO has been working closely with the International Planning Committee for Food Sovereignty (IPC¹) to develop materials and resources aimed to raise awareness and enhance understanding of the VGGT among rural communities, grassroots small-scale producers' organizations and civil society organizations (CSOs). One of the earlier results of these efforts was the *People's Manual on the Guidelines on Governance of Land, Fisheries and Forests* (hereinafter *People's Manual*) adopting a popular educational approach to make the contents of the VGGT (which are quite technical in nature) accessible and understandable for rural communities. Another instrument developed to disseminate the VGGT was the learning guide *Putting the Voluntary Guidelines on Tenure into Practice: A Learning Guide for Civil Society Organizations*, used in more than 20 countries in Asia, Africa and Latin America. Building on this success, as well as in response to requests to focus specifically on small-scale fisheries, the learning guide was adapted to include the SSF Guidelines as well. The present version (hereinafter learning guide), titled *Putting the Voluntary Guidelines on Tenure and the Voluntary Guidelines on Small-Scale Fisheries into Practice - A Learning Guide for Civil Society Organizations*, is the result of this adaptation, tested in seven countries in Asia, Africa and Latin America.

Designed specifically to allow civil society and grassroots organizations to develop a deeper understanding of the VGGT and the SSF Guidelines and how it can support their demands for fair and inclusive tenure systems, the learning guide aims at triggering collective learning processes based on the unique visions and experiences of the participants in the training. The analytical capacity of the participants is stimulated and reinforced through experiential learning, as they apply the VGGT and the SSF Guidelines to the issues directly experienced by themselves and their constituent communities. Using the VGGT and the SSF Guidelines as a framework for analysis, these issues thus become the basis of the learning process, to which newly introduced concepts and principles are applied to the development of action plans.

FAO is committed to assisting all relevant actors in their efforts to implement the VGGT and the SSF Guidelines. The development and completion of this learning guide in collaboration with FIAN International and the Fishery Working Group of the IPC represent one of the steps that FAO is proud to have taken in this direction.

Marcela Villarreal

¹ The IPC is a platform that enables small-scale food producers, rural workers' organizations and grassroots social movements to advocate for food sovereignty at the global and regional level.

The VGGT and the SSF Guidelines are two landmark policy documents that provide crucial guidance on human rights-based governance of natural resources. These resources form the basis of the lives and livelihoods of communities and Indigenous Peoples. During the past few years, there have been substantial efforts by social movements, CSOs and Indigenous Peoples to apply and use the VGGT and SSF Guidelines to ensure the realization of their right to food and food sovereignty. Ownership by the most marginalized groups is the basis to making such international instruments meaningful and, therefore, capacity-strengthening and awareness-raising workshops have been conducted. Many food producers' organizations, CSOs and Indigenous Peoples are actively participating in policy dialogues and reform of policies and laws using the two sets of guidelines. The commonalities and complementarities of these two documents are illuminating: both are anchored in human rights, explicitly prioritize historically and currently vulnerable and marginalized groups, focus on gender, and are based on a holistic, integrated approach which recognizes that land, fisheries and forests are more than economic resources. While substantial capacity building materials addressing social movements, CSOs and Indigenous Peoples had been created for the VGGT (e.g. the People's Manual on the Tenure Guidelines and the

learning guide for Civil Society) in close collaboration between FAO and these groups, there persisted a need to create learning modules that were tailored to their realities, and which can be utilized in their efforts to bridge the two sets of guidelines and thus contribute to their objectives in a mutually reinforcing way. The present learning guide is the outcome of an attempt to address this need. The IPC Fisheries Working Group would like to thank FAO for supporting small-scale and subsistence food producers to develop and use their own training methodologies. We would like to especially thank the small-scale fisher peoples, communities, and grassroots organizations whose struggles inspired this learning guide, and those who have tested the methodology and helped tremendously in improving it. The learning guide belongs to them and to all social movements, Indigenous Peoples and communities around the world struggling for life, justice, food sovereignty and human rights.

*Fisheries Working Group of the
International Planning Committee
for Food Sovereignty (IPC)*



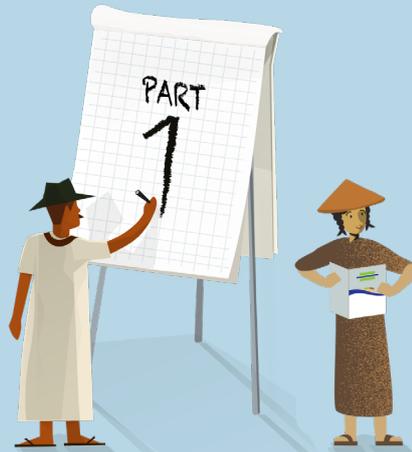
Acknowledgements

This learning guide has been developed in partnership between several divisions of FAO and FIAN International,² adapting the previous version, *Putting the Voluntary Guidelines on Tenure into Practice: A Learning Guide for Civil Society Organizations*, to include the specificities of the small-scale fisheries sector. It was tested in 2018 in several countries in Asia, Africa and Latin America by national counterparts,³ who had a key role in assessing the guide's relevance and adding their input to improve the present document. Subsequently a stocktaking exercise was conducted at the end of 2018 which gathered lessons learned and feedback from experts. The current version of the learning guide is the result of this testing process.

This publication was made possible thanks to the support of the Norwegian Agency for Development Cooperation (NORAD) under the FAO Umbrella Programme for the Promotion and Application of the SSF Guidelines (SSF Umbrella Programme). Comments and suggestions on this learning guide as well as feedback on the user experience would be very much appreciated, and may be sent to: SSF-Guidelines@fao.org.

² FIAN International is a support organization of the Working Group on Fisheries of the IPC.

³ Namely, MASIFUNDISE Development Trust in South Africa; Environmental Management and Economic Development Organization (EMEDO) in the United Republic of Tanzania; National Fisheries Solidarity Organization (NAFSO) in Sri Lanka; Katosi Women Development Trust in Uganda; Union Argentina de Pescadores Artesanales (UAPA) in Argentina; Federación de Integración y Unificación de los Pescadores Artesanales del Perú (FIUPAP) in Peru; Comité para la Defensa y Desarrollo de la Flora y Fauna del Golfo de Fonseca (CODDEFFAGOLF) in Honduras; Kesatuan Nelayan Tradisional Indonesia (KNTI) in Indonesia; and Movimento dos Pescadores e Pescadoras (MPP) in Brazil.



THE LEARNING GUIDE



◎ **PART 1: THE LEARNING GUIDE**

① Why this learning guide?

② Training methodology

③ Structure of the training

④ Preparation for the training



◎ **PART 2: TRAINING SESSIONS AND MATERIAL**

⑤ Training sessions and material



◎ **ANNEX: LEARNING OBJECTIVES AND RESOURCES**

PART 1: THE LEARNING GUIDE

1. Why this learning guide?

Purpose of the training

This learning guide has been designed specifically to give civil society and grassroots organizations a deeper understanding of the *Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security* (VGGT) and the *Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication* (SSF Guidelines). The aim is to enable the members of these organizations and their constituents, especially small-scale fishers and fishworkers, to use the VGGT and SSF Guidelines meaningfully and effectively to improve the governance of tenure in their respective countries.

This learning guide provides civil society organizations (CSOs) with a methodology and a set of materials to undertake training on the VGGT and SSF Guidelines with civil society actors from the grassroots to the national level. Trainees will learn how to apply the VGGT to actual tenure governance challenges. They will also learn to use the SSF Guidelines, which reinforce the principles of the VGGT specifically in the context of small-scale fisheries.

The primary intended users of this guide are CSO facilitators interested in organizing and delivering training on the VGGT and SSF Guidelines. The eventual beneficiaries are the participants of such training, namely small-scale fishers and fishworkers, as well as their support groups in civil society who seek to defend or secure their tenure rights and their right to food and nutrition. These support groups include representatives of social movements; leaders of rural, urban and Indigenous communities; Indigenous people; peasants, the landless, and agricultural workers; and women and youth.

This Learning Guide provides civil society organizations with a methodology and a set of materials to undertake training on the VGGT and SSF Guidelines with civil society actors from the grassroots to the national level. Trainees will learn how to apply the VGGT and SSF Guidelines to actual tenure governance challenges.

The training approach is participatory and experiential in order to actively engage participants in the learning process. The goal is to trigger a collective process of knowledge generation based on the experiences and the vision of the participants.

The learning objectives

Five key learning objectives¹ for participants in the training are defined as follows. By the end of the training, participants should be able to:

1. understand the background and the process of development of the VGGT and SSF Guidelines;
2. explain the main topics covered by the VGGT and SSF Guidelines;
3. identify the main actors and processes and their respective roles in tenure governance and sustainable small-scale fisheries (e.g. sustainable resource management, social development and value chains);
4. assess the local tenure situation, with a focus on fisheries tenure, and conduct analyses of specific cases in their respective countries; and
5. apply the VGGT and SSF Guidelines to prepare an agenda for action by CSOs to implement the VGGT and SSF Guidelines.

Through the experience of the training, CSO participants will also strengthen their networks related to tenure governance and sustainable small-scale fisheries. With increased knowledge on the VGGT and SSF Guidelines and stronger networks, CSOs will be able to support meaningful dialogue between the government and other key actors on policies, legislation and other ongoing country-level processes related to tenure and small-scale fisheries.

¹ Annex 1 includes a table that explains the learning steps for each of the five learning objectives of the training and the related resources where more detail may be provided.

Overview of the learning guide

This learning guide describes how to train CSOs in the skills and methods needed for increasing the use of the VGGT and SSF Guidelines among CSOs and grassroots organizations. It has been designed to train facilitators at the national level.

This guide is divided into the following parts:

- 
- ① **PART 1: THE LEARNING GUIDE**
 - ① Why this learning guide?
 - ② Training methodology
 - ③ Structure of the training
 - ④ Preparation for the training
 - ② **PART 2: TRAINING SESSIONS AND MATERIAL**
 - ⑤ Training sessions and material
 - ③ **ANNEX: LEARNING OBJECTIVES AND RESOURCES**

2. Training methodology

This learning guide employs a participatory and experiential learning approach. In other words, through different kinds of working group sessions, participants are actively involved in the learning process and engaged in critical thinking, problem-solving and decision-making in contexts that are relevant to them.

Experiential learning has been defined as “the process whereby knowledge is created through the transformation of experience.” Knowledge results from “the combination of grasping and transforming experience.”² According to this learning theory, we all learn best by actively experimenting or “learning by doing”, reflecting and internalizing lessons from our experience. We also tend to remember more from an experiential learning approach because we make discoveries for ourselves. The key to conducting experiential training is to avoid providing the answers, and instead to strengthen learners’ analytical capacity to find their own answers. Thus, the role of the facilitator is to facilitate the exchange of knowledge and experience rather than to teach.

This is why there is little conventional “teaching” in this learning guide.

The user of this guide should be comfortable in the role of facilitator of experiential learning approaches. Facilitating experiential learning is easier in some cultures than in others. For example, some cultures expect the facilitator to provide the answers and the participants to quietly and respectfully absorb them. The facilitator needs to be sensitive to these cultural expectations, and to adapt the pace of self-directed learning accordingly.

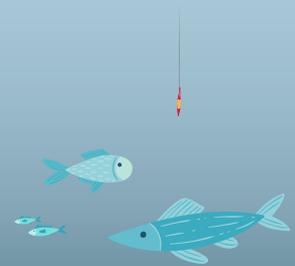
To set the right ambiance for experiential learning, it is important that the facilitator projects him/herself as one among equals. An informal, open atmosphere for sharing and debate should be created, encouraging and respecting a diversity of opinions. Views, even from the facilitator, should be presented as opinions rather than as truths. This approach provides space for different views and gives participants the confidence to express themselves without worrying about saying the wrong thing.

At the same time, the facilitator should have a deep understanding of tenure issues in the context of the country, the VGGT, and the important topics covered in the SSF Guidelines. If this is not the case, the facilitator should be supported by a tenure expert and an expert on sustainable small-scale fisheries in the preparation and implementation of the training.

² Kolb’s Experiential Learning Theory (Kolb, 1984).



This learning guide is based on a participatory and experiential learning approach. In other words, through different kinds of working group sessions, participants are actively involved in the learning process and engaged in critical thinking, problem-solving and decision-making in contexts that are relevant to them.



Five elements of the methodology

The training has been designed in a modular way as a learning process (Figure 1) that starts from the learners' experiences and gradually builds their knowledge through five main elements, with each element building on the previous one and feeding into the next.

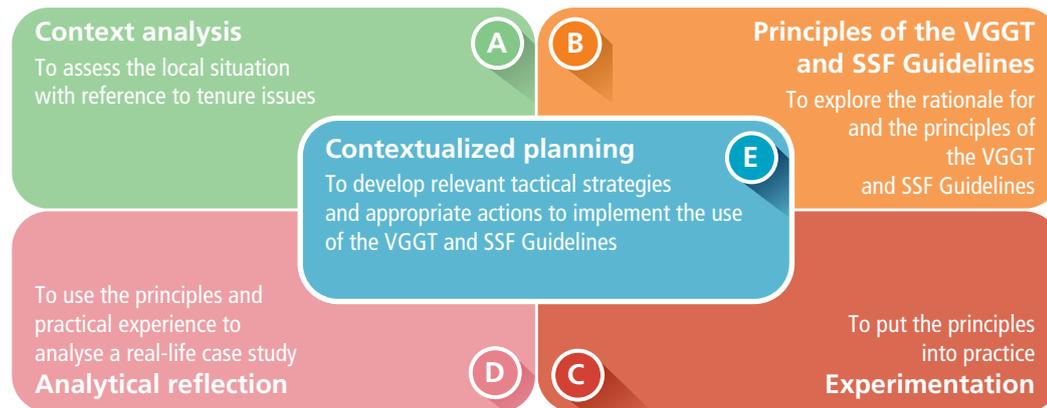


FIGURE 1
Learning
process

- A Context analysis:** The approach starts from the participants' experience and from their local context with reference to tenure issues and sustainable small-scale fisheries. This analysis forms a basis to build on throughout the training.
- B Principles of the VGGT and SSF Guidelines:** After analysing the context, participants will explore the rationale and the principles of the VGGT and SSF Guidelines, which will strengthen their knowledge on how both guidelines can support them in implementing responsible governance of tenure of land, fisheries and forests and secure sustainable small-scale fisheries in the local context.
- C Experimentation:** Participants will then be asked to put the principles into practice by directly applying what they have learned in role-play situations.
- D Analytical reflection:** Afterwards, participants will be asked to use the principles and their practical experience to analyse a real life case study that they have discussed in the context analysis phase.
- E Contextualized planning:** Finally, participants will have the opportunity to contextualize what they have learned about their situation and develop an action plan tailored to their movement or organization.

All elements of the training are essential to reach the training objectives and goals (Figure 2), even if they can be tailored to specific training needs and context.

FIGURE 2
The five methodology elements



The 5 elements above feed into the **overall training goal: to enable CSOs and their constituents to use the VGGT and SSF Guidelines meaningfully and effectively to improve the governance of tenure and ensure sustainable small-scale fisheries.**

Options for applying the methodology

The five elements of the methodology can be fully or partially applied, depending on the desired objectives of the training (sensitization, awareness raising or capacity building) as indicated in the table below.

TABLE 1
Three methodology options

OPTIONS	ELEMENTS OF THE METHODOLOGY
SENSITIZATION Participants informed about the VGGT and SSF Guidelines	A Context analysis B Principles of the VGGT and SSF Guidelines
AWARENESS RAISING Participants informed about the VGGT and SSF Guidelines and able to use them to reflect on their own country context	A Context analysis B Principles of the VGGT and SSF Guidelines D Analytical reflection
CAPACITY BUILDING Participants fully trained, informed and able to use the VGGT and SSF Guidelines to reflect on their own country context and to design an action plan	A Context analysis B Principles of the VGGT and SSF Guidelines C Experimentation D Analytical reflection E Contextualized planning

3. Structure of the training

A four-day training schedule (see Table 2) composed of 19 sessions is suggested to cover all of the core elements so that participants are fully trained, with the structure as follows:

DAY 1 **Preliminaries** (Sessions 1–5) & **A Context analysis** (Sessions 6–7)

DAY 2 **B Principles of the VGGT and SSF Guidelines** (Sessions 8–13)

DAY 3 **C Experimentation** (Session 14) & **D Analytical reflection** (Session 15–16)

DAY 4 **E Contextualized planning** (Session 17) & **Wrap up** (Sessions 18–19)

In case the objective of the training is sensitization or awareness raising, the duration of the event might be as indicated by the graph below:

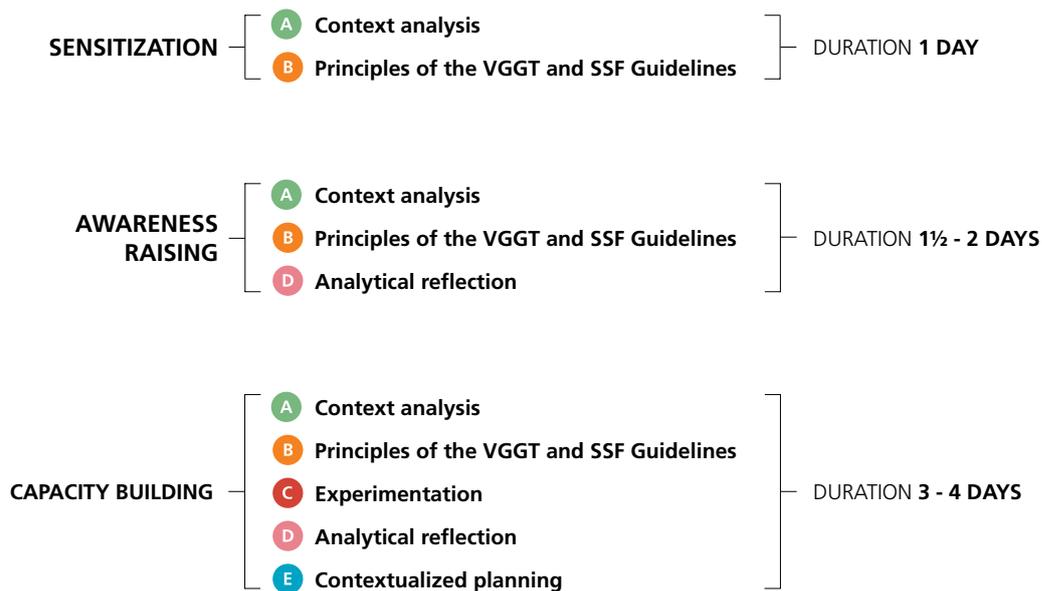
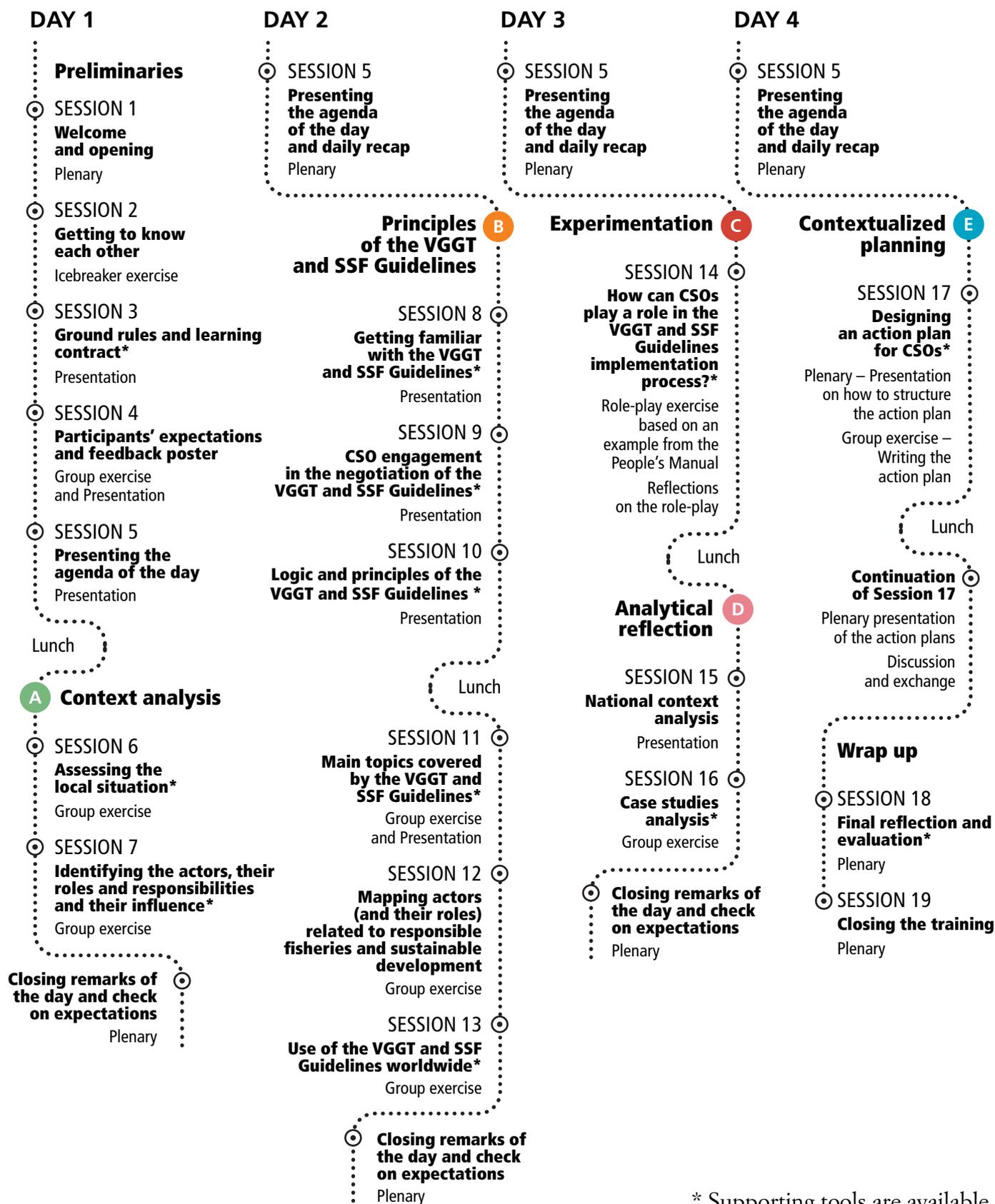


TABLE 2
Suggested Training Schedule



* Supporting tools are available.

4. Preparation for the training

As training situations vary greatly, this learning guide provides materials and suggestions to help facilitators conduct a successful training. The level of experience of the facilitator, the knowledge and skill levels of the participants, and the training context are all factors that need to be considered when planning the workshop. The training workshop as outlined in this guide is designed to take place over four days. Preparation for the workshop involves a number of steps:

1. selecting the participants.
2. setting up the training team.
3. background reading.
4. conducting a national context analysis.
5. choosing a training venue.
6. preparing training materials and equipment.

The training organizers should begin preparations approximately 1–1.5 months prior to the training. In addition to the time usually required to prepare for the training workshop, it is essential to take into account that a full understanding of the proposed methodology, and a good familiarity with this learning guide and how to use it, may require some additional preparation time. There are also other key factors that may have an impact on the time needed, namely:

- the level of familiarity of the facilitator³ with the VGGT and SSF Guidelines:
 - the tenure situation (especially fisheries tenure) of the country and the tenure-related processes at national and local levels; and
 - experiential learning approaches.
- the need to adapt the training materials to the local context.
- the need to translate the training materials into the local language.

A careful assessment of these elements is recommended in order to plan realistically for the work and time required to properly prepare for and carry out the training.

³ As indicated in the previous section on methodology, the facilitator might not have sufficient knowledge on the VGGT and SSF Guidelines and/or the tenure and small-scale fisheries situation of the country. In this case, when preparing and carrying out the training, the facilitator should be supported by a tenure expert and an expert on sustainable small-scale fisheries.

The level of experience of the facilitator, the knowledge and skill levels of the participants, and the training context are all factors that need to be considered when planning the workshop.



Selecting the participants

A minimum of 10 and a maximum of 30 participants are recommended in order to maintain the integrity of the training design. In terms of participant selection, it is recommended to take into account the following:

- select participants with a similar level of knowledge of the VGGT and SSF Guidelines in order to make it easier to tailor the information provided and to avoid repetition for those participants with more background on the topic.
- select participants from all three sectors (i.e. land, fisheries and forests);⁴ this allows for a richer exchange of information and experience between the three sectors and the possibility to build new relationships and partnerships.
- consider aiming for a strong gender balance (50:50) among the participants to allow both men and women to attend and benefit from the training.

Setting up the training team

A training team should be set up well in advance of the training. Ideally, the team should be involved throughout the process: during the preparatory steps, the implementation of the training, and the monitoring and evaluation activities following the training. It is recommended to have two facilitators conduct the training, who alternately lead and support the facilitation. Support staff will also play an important role in preparing the training materials, photocopying documents, and helping the facilitator(s) during the training. It is recommended that this staff be available full time for at least three days before the training begins. In addition, a staff member or consultant should be assigned for documentation: to take notes and photos during the training, to type up outputs as needed during the training, and to prepare the training report.

It is strongly recommended that the training team reviews together this learning guide prior to the training in order to gain a full and common understanding of the methodology, materials and background for each session. The team is responsible for pre training preparations, and should define in advance the roles and responsibilities for each session. The team should make a list of what has to be prepared in advance, the materials needed, the responsibilities and the timing. It is also essential to allocate one day for a rehearsal before the training. Talking through and practising each session brings the guide to life and helps the team to think through the process and ensure that all the materials

⁴ Naturally, in some countries one of these three sectors might not be relevant. In this case, the organizers should select the sectors accordingly.

are in place. The training team should also allow time to gather knowledge and skills related to the governance of tenure with a focus on fisheries tenure (e.g. tenure issues in country, legal negotiation, tenure reform processes), relevant issues pertaining to securing sustainable small-scale fisheries (e.g. sustainable resource management, social development and value chains), and facilitation.

Background reading

A key step for the training team is to review the following background materials:

- *Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security.* (available at www.fao.org/nr/tenure/voluntary-guidelines/en)
- *Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication.* (available at www.fao.org/3/a-i4356e.pdf)
- E-learning module: *Introduction to the responsible governance of tenure.* (available at www.fao.org/elearning/#/elc/en/course/VG1)
- *People's Manual on the Guidelines on Governance of Land, Fisheries and Forests.* (available at www.foodsovereignty.org/peoplesmanual/)
- *Summary: Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication.* (available at <https://igssf.icsf.net/images/SSF%20India%20workshop/COPYRIGHT/ICSF%20english.pdf>)
- *Implementing Improved Tenure Governance in Fisheries. A Technical Guide to Support the Implementation of the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security.* (available at www.fao.org/docrep/018/i3420e/i3420e.pdf)
- *Exploring the human rights-based approach in the context of the implementation and monitoring of the SSF Guidelines.* (available at www.fao.org/3/a-i6933e.pdf)

Conducting a national context analysis

This learning guide should be enhanced by an analysis of the national context. This analysis gives the participants an overview of the main issues related to the governance of tenure and sustainable small-scale fisheries in the country. The background reading (see above) should be completed by the training team prior to analysing the national context. The analysis may be facilitated by either the team or a consultant. The facilitator will need to define which aspects of the national context should be presented to participants in Session 15 (National context analysis). The training team may consider amending some sessions (i.e. Sessions 8, 9, 10, 11 and 15) to integrate content from the national context analysis. The analysis should also aim to identify and describe the actors involved in tenure governance and sustainable small-scale fisheries in order to provide input during Sessions 12 and 14.

Choosing a training venue

The selection of an appropriate venue and the arrangements at the venue are important in ensuring that the training workshop runs smoothly. The geographic location of the training venue as well as the actual physical space (such as the size and layout of the room) can significantly influence the outcome of the training. The venue should have a large hall with lots of space for the participants to move around. Ideally, the capacity of the room should

be approximately double the number of participants (e.g. a room with capacity for 40 for a workshop with 20 participants). Chairs should be easily movable and arranged in a U shape, with no tables in front of chairs, and only three or four tables behind the U against the walls; alternatively, there can be small tables for six to eight people for the working sessions. There should be a small table for the LCD projector as well. The facilitator and the training team should sit with participants in the U, or at one small table close to the participants. Should this not be possible, the facilitator should avoid sitting behind a big table at the front. Ideally, there should be large whiteboards or chalkboards. If these are not available then there should be lots of wall space for placing things on the wall. As well as the large room, it is ideal if there are places where three or four smaller groups of roughly 5–6 people each can meet separately for group work. Alternatively, more than one room might be needed.

This Learning Guide should be enhanced by an analysis of the national context. This analysis gives the participants an overview of the main issues related to the governance of tenure and sustainable small-scale fisheries in the country.

Preparing training materials and equipment

Participatory and experiential learning-based training courses are more complex to organize logistically than more conventional courses. A variety of materials are required for each session, and many logistical arrangements need to be made in advance.

Adapt and prepare the materials

Review the materials related to the sessions, adapt them to the training context, and decide which materials should be distributed as hard copies to the participants. A translation into the local language may be needed if the participants have not mastered the language of the materials. Ensure that materials are photocopied (with enough copies for each participant), stapled and placed where they can be easily retrieved for the appropriate session. Preferably, do not give out all materials at once.

Purchase materials according to a checklist

It is important to purchase materials carefully and in advance, especially if the venue is a long way from shops. A materials checklist is provided below. This should be updated with local names for materials and printed out for the person doing the purchasing. Because the training involves group exercises using cards and big sheets of paper, a lot of materials may be needed, so it is always good to overestimate if the number of participants is uncertain.

Allocate time and location for preparing materials

Many big posters have to be prepared before the training; ideally, all of them should be done before the training starts. Test the LCD projector during the rehearsal, at least a day before the training begins. Do not wait until the beginning of the training in case there is a problem.

Review the materials related to the sessions, adapt them to the training context, and decide which materials should be distributed as hard copies to the participants.



Training materials checklist

Each participant should have a copy of the VGGT and SSF Guidelines (in the local language) during the training. In addition, all participants should either bring or be supplied with notebooks and pens to use throughout the workshop.

SPECIFIC MATERIALS FOR EACH SESSION		ALREADY PROVIDED IN THE SESSION	TO BE PREPARED BY THE ORGANIZERS	TICK IF PREPARED/ACQUIRED
Session 1	PowerPoint presentation or a briefing note prepared for the speaker		•	
	Laptop computer (if the speech is based on a PowerPoint presentation)		•	
	Projector (if the speech is based on a PowerPoint presentation)		•	
Session 2	Notebooks or cards		•	
Session 3	Ground rules poster	 To be printed	•	
	Learning contract poster	•		
Session 4	Cards		•	
	Markers		•	
	Flipchart		•	
	Poster: "What I like"		•	
	Poster: "What I don't like"		•	
Session 5	Flipchart		•	
	Pre-prepared agenda		•	
	Paper		•	
	Markers	 To be printed	•	
Session 6	List of questions to be displayed in the room	•		
	Posters for the participants to write down their case and display them, OR have the note-taker write down the cases		•	
	Tape		•	
Session 7	Guiding questions on the communication channels		•	
	Flipchart		•	
	Markers		•	
Session 8	PowerPoint presentation	•		
	Flipchart		•	
	Videos	•		
	Laptop computer		•	
	Projector		•	
	Speakers for the video		•	
Session 9	Video	•		
	Projector		•	
	Speakers for the video		•	
Session 10	PowerPoint presentation	•		
	Flipchart		•	
	Laptop computer		•	
	Projector		•	

SPECIFIC MATERIALS FOR EACH SESSION		ALREADY PROVIDED IN THE SESSION	TO BE PREPARED BY THE ORGANIZERS	TICK IF PREPARED/ ACQUIRED
Session 11	Posters printed and displayed in the room	•	•	
	Green, yellow and pink Post-its	 To adapt and print	•	
	Tape		•	
Session 12	Cards		•	
	Questions	•		
Session 13	PowerPoint presentation	 To be printed	•	
	Laptop computer		•	
	Projector		•	
	Flipchart		•	
Session 14	<i>People's Manual</i> , Chapter 2	•		
	Instructions for designing a role-play	•		
	Role-play scenario	 To be printed and distributed		
	Participants' briefs for the role-play		•	
	Questions for debriefing the participants		•	
	Markers		•	
Session 15	PowerPoint presentation or posters		•	
	Laptop computer (if the PowerPoint presentation is prepared)		•	
	Projector (if the PowerPoint presentation is prepared)		•	
Session 16	Summary of selected cases		•	
	The table of common issues/topics for both VGGT and SSF Guidelines	•		
	Flipchart	 To be printed and distributed	•	
	Markers		•	
Session 17	Guiding note and guiding list of questions	•		
	Sheets of paper for each participant		•	
Session 18	Post-training evaluation questionnaire	•		
Session 19	PowerPoint presentation (if needed) or a briefing note prepared for the speaker		•	
	Laptop computer (if the PowerPoint presentation is prepared)		•	
	Projector (if the PowerPoint presentation is prepared)		•	
Other useful materials	Stapler (with some packets of staples)		•	
	Glue sticks		•	
	Scissors		•	
	Post-its		•	
	A4-size white paper		•	
	Tape		•	
	Large clock		•	
	Printer		•	
	Photocopier		•	
Pens		•		
Notebooks		•		



TRAINING SESSIONS AND MATERIAL



◎ **PART 1: THE LEARNING GUIDE**

1 Why this learning guide?

2 Training methodology

3 Structure of the training

4 Preparation for the training



◎ **PART 2: TRAINING SESSIONS AND MATERIAL**

5 Training sessions and material



◎ **ANNEX: LEARNING OBJECTIVES AND RESOURCES**

PART 2: TRAINING SESSIONS AND MATERIAL

5. Training sessions and material

The 19 session plans presented in Part 2 outline the various elements involved in conducting the training, i.e. purpose, steps, materials, suggested time, and comments and tips. In addition, some session plans are followed by supporting materials including guiding notes, training materials and background reading.



Guiding notes provide advice on how to prepare and conduct the training sessions, additional details on the learning objectives, and further resources.



Training materials are PowerPoint presentations and Word documents that can be used with participants during the sessions.



Background reading provides technical information on the topics of the sessions to deepen the knowledge of the facilitator. They can be tailored to specific training needs and to the national context.

Not all sessions have supporting materials, either because they are not required for a session or because the material should be prepared by the facilitator.

Each section of the training is preceded by a list of the relevant sessions and any supporting materials, as follows:

Preliminaries

◎ SESSION 1	Welcome and opening
SESSION 2 ◎	Getting to know each other
◎ SESSION 3	Ground rules and Learning Contract
◎ Training material	The Learning Contract
◎ SESSION 4	Participants' expectations and feedback poster
SESSION 5 ◎	Presenting the agenda of the day and daily recap

SESSION 1
**Welcome
and opening**

Plenary

Purpose	<ul style="list-style-type: none">• To mark the formal opening of the training.• To motivate the participants and inform them of the higher level objectives of the workshop in the national context.
Steps	<ol style="list-style-type: none">1. Agree beforehand on an appropriate speaker(s) and invite him/her to attend the opening to make introductory remarks of approximately 10–15 minutes. He/she is also requested to introduce the objectives of the workshop.2. The workshop moderator (usually one of the organizers) introduces the speaker(s).
Materials	Briefing note for the speaker(s)
Suggested time	30 minutes
Comments and tips	<ul style="list-style-type: none">• During this session, it may also be useful to clarify the role of any coorganizing organization.• Consider ensuring gender balance if more than one speaker is invited.

SESSION 2
**Getting
to know
each other**

Icebreaker
exercise

Purpose	<ul style="list-style-type: none">• To introduce the participants to each other and give them a sense of each other's work and experience.• To help participants become comfortable with each other.
Steps	<ol style="list-style-type: none">1. Divide the participants into pairs by asking them to find a partner that they know the least about.2. The pairs interview each other for about 5 minutes.3. After the interviews, reassemble the participants into a big circle and ask each participant to introduce his/her partner to the group.4. Ask both participants to stand up for the introduction.
Materials	Notebooks
Suggested time	<ul style="list-style-type: none">• 5 minutes for interviews.• 20 minutes for participants to introduce each other.
Comments and tips	<ul style="list-style-type: none">• Sample questions may be prepared and posted in the room. Besides the usual questions about the professional background, include some less formal questions to break the ice, such as:<ul style="list-style-type: none">• What's your favourite food?• Who's your favourite movie star or singer?• Which animal do you most closely resemble?• Other icebreaker exercises may also be substituted.

GROUND RULES	
Purpose	To set ground rules to ensure the training runs smoothly.
Steps	<ol style="list-style-type: none"> 1. Present a poster listing some generic rules and the schedule. The poster will be kept in a prominent place throughout the workshop. 2. Make it clear that rules can be added during the training if the need arises. Furthermore, rules apply to everyone equally, including the facilitator.
Materials	Pre-prepared ground rules poster
Suggested time	10 minutes
LEARNING CONTRACT	
Purpose	<ul style="list-style-type: none"> • To introduce the training objectives, structure, approaches and expected outputs. • To help the participants understand the goals of the training and to consciously agree that everyone will work together towards reaching the training goals.
Steps	<ol style="list-style-type: none"> 1. Present the goal of the workshop, what the participants will learn, and what they will be able to do after the workshop. It is key to explain the logic of the training and the learning flow (e.g. how one session will build on another). 2. Explain the content of the learning contract between the facilitator and the participants and explain that it is the job of the participants to strive to fulfil the terms of the contract. The poster of the learning contract will be kept in a prominent place throughout the workshop. 3. Ask the participants to come forward and sign the contract.
Materials	Pre-prepared learning contract poster (see below)
Suggested time	10–15 minutes
Comments and tips	<ul style="list-style-type: none"> • The training schedule should be adapted to local customs, and while some days may be longer than others, an average of 8 hours per day is advisable. • Suggestions for norms and rules to be agreed among the participants: <ul style="list-style-type: none"> • Any question is a good question and all points of view are valid. • Please take part but do not dominate – provide an opportunity for the quieter people to take part. • Discriminatory statements/jokes will not be tolerated. • Disagreements are not personal. • Switch off mobile phones during the workshop. • Give people a round of applause if their mobile phone rings or if they come late. • Arrive at the workshop venue on time. • One or more participants could be elected as a “village chief” who will help the facilitator enforce the rules. Funny punishments (e.g. dancing in the middle of the circle, telling jokes) could be established for those who do not respect the rules.



SESSION 3 - Training material

The Learning Contract

PRINT/PHOTOCOPY THIS PAGE
AND USE IT DURING THE SESSION

This training is based on an **experiential learning approach**. This means that I will be actively involved in the learning process through different kinds of working group sessions where I will be engaged in critical thinking, problem-solving and decision-making in contexts that are relevant to me.

- A** This approach starts from my **own experience** and from my local context, with reference to tenure issues that present challenges for responsible fisheries and sustainable development. This will be the basis of all the work we will do together.
- B** Only after having analyzed the context will we **explore** together the **rationale for** and the **principles** of the *Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT)* and the *Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines)*. This will strengthen my knowledge on how the VGGT and SSF Guidelines can support me in implementing responsible governance of tenure of land, fisheries and forests and securing sustainable small-scale fisheries in my context.
- C** Then, I will be asked to **put these principles into practice** by experimenting first hand with what I have learned.
- D** Afterwards, I will be asked to apply the principles and my practical experience to **analyse a real-life case study**.
- E** Finally, I will have the opportunity to **contextualize** what I have learned within the real world and to **develop an action plan** tailored to my social movement or organization.

At the end of this training I will be able to:

- understand the background and the processes of development of the VGGT and SSF Guidelines;
- explain the main topics covered by the VGGT and SSF Guidelines;
- identify the main actors and processes and their respective roles in tenure governance and in securing sustainable small-scale fisheries;
- assess the local tenure situation (especially fisheries tenure) and issues related to securing sustainable small-scale fisheries, and conduct analyses of specific cases in the country; and
- use the VGGT and SSF Guidelines to prepare an agenda for action for CSOs.

My
learning
goals

My learning activities

How am I going to learn?

A Starting from my own experience

- What is my local context with reference to tenure issues that present challenges for responsible fisheries and sustainable development? (*Group exercise*)
- Do I already know some possible uses of the VGGT and SSF Guidelines? (*Group exercise*)
- Who are the actors with whom I have already engaged and what are their responsibilities in improving responsible fisheries and sustainable development? (*Group exercise*)
- What are the possible communication channels to mainstream the VGGT and SSF Guidelines? (*Group exercise*)

B Some basic principles to reinforce my experience and to gain common understanding

- Main objectives and basic concepts of the VGGT and SSF Guidelines (*Group exercise and presentation*)
- History of engagement of CSOs in governance of tenure issues and their engagement in the elaboration process of the VGGT and SSF Guidelines (*Presentation and exercise*)
- Logic and principles of the VGGT and SSF Guidelines (*Presentation and exercise*)
- Main topics covered by the VGGT and SSF Guidelines (*Presentation and exercise*)
- Identifying the main actors and their respective roles and responsibilities (*Group exercise*)
- Use of the VGGT and SSF Guidelines worldwide (*Group exercise*)

C Putting the principles into practice by experimenting with skills and methods

- How can CSOs play a role in the VGGT and SSF Guidelines implementation process? (*Group exercise*)

D Internalizing the lessons: analyzing the situation in light of the principles learned and of the practical experience

- National context analysis (*Presentation*)
- Analyse actors and responsibilities (including of each CSO participant) in improving the governance of tenure and ensuring sustainable small-scale fisheries (*Group exercise*)
- Analyse the processes and timeline for improving governance of tenure and ensuring sustainable small-scale fisheries (*Group exercise*)
- Analyse entry points for the VGGT and SSF Guidelines from local cases (*Group exercise*)
- Analyse possible uses of the VGGT and SSF Guidelines in the country and elsewhere by CSOs (*Group exercise*)
- Analyse possible areas of action (*Group exercise*)

E Revisiting the context analysis and developing an action plan to enhance the use of the VGGT and SSF Guidelines in my local community

- Design an action plan (*Group exercise*)

Signatures:

SESSION 4
**Participants’
expectations
and feedback
poster**

Group
Exercise and
Presentation

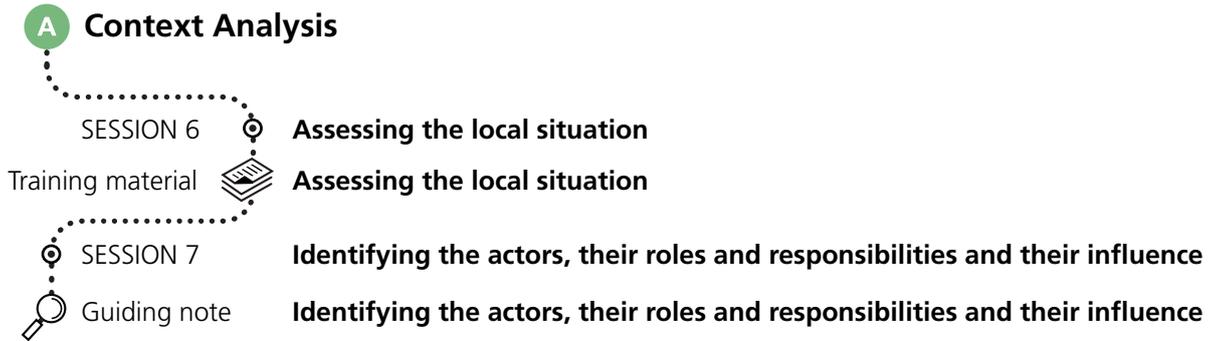
PARTICIPANTS’ EXPECTATIONS	
Purpose	To assess participants’ expectations in relation to the training goals, objectives and content of the training.
Steps	<ol style="list-style-type: none"> 1. Distribute cards to all the participants and ask them to write down their personal expectations – what they hope to learn from the workshop. The cards can be stuck onto another large piece of paper. 2. Regroup and sum up the expectations by theme. 3. At the end of the workshop, return to both the learning contract and the participants’ learning expectations and, together with the participants, check whether both have been fulfilled.
Materials	<ul style="list-style-type: none"> • Cards • Markers • Flipchart paper
Suggested time	20 minutes

FEEDBACK POSTER	
Purpose	<ul style="list-style-type: none"> • To provide the participants with an opportunity to express what they like and don’t like day to day during the workshop. • To allow the facilitator to respond in a timely manner to any issue raised during the workshop.
Steps	<ol style="list-style-type: none"> 1. Present the “What I like/What I don’t like” posters and explain that the posters will be placed outside the workshop room in order to allow the participants to express anonymously what they like and don’t like about the workshop. 2. Emphasize that criticism should be constructive, and also that knowing what is going well is a great source of motivation for everyone. 3. Place the “What I like/What I don’t like” posters on a wall outside the room.
Materials	<ul style="list-style-type: none"> • Pre-prepared poster “What I like” • Pre-prepared poster “What I don’t like” • Markers
Suggested time	5 minutes
Comments and tips	<ul style="list-style-type: none"> • From time to time, remind the participants about the feedback poster and encourage them to write on it. Check the feedback wall at the end of each day. • Address participants’ remarks during the course of the training. • This session can be adapted according to local norms. For example, an anonymous suggestion box may be used, or alternatively a quick oral evaluation at the end of the day requesting feedback on the main positive and negative aspects of the day.

SESSION 5
**Presenting
the agenda
of the day
and daily recap**
Presentation

PRESENTING THE AGENDA OF THE DAY	
Purpose	To inform participants on the scheduled activities of the day.
Steps	<ol style="list-style-type: none"> 1. Explain the agenda to the participants, giving a short overview of what they will do during each activity. 2. Set the goal(s) for the day and explain the expected outputs at the end of the day.
Materials	Flipchart with the day's agenda
Suggested time	10 minutes

DAILY RECAP	
Purpose	To summarize the main activities and outputs of the previous day.
Steps	<ol style="list-style-type: none"> 1. Organize the participants into groups of any size. 2. Ask the groups to write down a list of keywords from the previous day. 3. Ask each group to pick three keywords from their list, and explain what new things they learned the previous day related to each keyword. 4. Ask each group to present the list of their three keywords to the plenary. 5. Write down the relevant keywords on a flipchart. 6. Integrate if needed.
Materials	<ul style="list-style-type: none"> • Flipchart • Paper for participants • Markers
Suggested time	15–20 minutes
Comments and tips	<ul style="list-style-type: none"> • Display the agenda in the room and update it each day if there are changes. • Clearly allocate time for each session and respect the schedule. • Ask one or more participants to help respect the timing. • Other daily recap exercises may be substituted.



SESSION 6
Assessing the local situation
Group Exercise

Purpose	<p>To collectively identify and describe cases that present challenges for responsible fisheries and sustainable development, such as:</p> <ul style="list-style-type: none"> • Responsible governance of tenure, especially for small-scale fisheries; • Sustainable resource management; • Social development, employment and decent work; • Value chains, post-harvest and trade; • Gender equality; • Disaster risks and climate change. <p>To identify some of the different types of issues affecting responsible fisheries and sustainable development.</p> <p>To create a case base that will be used throughout the training as an entry point to better understand the VGGT and SSF Guidelines and to draw up action plans.</p>
Steps	<ol style="list-style-type: none"> 1. Explain the purpose of the session. 2. Divide the participants into three or four groups. The groups can be formed based on geographical location of the participants, type of resource, topics (land, forestry, fisheries, pastoralists, women, Indigenous Peoples, etc.), or randomly. 3. Give the groups 20 minutes to prepare one or two different cases to be shared in plenary using the questions displayed. Distribute flipcharts where they can write down the main elements. 4. In plenary give each of the groups 10 minutes to present their cases (2–3 cases maximum). Have a timekeeper who indicates when to begin, when one minute is remaining and when the group should stop. 5. The participants should select one case per group. Guide the participants to select cases with different topics in order to cover different thematic areas.
Materials	<ul style="list-style-type: none"> • List of case study questions to be displayed in the room (see below) • Flipchart • Tape
Suggested time	1 hour 30 minutes
Comments and tips	<ul style="list-style-type: none"> • This is the first working session of the training and it is highly recommended that the participants work in groups in order to allow all the participants to express their ideas and experience. • Try to ensure gender balance in the groups. If there is a small number of women, consider whether it is better to have women in different groups or to have one group that only consists of women. In some countries, women tend to be shy and not vocal, and do not express themselves if they are among men in a large group. • This session is the basis for all the following ones. It is important that the cases selected represent a diversity of situations and challenges facing small-scale fisheries (e.g. governance of tenure and legitimate rights, grievance mechanisms, gender access and rights, fisheries access, management of aquatic biodiversity transboundary issues, employment and decent work, value chains and post-harvest) that will allow participants to explore the various themes of the VGGT and SSF Guidelines. • It is recommended to type up a summary of the selected cases at the end of the first day and provide a copy to the participants the next day. <p>Alternative:</p> <ul style="list-style-type: none"> • The cases can be prepared prior to the training. It is important that the cases are prepared by the participants according to the guiding questions. These questions can be tailored to meet the specific aims of the training. Prior preparation of the cases (Sessions 6 and 7) can shorten the duration of the training; however, clear guidance and support to the participants is needed.

A

SESSION 6 - Training material

Assessing the local situation



The following is a list of questions to be displayed in the room:

1 What happened?

2 Who was involved?

3 What do you think/feel?

4 How has it impacted your livelihood and that of the community, especially women and children?

5 What is the situation now?



PRINT/PHOTOCOPY THIS PAGE
AND USE IT DURING THE SESSION

SESSION 7
Identify the actors, their roles and responsibilities and their influence
Group Exercise

Purpose	<ul style="list-style-type: none">• To identify collectively the different actors involved in the participants' local situation.• To understand the power dynamics related to the participants' local situation.• To identify the roles and responsibilities of various actors involved in tenure governance.• To identify connections between various actors.• To identify the information available and the information flows in order to improve the effectiveness of formal and informal communication channels.
Steps	<ol style="list-style-type: none">1. Explain the purpose of the session.2. Divide the participants into the same working groups as in Session 6 and provide each group with a flipchart.3. Referring to the cases selected in Session 6, ask each group to identify the main actors in their selected case and the roles and responsibilities of each actor. Ask them to take notes on the flipchart.4. Ask the groups to identify the communication channels among the actors, as follows:<ul style="list-style-type: none">• Ask the groups to draw arrows between actors to visualize the flow of information related to tenure issues. If two actors exchange information, they should draw double-headed arrows.• Have the groups define what kind of information comes from each actor (e.g. on rights and legal frameworks, on responsible practices, on market opportunities) and note it on the flipchart. Allow for multiple types of information.• Ask the groups to assign influence by drawing small towers or stars next to each actor: the higher the influence, the higher the tower or the number of stars.5. In plenary, the groups then present and discuss the results of their work.
Materials	<ul style="list-style-type: none">• Guiding note on the session (see below)• Posters prepared during Session 6 should remain displayed• Flipchart• Markers
Suggested time	45 minutes
Comments and tips	<ul style="list-style-type: none">• Clarify that this exercise is related to the case studies. The aim of this session is not to establish the complete list of all the stakeholders involved in small-scale fisheries, but rather to focus on those linked to each specific case. In Session 12, this analysis will be expanded and reinforced by mapping all the actors and roles linked to the governance of tenure.• If participants are requested to prepare cases prior to the training, then Sessions 6 and 7 should be merged for the assignment. Otherwise, these sessions should remain separate.

A

SESSION 7 - Guiding note

Identifying the actors, their roles and responsibilities and their influence



Procedure⁵

1. Actor identification

Guiding question: *"Who is involved in the identified case?"*

- Ask participants to write the names of each actor on a sheet of paper, possibly with different colours for different types of actors (e.g. government, civil society, private sector).

2. Linkage mapping

Guiding question: *"Who is linked to whom?"*

- Define relevant links or relationships between actors (e.g. providing services, giving financial support, exchanging information) and ask participants to draw arrows between actors using different colours for each type of link.
- If two actors exchange information, they should draw double-headed arrows. If actors exchange more than one piece of information, they can add differently coloured arrow heads to existing links.

2.1 Information and knowledge exchanges

Guiding questions: *"How are knowledge and information about the issues identified in the local case shared among the actors? Are there relevant external sources?"*

⁵ *Participatory Rural Communication Appraisal. A Handbook* (SADC and FAO, 2004).

- Ask participants to draw arrows between actors to show (or complete if already started) the flows of information related to the issues identified in the local case. If two actors exchange information, they should draw double-headed arrows.
- Ask participants to note available communication channels (e.g. traditional/community media, print and broadcast media, mobile phones, social media, Internet) and any other external sources of information.

3. Influence towers

Guiding questions: *“What type of information comes from each source? Who are the most knowledgeable and reliable sources of information? How can they influence the communication process on tenure issues and/or the behaviour of other actors?”*

- Have participants define what kind of information comes from each source (e.g. on rights and legal frameworks, on responsible practices, on market opportunities, on claims for land and fishing resources, on management of resources) and note it next to the actor. Allow for multiple types of information.
- Clarify that participants should try to determine which actors are perceived at different levels (national, local) as the **most knowledgeable, reliable and respectable** sources in relation to the specific issues, not in general.
- Ask participants to assign influence towers and place them next to each actor: the higher the influence, the higher the tower. Towers of different actors can be of the same height. Towers can be as high as participants want; sources with no influence can be put at ground level.

4. Discussion

Guiding questions: *“What individuals or groups are left out of the loop? What information is not accessible to whom? What could be done to address these knowledge gaps? What processes or channels would be effective?”*

- Invite participants to look at the map and try to identify problems and opportunities related to information and knowledge sharing.
- Discuss how the situation could be improved through a communication strategy given the local context. It may be useful to give participants some examples of communication objectives, such as:
 - making local communities aware of their tenure rights;
 - providing clear and simple information about existing legal tools;
 - documenting and sharing local practices to avoid misconceptions;

- increasing local CSO participation in decision-making processes;
- raising public awareness of Indigenous self-governance practices; and
- advocating with national governments.

Facilitators could try to capture the main points emerging from the mapping and the discussion on a flipchart (see sample matrix below):

Sources of information	More influential	Less influential	Sample Matrix
	
Types of information	Shared	Missing/needed	
	
Communication channels/resources	Available	Needed	
	

B Principles of the VGGT and SSF Guidelines

SESSION 8		Getting familiar with the VGGT and SSF Guidelines
Background reading		Main objectives and basic concepts of the VGGT and SSF Guidelines
Training material		PowerPoint presentation on main objectives and basic concepts of the VGGT and SSF Guidelines
Training material		Video on responsible governance of tenure
SESSION 9		CSO engagement in the negotiation of the VGGT and SSF Guidelines
Background reading		CSO engagement in the processes leading to the adoption of the VGGT and SSF Guidelines
Training material		Videos on CSO engagement in tenure issues
SESSION 10		Logic and principles of the VGGT and SSF Guidelines
Background reading		Logic and principles of the VGGT and SSF Guidelines
Training material		PowerPoint presentation on logic and principles for responsible governance of tenure and sustainable small-scale fisheries
SESSION 11		Main topics covered by the VGGT and SSF Guidelines
Training material		Main topics covered by the VGGT and SSF Guidelines
SESSION 12		Mapping actors (and their roles) related to responsible fisheries and sustainable development
Training material		Mapping actors (and their roles) related to responsible fisheries and sustainable development
SESSION 13		Use of the VGGT and SSF Guidelines worldwide
Training material		PowerPoint presentation on VGGT and SSF Guidelines use and status of implementation worldwide
Training material		Video on guidelines for securing sustainable small-scale fisheries

SESSION 8
Getting familiar with the VGGT and SSF Guidelines
 Presentation

Purpose	To explain what the VGGT and SSF Guidelines are and unpack the meaning of the words “responsible”, “governance”, “tenure”, “responsible fisheries” and “small-scale fisheries”, with emphasis on what they mean for small-scale fisheries.
Steps	<ol style="list-style-type: none"> 1. Explain the purpose of the session. 2. Present the video <i>Responsible Governance of Tenure</i>. 3. Invite three to four participants to share their views on what they think the VGGT and SSF Guidelines are. 4. After three or four contributions from participants, provide a definition of the VGGT and SSF Guidelines and their main objectives using the PowerPoint presentation provided. 5. To establish the links between the objectives of the VGGT and SSF Guidelines and the responsible governance of tenure, write the words “responsible”, “governance”, “tenure”, “responsible fisheries” and “small-scale fisheries” on five different flipcharts. Ask the participants to brainstorm on a definition for each of these words. 6. After the initial brainstorming on the five concepts, summarize with the definitions as presented in the background reading.
Materials	<ul style="list-style-type: none"> • Background reading (see below) • PowerPoint presentation: <i>Main objectives and basic concepts of the VGGT and SSF Guidelines</i> (see below) • Video: <i>Responsible Governance of Tenure</i> (www.youtube.com/watch?v=dLqbi8xu3gw&feature=youtu.be) • Flipchart • Laptop computer and projector • Speakers for the video
Suggested time	45 minutes
Comments and tips	<ul style="list-style-type: none"> • Referring to the background reading, this session familiarizes the participants with the VGGT and SSF Guidelines. Several questions are suggested to further the discussion: <ul style="list-style-type: none"> • Why are the VGGT and SSF Guidelines voluntary? Does the voluntary nature of the VGGT and SSF Guidelines make them weaker than other binding instruments? • Why do we need these guidelines? How do both sets of guidelines complement each other? (For example, are there aspects in one which are not dealt with in the other?) • Why is tenure of water not considered in the VGGT? Do the SSF Guidelines complement this shortcoming? • It is essential to highlight the complementarities and commonalities of both guidelines. • Ideally, the training should be conducted in the language in which the participants are most comfortable. The participants may wish to discuss how the key tenure concepts can be translated and communicated effectively at the grassroots level. In some cases, terms in local dialects may be more effective.

SESSION 8 - Background reading

B

Main objectives and basic concepts of the VGGT and SSF Guidelines



What are the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT) and the Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines)?

The VGGT and SSF Guidelines are both international instruments that can be used by many different actors to improve the governance of tenure of land, fisheries and forests; improve the socioeconomic conditions of small-scale fishers and fishworkers; and contribute to the progressive realization of the human right to food. The VGGT set out principles and internationally accepted standards for the practices of responsible governance of tenure. While the VGGT represent an unprecedented international consensus on tenure, the SSF Guidelines are the first internationally agreed instrument dedicated exclusively to small-scale fisheries, aimed at equitable development of small-scale fishing communities and poverty eradication (i.e. not only reduction). CSOs, especially those working with small-scale fisheries, can use both of these international instruments to assert the human rights of small-scale fishing communities as well as the tenure rights of small-scale fishers and fishworkers (especially, in both cases, Indigenous Peoples and women). The two sets of guidelines are complementary, closely relate to each other, and should be jointly used.

Both the VGGT and SSF Guidelines are voluntary and therefore not legally binding. They do not replace existing national laws or international laws, commitments, treaties or agreements. However, both encompass the principles of human rights enshrined in the Universal Declaration of Human Rights (UDHR). These rights are mentioned in the first paragraph of the VGGT, and the SSF Guidelines state that their guiding principles are based on international human rights standards (paragraph 3.1.). Additionally, the SSF Guidelines specifically refer to a number of human rights instruments throughout the text, such as the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).

The VGGT and SSF Guidelines are so-called instruments of “soft law”, which gives them an advantage over binding international agreements in the negotiation process as they are usually easier for countries to reach an agreement on. Furthermore, soft law can be more comprehensive and detailed than binding legislation; it is often better suited for technical matters and best practices, such as the governance of tenure. FAO’s experience with soft law instruments is that they have a positive impact in guiding national policies and legislation in many countries, and thus states should integrate these soft law instruments into national policies, regulations or laws to better support their application at the country level.

What are the main objectives of the VGGT and SSF Guidelines?

The VGGT and SSF Guidelines are meant to benefit all people in all countries, but with an emphasis on vulnerable and marginalized people. This means that these groups of people need to be prioritized in order to achieve the objectives set forth in both sets of guidelines.

The purpose of the VGGT and SSF Guidelines is to serve as a reference and to provide guidance to improve the governance of tenure of land, fisheries and forests, with respect to all forms of tenure: public, private, communal, Indigenous, customary and informal.

The common overarching goals of both instruments are to achieve food security (the SSF Guidelines also emphasize nutrition) for all and to support the progressive realization of the right to adequate food in the context of national food security. While supporting efforts towards the eradication of hunger and poverty, the VGGT and SSF Guidelines aim to contribute to achieving sustainable livelihoods, social stability, housing security, rural development, environmental protection, and sustainable social and economic development. In addition, the SSF Guidelines aim to contribute to equitable development and poverty eradication; responsible management of fishery resources; economic, social and environmental sustainability; ecosystem-friendly and participatory policies; and public awareness and advancement of knowledge. These objectives, covering all fishery-related activities in marine and inland waters, should be achieved through the promotion of a human rights-based approach. Moreover, small-scale fishing communities should be empowered to participate in decision-making processes, and assume responsibility for sustainable use of fishery resources.

Therefore, the VGGT and SSF Guidelines provide interpretation and guidance on how human rights obligations, public international law and humanitarian law are to be applied in the context of tenure and – in the case of the SSF Guidelines – small-scale fisheries.

How do the VGGT and SSF Guidelines differ?

As seen above, the VGGT and SSF Guidelines have many commonalities, but also differ in some aspects. While the main focus of the VGGT is on the responsible governance of tenure, the SSF Guidelines go beyond the issue of tenure and what is traditionally addressed under fisheries governance, bridging the issues of social development and responsible fisheries. Simply put, Chapter 5 of the SSF Guidelines (“Governance of tenure in small-scale fisheries and resource management”) is in a way a “condensed” version of the entire VGGT (which can be found in the SSF Guidelines), transferring the VGGT principles more specifically to fishery and related land tenure issues, especially those that relate to small-scale fisheries. The VGGT are more detailed on some selected topics (e.g. public land, customary tenure systems, informal tenure, redistributive reforms), thus both instruments complement each other and can be used to maximize arguments in calling on states to take action. On the other hand, precisely because the SSF Guidelines go beyond the issue of “tenure” to cover topics which are not primarily or at least directly addressed by the VGGT (overexploitation of resources, social development and access to social services, sustainable management of water bodies, etc.), they provide an additional tool for small-scale fisheries actors and their communities to use for their empowerment and to secure their rights.

Furthermore, in using both sets of guidelines, limitations and shortcomings in one set can be further compensated for in the other. For example, the VGGT do not refer to the use and management of natural resources, nor do they cover water as such. The SSF Guidelines, on the other hand, provide overall guidance on the use of fishery resources, with one subchapter (5b) dedicated solely to resource management. Moreover, the SSF Guidelines also address water resources, which, in addition to being indispensable when relating to fisheries tenure, are essential for the livelihood (i.e. for drinking water and sanitation) of small-scale fishers and fishworkers.

Finally, in national practice, different ministries are responsible for the implementation of both sets of guidelines. Thus CSOs can use both instruments tactically to address these different authorities and foster interinstitutional collaboration and coherence.

VGGT	SSF Guidelines
<p>PART 1 – Preliminary</p> <ol style="list-style-type: none"> 1. Objectives 2. Nature and scope 	<p>PART 1 – Introduction</p> <ol style="list-style-type: none"> 1. Objective 2. Nature and scope 3. Guiding principles 4. Relationship with other international instruments
<p>PART 2 – General matters</p> <ol style="list-style-type: none"> 3. Guiding principles of responsible tenure governance <ol style="list-style-type: none"> 3A. General principles 3B. Principles of implementation 4. Rights and responsibilities related to tenure 5. Policy, legal and organizational frameworks related to tenure 6. Delivery of services 	<p>PART 2 – Responsible fisheries and sustainable development</p> <ol style="list-style-type: none"> 5. Governance of tenure in small-scale fisheries and resource management 6. Social development, employment and decent work 7. Value chains, post-harvest and trade 8. Gender equality 9. Disaster risks and climate change
<p>PART 3 – Legal recognition and allocation of tenure rights and duties</p> <ol style="list-style-type: none"> 7. Safeguards 8. Public land, fisheries and forests 9. Indigenous Peoples and other communities with customary tenure rights 10. Informal tenure 	<p>PART 3 – Ensuring an enabling environment and supporting implementation</p> <ol style="list-style-type: none"> 10. Policy coherence, institutional coordination and collaboration 11. Information, research and communication 12. Capacity development 13. Implementation support and monitoring
<p>PART 4 – Transfers and other changes to tenure rights and duties</p> <ol style="list-style-type: none"> 11. Markets 12. Investments 13. Land consolidation and other readjustment approaches 14. Restitution 15. Redistributive reforms 16. Expropriation and compensation 	
<p>PART 5 – Administration of tenure</p> <ol style="list-style-type: none"> 17. Records of tenure rights 18. Valuation 19. Taxation 20. Regulated spatial planning 21. Resolution of disputes over tenure rights 22. Transboundary matters 	
<p>PART 6 – Responses to climate change and emergencies</p> <ol style="list-style-type: none"> 23. Climate change 24. Natural disasters 25. Conflicts in respect to tenure of land, fisheries and forests 	
<p>PART 7 – Promotion, implementation, monitoring and evaluation</p>	

BOX 1
Structures of the VGGT and SSF Guidelines

For small-scale fishers, the VGGT can contribute to:

- securing full access rights to water bodies (marine and inland), forests (including mangrove forests) and land for small-scale fishers and fishworkers;
- protecting customary and traditional access to resources used by small-scale fishing communities;
- defending and regaining the territories of Indigenous small-scale fishers;
- securing a future for youth in fishing communities;
- economic and social justice;
- environmental sustainability; and
- local autonomy and self-determination of small-scale fishers, fishworkers, their families and communities.

In addition, for small-scale fishers, the SSF Guidelines can contribute to:

- securing access to basic services, such as adequate housing, basic sanitation and safe drinking water;
- addressing occupational health issues and unfair working conditions;
- ensuring that international trade and export production do not adversely affect local small-scale fisheries;
- promotion of gender equality;
- ensuring disaster risk mitigation measures; and
- inclusion of small-scale fishers, with a focus on women, in all decision-making processes.

Furthermore, the VGGT and SSF Guidelines provide a framework that states are encouraged to use when developing their own strategies, policies, legislation, programmes and activities. They allow governments, civil society, the private sector and citizens to judge whether their proposed actions and the actions of others constitute acceptable practices.

Civil society – with an emphasis on non-governmental organizations, CSOs, and organizations of fishers/fishworkers, farmers and forest users – should play an important role in advocacy, awareness-raising, legal assistance and capacity development in order for communities to be able to enjoy and protect their tenure rights. Small-scale fishers and fishworkers, their communities, and associations who hold tenure rights should learn what rights they hold, and how to protect these rights and themselves against corrupt and unlawful behaviour by others. Furthermore, these groups should also know how to promote sustainable resource management, as well as the role states should

play in enhancing social and economic development, social security and protection, decent work, and protection of human rights.

The VGGT and SSF Guidelines in the context of human rights and international law

The VGGT and SSF Guidelines place tenure rights as well as social and economic development, social security and protection, working conditions and the sustainable management of resources in the context of human rights. There is currently no international consensus that a tenure right is a human right. However, tenure rights, which provide access to land, water, fisheries and forests, are important for the realization of human rights, such as the right to a standard of living adequate for health and well-being, including food and housing (UDHR, Article 25; International Covenant on Economic, Social and Cultural Rights, Article 11)⁶. Furthermore, the human rights to social security (ICESCR, Article 9), to work (ICESCR, Article 6), to just and favourable conditions of work (ICESCR, Article 7), to education (ICESCR, Article 13; Convention on the Rights of the Child), as well as women's rights (CEDAW) and the rights of Indigenous Peoples (UNDRIP) are all internationally recognized human rights enshrined in international human rights instruments that are referred to and covered in the SSF Guidelines. Similarly, the UN Declaration on the Rights of Peasants and Other People Working in Rural Areas (UNDROP), which was adopted by the UN General Assembly in December 2018 and which also concerns small-scale fishers and their communities, explicitly recognizes the right to access and sustainable use of natural resources (Article 5) and the right to land (Article 17). Governance of tenure may affect the enjoyment of various human rights. The VGGT recommend that states should ensure that all actions regarding tenure and its governance are consistent with their obligations under national and international law, and with due regard to their voluntary commitments under applicable regional and international instruments. All programmes, policies and technical assistance to improve governance of tenure through the implementation of the VGGT and SSF Guidelines should be consistent with states' existing obligations under international law.

⁶ The VGGT encompass human rights enshrined in the UDHR; the International Convention on the Elimination of All Forms of Racial Discrimination; the International Covenant on Economic, Social and Cultural Rights (ICESCR); the International Covenant on Civil and Political Rights; CEDAW; the International Labour Organization (ILO) Convention No. 169 Concerning Indigenous and Tribal Peoples; UNDRIP; and the World Conference on Agrarian Reform and Rural Development, among others.

Basic concepts

What is tenure?

Tenure is the relationship among people with respect to natural resources, such as land, fisheries and forests. It determines who can use which resource, for how long and under what conditions.

These rights (and duties) can be created under formal legal systems, often in documents, or they can arise from custom, depending on the system in a given country.

Usually, we talk about people owning, having or using land, fishery resources or forests. Another way of saying this is that they have rights to the land, fisheries or forest.

Tenure systems define and regulate how people, communities and others gain access to natural resources, whether through formal law or informal arrangements. The rules of tenure determine who can use which resources, for how long, and under what conditions. They may be based on written policies and laws, as well as on unwritten customs and practices.

Tenure rights can include the right to possess, sell, gift, mortgage, leave by inheritance, or lease out the land or forest. These can also include the rights to occupy and use the land or forest, such as for harvesting and collecting produce, or to use these to land fishing boats and process fish. Tenure rights can also include the right to exclude others from occupying or using the land or forest, particularly where a person has an exclusive right to the land or to the forest.

What is fisheries tenure? What is specific about fisheries tenure?

With respect to small-scale fisheries, formal tenure rights are in many regards still a developing concept. However, customary and traditional tenure systems have long existed within fishing communities and have been considered formal rights in some areas, often together with land tenure.

Around the globe, water bodies and land are not separate resources for fishers and their livelihoods but are both part of their conception of territory. Therefore, fisheries tenure needs to be considered in connection with the broader land and livelihood context. This means, for example, that aside from rights to access and use fishing grounds and coastal and inland aquatic and fisheries resources, small-scale fishers equally need rights to coastal and inland

lands for residential (i.e. housing), cultural (e.g. worship) and occupational purposes (e.g. landing, launching their vessels, cleaning and processing the catch, and storing their gear, among others). In addition, since livelihoods are diverse and small-scale fisher households may be engaged in other economic activities (e.g. farming or tourism) in parallel with fisheries activities, access to resources relevant for these activities as well as any other natural resources that provide additional sources of livelihood for small-scale fisheries and their facilities must be ensured. Women who are engaged in fisheries-related work (e.g. collecting crabs and shellfish and drying fish, as well as reproductive work, such as procuring fuelwood, fodder, food and water for the household) also heavily depend on coastal habitats and resources to sustain their livelihoods and those of their families. Moreover, fishing and related activities are a way of life for small-scale fishers and their communities. Securing their traditional way of living is therefore a question of social justice (Jentoft, 2011).

In brief, tenure in the context of small-scale fisheries represents a mixture of rights covering land and water, which varies from one context to another. In the face of growing competition for water and fishing resources (e.g. from industrial and commercial interests, conservation schemes), small-scale fishers and communities are at risk of losing access to and control over fisheries resources to powerful actors, adversely impacting their livelihoods. In many cases, government regulatory agencies support transfers of ownership over land and water resources in the interest of economic growth, ignoring the legitimate customary rights of small-scale fishing communities. Recognizing the imbalance of power at play, the SSF Guidelines specifically call for their protection through the provision of special support to small-scale fishing communities, while paying special attention to women with respect to tenure rights.

What are responsible fisheries?

The term “responsible fisheries” implies the long-term sustainable utilization of fishery resources corresponding and well adapted to the environment, and the use of capture and aquaculture practices that are not harmful to the ecosystem and resources, securing the rights of present and future generations. In order to achieve this, fishing operations and policies must be designed to use fish resources sustainably in the long term, as a means of assuring resource conservation, continued food supplies, and poverty alleviation in fishing communities, especially in small-scale fishing communities. This requires taking into account factors outside of the fisheries sector to enable fishing communities to use the resources responsibly (by providing access to education, options for diversified livelihoods, etc.).

Is there a definition for small-scale fisheries?

Small-scale fisheries differ tremendously from region to region, even within the same country, and thus there is no commonly agreed definition. Small-scale fisheries aim to contribute to sustainable development, with the following characteristics:

- contribution to national economies and food security;
- empowerment and participation in decision-making;
- enhanced and increased human capacity and capability;
- human dignity and respect;
- eradication of poverty and food insecurity; and
- integrated and sustainable social, economic and ecological systems.

What are legitimate tenure rights?

In the SSF Guidelines, the term “tenure rights” is used in accordance with the VGGT.

The VGGT and SSF Guidelines do not provide a definition of legitimate tenure rights.⁷ Rather, they generally recognize both statutory and customary, and formal and informal, tenure rights as legitimate, and encourage states to acknowledge and respect all legitimate tenure rights in national law, policy and practice. The VGGT suggest that states arrive at their own non-discriminatory definitions of legitimate tenure rights after a careful review of all existing tenure governance systems currently in their country. The SSF Guidelines call on states “to take appropriate measures to identify, record and respect legitimate tenure right holders and their rights” (FAO, 2015). Tenure systems are often very complex and vary considerably, even within the same country, according to local terrain, culture, environment and the livelihoods practiced. Defining socially legitimate tenure rights can pose challenges, as there may be competing visions of legitimacy in a given society. Perceptions about legitimate tenure rights may be influenced by the power structures and economic interests of the society in which the tenure claims are situated, and these may differ in local and national contexts. The VGGT and SSF Guidelines emphasize several points in considering the determination of legitimate tenure rights:

⁷ The technical guide *Responsible Governance of Tenure and the Law* was used to inform the explanation on legitimate tenure rights.

a. Customary and Indigenous rights are legitimate tenure rights

More than two billion people worldwide access resources through customary tenure regimes (United States of AmericaID, 2011b). Customary tenure may be defined as the local rules, institutions and practices governing land, fisheries and forests that have, over time and use, gained social legitimacy and become embedded in the fabric of a society. Although customary rules are not often written down, they may enjoy widespread social sanction and may be generally adhered to by members of a local population. Customary tenure systems are extremely diverse, reflecting different ecosystems, economies, cultures and social relations. The VGGT and SSF Guidelines explicitly state that customary tenure rights can constitute legitimate rights. They call on states to recognize and respect “legitimate customary tenure rights that are not currently protected by law” (VGGT paragraph 5.3 and SSF Guidelines paragraph 5.4). They also provide guidance on how to recognize customary tenure rights. Recognizing the legitimacy of customary tenure rights, including those of Indigenous Peoples and ethnic minorities, is relevant to fisheries as well as to land and forests. Furthermore, the SSF Guidelines emphasize that states should provide legislation to protect various forms of legitimate tenure rights, and to also recognize, respect and protect local norms and practices as well as customary or otherwise preferential access to fishery resources and land by small-scale fishing communities, including Indigenous Peoples and ethnic minorities in accordance with international human rights law.

b. Common property rights, use rights, tenancy rights, and overlapping and shared rights are legitimate tenure rights

Within both customary and statutory tenure systems, multiple and overlapping rights may govern the use of the same resource. For example, multiple rights to the same piece of land could include: the right to use the land for pasture or agriculture, possibly in different seasons; the right to use trees or collect fuelwood in the forest; the right to travel across the land or waters; and the right to drive cattle across an area to obtain water from a river. A given piece of land may cater to multiple resource uses (i.e. pastoralism, farming, fishing) and users (i.e. farmers, pastoralists, herders, fishers). Tenure rights over common property resources (e.g. rangelands, fishing ponds, traditional forests), seasonal and otherwise temporary rights of access and use, as well as tenancy and sharecropping rights, can all be legitimate tenure rights for the purposes of the VGGT. It is often poorer and more vulnerable groups that hold these rights and, as discussed, the VGGT and SSF Guidelines pay special attention to the tenure rights of these groups. The VGGT state that “whenever states provide legal recognition to informal tenure, this should be done through participatory, gender-sensitive processes, having particular regard to tenants. In doing so, states should pay special attention to farmers and small-scale food producers” (VGGT paragraph 10.3). The SFF Guidelines also stress that “states should recognize that competition from other users is increasing within small-scale

fisheries areas and that small-scale fishing communities, in particular vulnerable and marginalized groups, are often the weaker party in conflicts with other sectors and may require special support if their livelihoods are threatened by the development and activities of other sectors” (SSF Guidelines paragraph 5.9).

c. Women’s rights are legitimate tenure rights

In many cultural contexts, women’s tenure claims may hinge on their relationships with male relatives. Although many rural women have rights to access and use land, they are generally less likely than men to have control over it. In practical terms, this lack of control places many women in insecure and precarious situations: women who have only conditional access to land may lose it when their husbands die or when male family members unilaterally decide to sell it (Budlender and Alma, 2011). What happens, for example, when a fisherman who has access to the ocean dies? Does this have any implication for his wife? Would she still be able to access the ocean if she so wished? Such culturally ingrained marriage and inheritance rules can lead to the perpetuation of gender inequalities in tenure relations across generations (Guyer, 1987).

The VGGT and SSF Guidelines directly address gender inequities, and establish gender equality as one of their guiding principles. For example, the VGGT include a mandate to “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” (VGGT paragraph 3B.4). Likewise, the SSF Guidelines recognize that “gender equality and equity is fundamental to any development. Recognizing the vital role of women in small-scale fisheries, equal rights and opportunities should be promoted” (SSF Guidelines paragraph 3.1.1).

When it comes to the tenure rights of women, there may be a clash between different sources of legitimacy. Determining legitimate tenure rights while also respecting principles of non-discrimination can present considerable dilemmas. The VGGT and SSF Guidelines acknowledge this challenge, stating that “where constitutional or legal reforms strengthen the rights of women and place them in conflict with custom, all parties should cooperate to accommodate such changes in the customary tenure systems” (VGGT paragraph 9.6 and SSF Guidelines paragraph 5.4).

Women are almost always adversely affected in situations of tenure loss, because they bear the primary responsibility for household chores and caregiving (i.e. for children and elderly members of the family).

Key recommendations

- Understand that land, fisheries and forests are more than just assets to be traded on the market; they are at the heart of individual and community identity, culture, history and spirituality, as well as the basis of food security and livelihoods.
- Be aware that the VGGT and SSF Guidelines generally recognize both statutory and customary, and formal and informal, tenure rights as legitimate, and encourage states to acknowledge, document and respect all legitimate tenure rights in national law, policy and practice.
- Bear in mind that the VGGT and SSF Guidelines recognize a range of tenure rights as legitimate – not only those formally recognized by national law, but also those considered to be socially legitimate in local societies.
- Remember that customary and Indigenous rights, common property rights, use rights, tenancy rights, overlapping and shared rights, and women's rights are legitimate tenure rights.

What is governance?

The VGGT (and therefore also the SSF Guidelines) do not define governance, as there are many different definitions of this term. In general, governance refers to the organizations, rules and processes that form part of political, social, economic and administrative systems. These are used to manage society and to reconcile competing priorities and interests of different groups.

Governance includes formal government agencies as well as informal arrangements. It concerns how citizens participate in decision-making, how government is accountable to its citizens, how society obliges its members to observe its rules and laws, and how differences are resolved.

What is governance of tenure?

The VGGT (and also SSF Guidelines) do not define governance of tenure, as there are many different definitions for this term. In general, governance of tenure is the way in which access to and control over natural resources is managed in a society. It includes, among other things, how competing priorities and interests of different groups are reconciled. Governance of tenure refers to both the organizations (government, courts and agencies) and the rules and processes that regulate tenure rights.

What is responsible governance of tenure?

The VGGT do not define this term, but they illustrate it through the principles and actions in the text.

Governance of tenure can be considered responsible when it is fair and equitable and seeks to bring the greatest good to the most people, while minimizing adverse impacts on individuals or groups – keeping in mind the principle of sustainability, and remaining consistent with states’ existing obligations under international human rights law. There are many ways in which responsible governance of tenure can benefit small-scale fishers and fishworkers and their communities. These include supporting their livelihoods and food security, gender equality and the environment.

It could also be said that responsible governance of tenure in a given country should reflect the following general principles⁸ in the country’s systems, policies and programmes:

1. Recognize and respect all legitimate tenure right holders and their rights.
2. Safeguard legitimate tenure rights.
3. Promote and facilitate the enjoyment of legitimate tenure rights.
4. Provide access to justice.
5. Prevent tenure disputes, conflicts and corruption.

Particularly for small-scale fisheries, responsible governance of tenure must ensure:

- secure and stable access to, control over and responsible use of fishery resources and land;
- secure access to and control over fishing zones;
- preferential access for small-scale fisheries to fishery resources and territories, including land;⁹ Equitable access to fishery resources;
- gender-equitable tenure rights;
- Restored access to fishery resources and land by small-scale fishing communities where such access has been lost; and
- equal and effective access to judicial mechanisms to resolve disputes over tenure rights.

⁸ Detailed information on these principles is provided in Session 10.

⁹ Although the Code of Conduct for Responsible Fisheries does not focus on small-scale fisheries nor specifically on tenure, Article 6.18 requests states to “protect the rights of fishers and fish workers engaged in subsistence, small-scale and artisanal fisheries, to a secure and just livelihood, as well as preferential access, where appropriate, to traditional fishing grounds and resources in the waters under their national jurisdiction.”

How does governance of tenure affect hunger and poverty?

The eradication of hunger and poverty and the sustainable use of the environment depend in large measure on how people, communities and others – especially those who are vulnerable and marginalized (such as Indigenous Peoples and women) – gain access to land, fisheries and forests. Access to natural resources is defined and regulated by tenure systems.

Tenure systems are increasingly under stress as the world's growing population requires food security, and as environmental degradation and climate change reduce the availability of land, fisheries and forests. Inadequate and insecure tenure rights increase vulnerability, hunger and poverty, and can lead to conflict and environmental degradation when competing users fight for control of resources.

Governance of tenure is a crucial element in determining if and how people, communities and others are able to keep or acquire rights, and associated duties, to use and control of land, fisheries and forests.

SESSION 8 - Training material

B

Main objectives and basic concepts of the VGGT and SSF Guidelines

(Powerpoint presentation)



SLIDE 1

 Food and Agriculture
Organization of the
United Nations



Main objectives and basic concepts of the VGGT and SSF Guidelines

Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security
Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication

This presentation is part of the *Learning Guide for Civil Society Organizations* developed to undertake trainings on the VGGT and SSF Guidelines with civil society actors from the grassroots to the national level.

SLIDE 2

What are the VGGT and SSF Guidelines?

- International instruments to improve governance of tenure of land, fisheries and forests, and the socio-economic situation of small-scale fishers/fishworkers; and contribute to the progressive realization of the human right to food.
- The VGGT represent an unprecedented international consensus on tenure and set out principles and internationally accepted standards for practices for the responsible governance of tenure.
- The SSF Guidelines are the first internationally agreed instrument dedicated exclusively to small-scale fisheries.
- Voluntary and not legally binding.
- Soft laws, which are often better suited for technical matters and best practices, such as governance of tenure.

SLIDE 3

What are the main objectives of the VGGT and SSF Guidelines ?

- Common overarching goals: **achieve food security for all** and support the **realization of the right to food**.
- Provide **guidance to improve the governance of tenure** of land, fisheries and forests... with respect to all forms of tenure: public, private, communal, indigenous, customary, and informal.
- Address the problems of weak governance of tenure and growing pressure on natural resources, with a particular emphasis on the vulnerable and marginalized.
- Contribute to equitable development, poverty eradication and responsible management of fisheries resources (SSF Guidelines).



SLIDE 4

How can the VGGT be used?

For small-scale fishers, the VGGT can contribute to:

- Securing full rights to water bodies (marine and inland), forests (including mangrove forests), and land for small-scale fishers and fishworkers;
- Protecting customary and traditional access to fishery resources used by small-scale fishing communities;
- Defending and regaining the territories of indigenous fishers;
- Securing access to and control over fishing zones and ecosystems for small-scale fishing communities;
- Securing a future for rural youth in fishing communities;
- Fostering economic and social justice;
- Local autonomy and self-determination of fishers, fishworkers, their families and communities.



SLIDE 5

How can the SSF Guidelines be used?

The SSF Guidelines can contribute to:

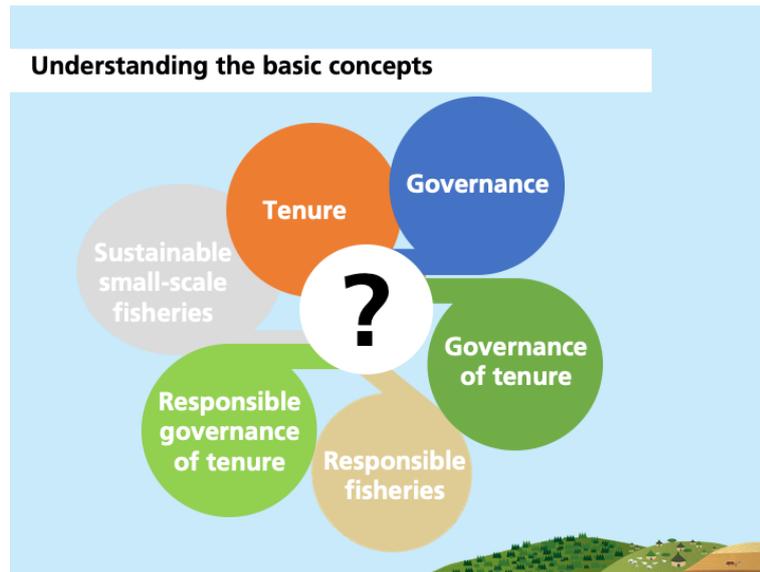
- Securing accessing to basic services, such as adequate housing, basic sanitation and safe drinking water;
- Addressing occupational health issues and unfair working conditions;
- Ensuring that international trade and export production does not adversely affect local small-scale fisheries;
- Promotion of gender equality;
- Ensuring disaster risk mitigation measures;
- Inclusion of small-scale fishers, with a focus on women, in all decision-making processes.

SLIDE 6

The VGGT and SSF Guidelines, human rights and international law

- The VGGT and SSF Guidelines place tenure rights, social and economic development, social security and protection, working conditions and the sustainable management of resources in the context of human rights.
- Tenure rights – which provide access to land, fisheries and forests – are important for the realization of human rights, such as the right to a standard of living adequate for health and well-being, including, among others, food, clothing, housing and medical care, and social services.
- The governance of tenure may affect the enjoyment of various human rights.
- Human rights to social security, to work, to just and favourable conditions of work, to education, as well as women's rights and the rights of indigenous peoples are all internationally recognized human rights enshrined in international human rights instruments that are referred to and covered in both the VGGT and SSF Guidelines.

SLIDE 7



SLIDE 8

Basic concepts – What is tenure?

- Tenure is the relationship among people with respect to natural resources, such as to land, fisheries and forests. It determines who can use which resources, for how long and under what conditions.
- Tenure rights (and duties) can be created under formal legal systems, or they can arise from custom.
- Tenure rights can include:
 - ✓ the right to possess, sell, gift, mortgage, leave by inheritance, or lease out;
 - ✓ rights to occupy and use the land or forest, and to use them to land fishing boats and process fish.
 - ✓ the right to exclude others from occupying or using the land or forest where a person or group has an exclusive right.

SLIDE 9

Basic concepts – What is fisheries tenure?

- Existence of customary/traditional tenure systems (considered formal rights) within fishing communities, often with land tenure.
- Natural resources and the territory small-scale fishers occupy have traditionally not been categorically divided into “land” and “water” but seen as nature on the whole.
- Fisheries tenure needs to be considered in connection with a broader land and livelihood context.
- Aside from secure rights to access fishing grounds and coastal, aquatic and fisheries resources, small-scale fishers equally need secure rights to coastal lands for residential (housing), cultural (worship), and occupational purposes (e.g. landing, launching their vessels, cleaning and processing the catch, and storing their gear).

SLIDE 10

Basic concepts – What is fisheries tenure?

- Women depend on coastal habitats and resources to sustain their livelihoods and those of their families.
- Fishing and related activities = way of life, thus securing their traditional way of living is a question of social justice.
- Competition for water resources between small-scale fishers and powerful actors can impact the livelihoods of small-scale fishers. Often regulatory agencies support transfers of ownership over land/water in the interest of economic growth (“imbalance of power”).

SLIDE 11

Basic concepts – What are responsible fisheries?

- Long-term sustainable utilization of fishery resources corresponding and well-adapted to the environment.
- Use of capture and aquaculture practices that are not harmful to the ecosystem and resources, securing the rights of present and future generations.
- Fishing operations and policies must be designed to attain long-term sustainable use of fishery resources, as a means of assuring resource conservation, continued food supplies, and alleviating poverty in fishing communities, especially in small-scale fishing communities.
- This requires taking into account also factors outside of the fisheries sector to enable fishing communities to responsibly use the resources (by providing access to education, options for diversified livelihoods, etc.).



SLIDE 12

Basic concepts – What are small-scale fisheries?

- Small-scale fisheries differ tremendously from region to region, even within the same country.
- No commonly agreed definition.
- Small-scale fisheries aim to contribute to sustainable development, with the following characteristics:
 - Contribution to national economies and food security;
 - Empowerment and participation in decision-making;
 - Enhanced and increased human capacity and capability;
 - Human dignity and respect;
 - Eradication of poverty and food insecurity;
 - Integrated and sustainable social, economic and ecological systems.



SLIDE 13

Basic concepts – What are legitimate tenure rights?

- The VGGT and SSF Guidelines do not define which rights are legitimate as the definition is likely to differ from one country to another.
- Some rights are not legally recognized but have social legitimacy because they are recognized by the local community and others.
- There are also tenure situations where rights are claimed but not viewed as legitimate (e.g. commercial developer in a protected area).
- The VGGT encourage states to lead a participatory process of consultation to define and recognize legitimate tenure rights, while the SSF Guidelines request states to take appropriate measures to identify, record and respect legitimate tenure right holders and their rights.

SLIDE 14

Basic concepts – What are legitimate tenure rights?

The VGGT and SSF Guidelines do not define these terms as there are many different definitions. In the SSF Guidelines the term « tenure right » is used in accordance with the VGGT.

But in general terms:

What is governance?

It refers to the **organizations** and the **rules and processes** that form part of the political, social, economic and administrative systems.

What is governance of tenure?

It refers to the way in which **access to and control over natural resources** is managed in a society.

SLIDE 15

Basic concepts – What is responsible governance of tenure for small-scale fisheries?

- Secure and stable access to, control over and responsible use of fishery resources and land;
- Secure access to and control over fishing zones;
- Preferential access for small-scale fisheries to fishery resources and territories including inland waters;
- Equitable access to fishery resources;
- Gender-equitable tenure rights;
- Restoring access to fishery resources and land by small-scale fishing communities where such access has been lost;
- Providing equal and effective access to judicial mechanisms to resolve disputes over tenure rights.



SLIDE 16

Weak vs. responsible governance of tenure

- Marginalizes the poor
- Leads to power abuse and corruption
- Affects economic growth by discouraging investments
- Jeopardizes environmental sustainability
- Leads to conflict
- Leads to poverty, food insecurity and hunger



- Makes access to natural resources more equitable, with emphasis on women and the vulnerable and marginalized
- Protects people from losing their fishery resources and land
- Fosters transparency and participatory decision-making
- Supports equality among people
- Helps ensure disputes are resolved before they degenerate into conflict





SESSION 8 - Training material

Video on responsible governance of tenure



Responsible governance of tenure (Duration 2:45)



AVAILABLE AT:
www.youtube.com/watch?v=dLqbi8xu3gw&feature=youtu.be



Purpose	To provide participants with an overview of the involvement of CSOs in the processes of negotiation and implementation of the VGGT and SSF Guidelines at the international level, and, when relevant, the national level.
Steps	Present either the shorter or longer version of the video, adding information where needed.
Materials	<ul style="list-style-type: none"> • Background reading (see below) • Videos (see below) • Laptop computer and projector
Suggested time	15–20 minutes
Comments and tips	<p>This session may be adapted to make it more country specific. The following questions may be helpful:</p> <ul style="list-style-type: none"> • How have CSOs in your country been part of the negotiation process of the VGGT and SSF Guidelines? • What has been the involvement of CSOs at the national level regarding both governance of tenure and the VGGT and SSF Guidelines?

SESSION 9
**CSO
engagement
in the negotiation
of the VGGT and
SSF guidelines**
Presentation

SESSION 9 - Background reading

B

CSO engagement in the processes leading to the adoption of the VGGT and SSF Guidelines



CSOs, among others small-scale fishers and their organizations, have been actively involved in the lead-up to, and in the actual negotiating sessions of, the VGGT and SSF Guidelines. Below is an outline of some of the major events and contributions of CSOs in both processes.

1995 – Code of Conduct for Responsible Fisheries

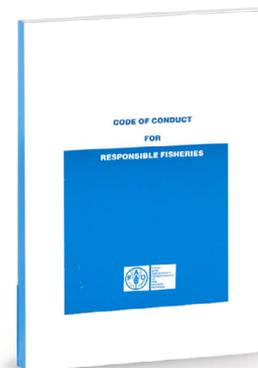
The adoption of the Code of Conduct for Responsible Fisheries (CCRF) – a collection of principles, goals and elements for action – was the result of efforts by different actors involved in fisheries and aquaculture, including FAO and non-governmental organizations (NGOs), among others. In this respect, the CCRF represents a global consensus or agreement on a wide range of fisheries and aquaculture issues, and is aimed at everyone working in (and involved with) fisheries and aquaculture, for both inland and ocean waters.

The Committee on Fisheries (COFI), which is a subsidiary body of the FAO Council (the executive organ of FAO), was instrumental in the drafting of the CCRF. As the main body responsible for FAO fisheries policy, COFI is also the leading global intergovernmental forum where major international fisheries and aquaculture issues are examined, with subsequent recommendations addressed to governments, regional fishery bodies, NGOs, CSOs, fishers' and fishworkers' organizations, FAO and the international community. It is also a forum in which global agreements and instruments are negotiated. The two main functions of COFI are to a) review the FAO programmes of work in fisheries and aquaculture, and support their implementation; and b) conduct periodic general reviews of fishery and aquaculture problems of an international character, appraising such problems and their potential solutions to promote concerted action by nations, FAO, intergovernmental bodies and civil society.

ADDITIONAL INFORMATION AVAILABLE AT:

www.fao.org/fishery/about/cofi/en

www.fao.org/docrep/003/x9066e/x9066e01.htm



1996 – World Food Summit

NGOs and CSOs organized the Forum on Food Security, held in parallel to the World Food Summit, during which they launched the concept of food sovereignty.

As a result of this meeting, the International Planning Committee for Food Sovereignty (IPC) was born in 2000 from the group of organizations that hosted the 1996 Forum.

ADDITIONAL INFORMATION AVAILABLE AT:
www.fao.org/docrep/w9990e/w9990e07.htm

2002 – World Food Summit Five Years Later

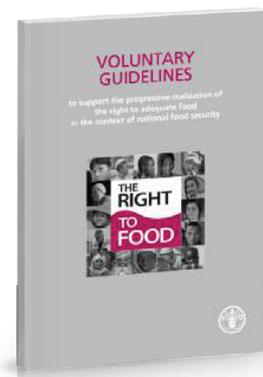
The draft NGO/CSO position and draft Political Declaration of Civil Society for the World Food Summit was discussed and developed in a process that involved more than 2 000 CSOs and social movements worldwide.

ADDITIONAL INFORMATION AVAILABLE AT:
www.fao.org/worldfoodsummit/english/newsroom/news/8580-en.html
www.fao.org/worldfoodsummit/photos/ngoforum.htm

2004 – Voluntary guidelines on the right to food

A group of NGOs and CSOs actively participated in the development of the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security. NGOs and CSOs were involved in promoting national legislation and food programmes in many countries. These guidelines were adopted by FAO member countries in September 2004, thanks in part to the effective lobbying of CSOs.

ADDITIONAL INFORMATION AVAILABLE AT:
www.fao.org/docrep/009/y7937e/y7937e00.htm



2006 – ICARRD and the Land, Territory and Dignity Forum

The Land, Territory and Dignity Forum was held as a parallel event for CSOs and NGOs in conjunction with the International Conference on Agrarian Reform and Rural Development (ICARRD) in Porto Alegre, Brazil, 6–10 March 2006. The IPC facilitated the participation of about 400 delegates at this forum, with representatives from 125 organizations in 60 countries worldwide. The forum issued a declaration to draw attention to the need for agrarian reform based on food sovereignty and called for the recognition of the concept of territory. In the words of the declaration:

All of the original peoples, Indigenous Peoples, ethnic minorities, tribes, fisherfolk, rural workers, peasants, the landless, nomadic pastoralists and displaced peoples, have the right to maintain their own spiritual and material relationships; to possess, develop, control, use and reconstruct their social structures; to politically and socially administer their lands and territories, including their full environment, the air, water, seas, rivers, lakes, ice floes, flora, fauna and other resources that they have traditionally possessed, occupied and/or utilized. This implies the recognition of their laws, traditions, customs, tenure systems, and institutions, as well as the recognition of territorial borders and the cultures of peoples. This all constitutes the recognition of the self-determination and autonomy of peoples.

ADDITIONAL INFORMATION AVAILABLE AT:
www.ukabc.org/tierraydignidad/index-en.htm

2007 – Forum for Food Sovereignty, “Nyéléni 2007”

The Nyéléni Forum, held in Mali in February 2007, was attended by over 500 delegates from 80 countries representing organizations of peasants/family farmers, artisanal fisherfolk, Indigenous Peoples, landless peoples, rural workers, migrants, pastoralists, forest communities, women, youth, consumers, and environmental and urban movements. The declaration from the event supported the global movement for food sovereignty and called for specific agrarian reforms related to land tenure, as excerpted here:

WHAT ARE WE FIGHTING FOR?

A world where ...

.... there is genuine and integral agrarian reform that guarantees peasants full rights to land, defends and recovers the territories of Indigenous Peoples, ensures fishing communities' access and control over their fishing areas and ecosystems, honours access and control by pastoral communities over pastoral lands and migratory

routes, assures decent jobs with fair remuneration and labour rights for all, and a future for young people in the countryside; ... where agrarian reform revitalizes interdependence between producers and consumers, ensures community survival, social and economic justice, ecological sustainability, and respect for local autonomy and governance with equal rights for women and men ... where agrarian reform guarantees rights to territory and self-determination for our peoples;

... share our lands and territories peacefully and fairly among our peoples, be we peasants, Indigenous Peoples, artisanal fishers, pastoralists, or others;

... all peoples have the right to defend their territories from the actions of transnational corporations

ADDITIONAL INFORMATION AVAILABLE AT:
nyeleni.org/spip.php?rubrique2

2008 – Global Conference on Small-Scale Fisheries, “Securing Sustainable Small-Scale Fisheries: Bringing together responsible fisheries and social development”

Co-organized by FAO and the Royal Government of Thailand and convened in collaboration with the Southeast Asian Fisheries Development Centre (SEAFDEC) and the WorldFish Center in Bangkok, 13–17 October 2008, the Global Conference on Small-Scale Fisheries reinforced the claim that small-scale fisheries have yet to fully realize their potential; reaffirmed that human rights are critical to achieving sustainable development; and called for an international instrument on small-scale fisheries.

In the run-up to the conference, social movements, CSOs and fishworker representatives organized¹⁰ a preparatory workshop which was attended by more than 100 participants. An outcome of the pre-workshop was a comprehensive CSO statement which emphasized the indivisibility of human rights of small-scale fishers and Indigenous Peoples, calling for a guarantee of access rights of small-scale and Indigenous fishing communities to territories, land and water, which are indispensable for their lives and livelihoods.

ADDITIONAL INFORMATION AVAILABLE AT:
www.fao.org/docrep/012/i1227t/i1227t.pdf

¹⁰The pre-workshop was organized by the International Collective in Support of Fishworkers, the World Forum of Fisher Peoples, the Sustainable Development Foundation of Thailand, the Southern Fisherfolk Federation of Thailand, and the IPC.

2009 – Reform of the Committee on World Food Security (CFS)

The Committee on World Food Security is an international and intergovernmental platform for all stakeholders to work together to ensure food security and nutrition for all. The CFS formally endorsed the VGGT in May 2012. Using a multistakeholder, inclusive approach, the CFS develops and endorses policy recommendations and provides guidance on a wide range of food security and nutrition topics. The committee holds an annual plenary session every October at FAO headquarters in Rome, during which progress in implementing the VGGT is also discussed.

During 2009, the CFS underwent reform to make it more effective by including a wider group of stakeholders. The CFS Advisory Group is made up of representatives from the five different categories of CFS participants:

1. UN agencies and other UN bodies;
2. Civil society and non-governmental organizations, particularly organizations representing smallholder family farmers, fisherfolk, herders, landless, urban poor, agricultural and food workers, women, youth, consumers and Indigenous people;
3. international agricultural research institutions;
4. international and regional financial institutions such as the World Bank, the International Monetary Fund, regional development banks and the World Trade Organization; and
5. private sector associations and philanthropic foundations.

The Advisory Group helps the Advisory Bureau (the executive arm of the CFS) advance CFS objectives, in particular to ensure linkages with different stakeholders at regional, subregional and local levels, and to ensure an ongoing, two-way exchange of information.

ADDITIONAL INFORMATION AVAILABLE AT:
Video, *CFS Reform Plus Five*
www.youtube.com/watch?v=HsTWkAvtfcs

CSOs in the VGGT and SSF Guidelines development processes

Both the VGGT and SSF Guidelines were developed through a participatory process facilitated by FAO, CFS (for the VGGT) and COFI (for the SSF Guidelines). Representatives of civil society participated actively in this process. While officially they did not have voting rights, civil society representatives had an important voice in the process of negotiating and decision-making on the text of the VGGT and the SSF Guidelines. In practice, voting was not used; instead, all participants worked in a spirit of respectful collaboration to find consensus on the content and wording of the document.

Negotiation process of the VGGT

Between September 2009 and November 2010, a series of regional consultations were organized (one private sector and four civil society consultations). These meetings brought together almost 1 000 people from over 130 countries. The participants represented government institutions, civil society, the private sector, academia and UN agencies. Each consultation meeting resulted in an assessment identifying issues and actions to be included in the VGGT.

Milestones:

- Zero draft of the Voluntary Guidelines (E-consultation from 18 April–16 May 2011).
- First meeting of the Open-ended Working Group (14, 16 and 17 June 2011, FAO, Rome).
- Three rounds of negotiations:
 - 1st Round, 12–15 July 2011
 - 2nd Round, 10–14 October 2011
 - 3rd Round, 5–9 March 2012
- Final endorsement of the VGGT by the 38th (Special) Session of the CFS, 11 May 2012.

FAO Director-General José Graziano da Silva congratulated the participants of the negotiations on a “milestone achievement”, adding: “The Voluntary Guidelines will play an important part in answering the challenge of ending hunger and assuring food security of every child, woman and man in an economically, socially and environmentally sustainable way.”

Negotiation process of the SSF Guidelines

During the period 2011–2013, a CSO platform organized more than 20 national and regional consultations, while FAO held three additional regional consultations in support of the first draft of the SSF Guidelines. This process brought together more than 4 000 representatives of small-scale fishing communities, CSO, governments and regional organizations from over 120 countries.

Milestones:

- 2008: First Global Conference on Small-Scale Fisheries in Bangkok, Thailand. The conference ends with recommendations, including the call for an international instrument on small-scale fisheries.
- 2009: 28th Session of COFI reaffirms the need for such an instrument for small-scale fisheries.
- 2010: FAO facilitates three regional consultations on bringing together responsible fisheries and social development, including one for Asia and the Pacific.
- 2011: 29th Session of COFI recommends development of an international instrument on small-scale fisheries.
- 2011–2013: National, regional and international consultations, workshops and events involving over 4 000 actors, including small-scale fishers and their organizations, are held. The national-level consultations are organized primarily by CSOs, who therefore play a major role in shaping the structure and content of the SSF Guidelines.
- May 2013 to Feb 2014: A technical consultation is held in FAO to negotiate the text of the SSF Guidelines, with the participation of states' delegations, regional organizations, CSOs and other observers. The results of the consultation are then presented at the COFI meeting in June.
- 2014: 31st Session of COFI endorses the SSF Guidelines.

The SSF Guidelines were endorsed by the 31st Session of COFI on 10 June 2014. At the same time, FAO's proposal for a Global Assistance Programme to support the implementation of the SSF Guidelines was welcomed by COFI. Describing the SSF Guidelines as a "breakthrough", FAO Director-General José Graziano da Silva emphasized their importance as a "tool that will promote the implementation of national policies that will help small-scale fishers thrive, and play an even greater role in ensuring food security, promoting good nutrition, and eradicating poverty."¹¹

¹¹See: https://sustainabledevelopment.un.org/content/documents/7408Chapter%203_FAO_2.pdf

ADDITIONAL INFORMATION:

VGGT

Radio interview with Sofia Monsalve, FIAN/CSM: www.radiomundoreal.fm/Killing-Global-Silence-on-The?lang=es

Video interview with Rehema Bavuma, Katosi Women Development Trust/CSM (fragment 4:07–6:04): www.youtube.com/watch?v=iJlcwF0yPIQ

FAO press release: www.fao.org/news/story/en/item/128907/icode/

Photos: www.flickr.com/photos/faonews/7176702268

ADDITIONAL INFORMATION:

SSF Guidelines

Video: International Small-scale Fisheries Guidelines - Views from Civil Society: www.youtube.com/watch?v=ayfdDvwi9tA

Handbook: Towards gender-equitable small-scale fisheries governance and development: www.fao.org/3/a-i7419e.pdf

SSF Guidelines At a glance: www.fao.org/3/a-i4487e.pdf

CSO SSF Guidelines development process: sites.google.com/site/smallscalefisheries/

B

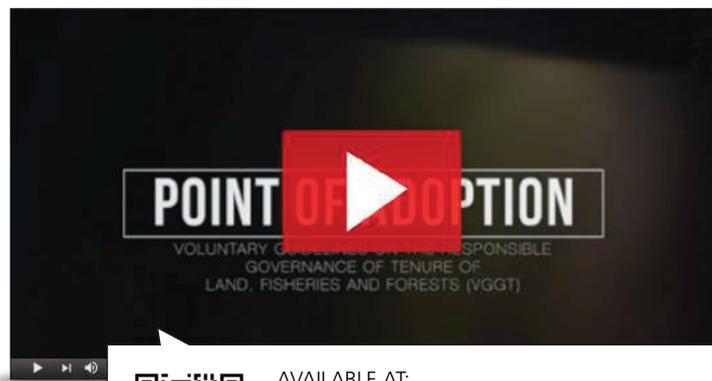
SESSION 9 - Training material

Videos on CSO engagement in the negotiation of the VGGT



Point of adoption

(Duration 4:51)

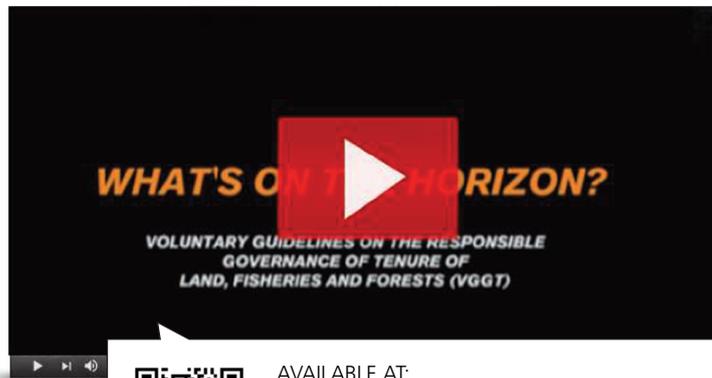


AVAILABLE AT:

www.youtube.com/watch?v=dLqbi8xu3gw&feature=youtu.be

What's on the horizon?

(Duration 12:23)



AVAILABLE AT:

www.youtube.com/watch?v=HcbUDQk0udM&feature=youtu.be

Purpose	To explain the organization and structure of the VGGT and SSF Guidelines and their guiding principles.
Steps	<ol style="list-style-type: none"> 1. explain the purpose of the session. 2. present the logic and principles of the VGGT and SSF Guidelines using the PowerPoint presentation provided. 3. assign the groups to discuss how the principles of the VGGT and SSF Guidelines can be applied to the case studies prepared and selected in Session 6. Each group should select and discuss how some of the principles in the VGGT and SSF Guidelines relate to their case study. 4. ask the groups to present their work in plenary.
Materials	<ul style="list-style-type: none"> • background reading on the structure and principles of the VGGT and SSF Guidelines (see below) • powerPoint presentation: <i>Logic and principles for responsible governance of tenure and sustainable small-scale fisheries</i> (see below) • flipchart • laptop computer and projector
Suggested time	1 hour
Comments and tips	<ul style="list-style-type: none"> • it is recommended to provide each working group with a printout of the VGGT and SSF Guidelines principles. • depending on the local context, it could be useful to translate the guiding principles of the VGGT and SSF Guidelines into the local language for the working groups.

SESSION 10
Logic and principles of the VGGT and SSF Guidelines
 Presentation



SESSION 10 - Background reading

Logic and principles of the VGGT and SSF Guidelines



How are the VGGT and SSF Guidelines organized?

The principles of the VGGT and SSF Guidelines are based on human rights.

BOX 2
Overview of VGGT and SSF Guidelines principles

VGGT	SSF GUIDELINES
General principles	
Recognition and respect of all legitimate tenure right holders and their rights	
Safeguard legitimate tenure rights	
Promotion and facilitation of the enjoyment of legitimate tenure rights	
Access to justice	
Prevention of tenure disputes, conflicts and corruption	
PRINCIPLES OF IMPLEMENTATION / GUIDING PRINCIPLES	
Human rights and human dignity	
Non-discrimination	
Equity and (justice)/equality	
Gender equality and equity	
Holistic and sustainable integrated approach	
Consultation and participation	
Rule of law	
Transparency	
Accountability	
Continuous improvement	
	Respect of cultures
	Economic, social and environmental sustainability
	Social responsibility
	Feasibility and social and economic viability

As seen in Box 2, the VGGT state five general principles and ten implementing principles that summarize the basic elements of the responsible governance of tenure. The general principles are directed, in the first instance, to states. These five general principles, along with the ten implementing principles (see below), are called the guiding principles of responsible governance of tenure, and create the framework for the rest of the VGGT. Where they all exist in policies, laws, institutions and services, then responsible governance of tenure emerges for the benefit of individuals, groups, businesses, society, the economy and the national community. The principles can also guide the action of states towards responsible governance of tenure consistent with their human rights obligations.

The ten VGGT implementing principles are:

- Human dignity
- Non-discrimination
- Equity and justice
- Gender equality
- Holistic and sustainable approaches
- Consultation and participation
- Rule of law
- Transparency
- Accountability
- Continuous improvement

The five general principles and the ten implementing principles are called the guiding principles of responsible governance of tenure, and they create the framework for the rest of the VGGT.

The SSF Guidelines have 13 guiding principles, most of which are found in the implementing principles of the VGGT. In addition, they also include the following:

- Respect of cultures
- Economic, social and environmental sustainability
- Social responsibility
- Feasibility and social and economic viability

In detail – the five general principles of the VGGT, which summarize the basic elements of responsible governance of tenure

1. Recognize and respect all legitimate tenure right holders and their rights

States should recognize tenure right holders and their rights, whether these rights are legally formalized or not. They should leave right holders to occupy or use the natural resource peacefully and refrain from infringement on their tenure rights – e.g. not go onto land, into forests or disturb the aquatic environment where people have rights. Respecting others' rights applies not only to states but to anyone with tenure rights, including businesses and the broader public. Those who have their rights recognized and respected must also accept that they have duties to the broader society and the environment.

2. Safeguard legitimate tenure rights

States should put in place measures to protect people's rights from threats or infringement, whether physical, legal or economic. Threats to or infringement on these rights may include actions such as:

- polluting;
- damaging or destroying the natural resource (including associated construction or improvements);
- trespassing;
- stealing or taking;
- denying owners and users access, or forcing them to leave; and
- making fraudulent claims on or transactions with tenure rights.

States should also protect rights owners against arbitrary loss, which can be caused by the state itself as well as by other individuals or companies.

3. Promote and facilitate the enjoyment of legitimate tenure rights

People “enjoy” their tenure rights when they occupy or use a natural resource as well as when they sell, mortgage or lease the rights.

States can play an important role when people use their rights in a way that involves third parties, such as trading or leasing their rights.

If someone wants to sell or lease their rights, or use their rights as security for a loan, then they often need the support of clear, well-defined laws to carry out transactions, and also a registration system to record them.

In many countries, women can acquire tenure rights, but they are restricted by tradition or custom from making the most of their rights. Thus, they often need special provisions in the law or access to services to overcome the discrimination or disadvantages that they face in order to enjoy their rights. Similarly, the state may need to intervene to ensure that marginalized groups and minorities are not discriminated against.

4. Provide access to justice

Responsible governance of tenure requires that there should be some state-sponsored means of redress to deal with the infringement. The VGGT call on states to provide effective and accessible mechanisms to resolve disputes over tenure rights, affordable and rapid enforcement of the outcomes, and rapid and just compensation when tenure rights are infringed upon as a result of projects or investments deemed to be for the public good.

5. Prevent tenure disputes, conflicts and corruption

It is usually better to stop disputes before they arise, rather than having to either resolve them or deal with the consequences, which can include violence, destruction and even death.

This principle calls on states to take active measures to prevent tenure disputes from arising and escalating into violent conflicts, as well as to prevent corruption.

Also importantly, this principle encourages states to endeavour to prevent corruption and abuse of power in all forms, at all levels and in all settings.

Corruption can arise in many circumstances and take many forms. No matter what form it takes, corruption means that the owners and users of tenure rights face additional costs, hurdles, difficulties and other problems when they want to take actions that involve officials, such as registering their transaction or inheritance; seeking approval for some activity with their land, forest or fishing rights; or simply obtaining information.

The last paragraph of the VGGT general principles specifically addresses non-state actors:

- Non-state actors, including business enterprises, have a responsibility to respect human rights and legitimate tenure rights.
- Business enterprises should act with due diligence. This means that companies should act with care in order to avoid and prevent infringement on the human and legitimate tenure rights of others through their operations. This includes appropriate risk management mechanisms and human rights assessments.
- States have a role to play in providing access to remedies when human and tenure rights are violated by business enterprises.
- In the case of transnational corporations, home states should ensure that they are not involved in abuses of human rights and legitimate tenure rights.

In detail – the implementation principles of the VGGT and the guiding principles of the SSF Guidelines

Human rights and human dignity

Human dignity is a fundamental principle of human rights. Recognizing the inherent dignity and the equal and inalienable human rights of all individuals, this principle makes it clear that everyone has the right to be treated with respect, and that everyone has the obligation to treat others with respect.

Under this principle: Governments and officials should ensure that coercive measures do not infringe on the human dignity of the persons affected. The poor and vulnerable should have the same respect and entitlement to equal treatment as everyone else in society. Because the principle of human dignity requires governments to treat everyone with dignity and respect, states should not only respect traditional fishing practices and methods used by small-scale fisheries, but also facilitate access to information in ways that can be understood by small-scale fishing communities and ensure decent working conditions to guarantee basic needs for fishers and others engaged in fishery-related occupations. These are all part of human dignity. Furthermore, states should also respect and protect the rights of human rights defenders in their work in support of small-scale fisheries.

Non-discrimination

No one should be subject to discrimination under law and policies as well as in practice.

Policies and laws sometimes result in women or some groups within society being treated less well than others, either by:

- direct discrimination, which implies direct exclusion from certain entitlements or services; or
- indirect discrimination, such as providing information only in one language, therefore excluding minority linguistic groups from equal access to services or entitlements.

Under this principle: In relation to their tenure rights, no group should be subject to inferior status or worse treatment than others because of their particular gender, race, colour, age or other status (including physical status), or because they hold certain religious or political beliefs. For small-scale fisheries, the elimination of all kinds of discrimination in policies and practices is to be emphasized. Since unequal

starting points (e.g. the situation that each of us are born into) result in unequal outcomes, even where equal measures have been applied, states should identify all relevant actors within the small-scale fisheries sector (e.g. small-scale fishers who apply customary fishing practices or knowledge) and facilitate an inclusive, non-discriminatory approach toward providing measures to eliminate discrimination.

Equity and justice

Recognizing that equality between individuals may require acknowledging differences between individual women and men and taking positive action, including empowerment, in order to promote equitable tenure rights and access to land, fisheries and forests for all – e.g. women and men, youth, the vulnerable, and traditionally marginalized peoples – within the national context. Furthermore, it also involves promoting justice and fair treatment for all, including equal rights to the enjoyment of all human rights.

This principle is different from equality, which is about treating everyone the same. It is more about achieving a fair outcome for everyone, with particular emphasis on vulnerable and marginalized persons or groups, by redressing discrimination and other imbalances that might be a barrier to equity, but also employing preferential treatment where required.

Under this principle: *Governments can include special provisions in policies and laws to correct the balance, or provide special services for those who have difficulties in enforcing their rights (e.g. women, ethnic or linguistic minority groups, youth or the elderly).*

Gender equality and equity

Gender equality involves ensuring the equal right of women and men to the enjoyment of all human rights, while acknowledging differences between them and taking specific measures aimed at accelerating de facto equality when necessary.

Women are commonly excluded from ownership of land, fisheries and forests, despite the fact that they often provide a significant part of the labour associated with these resources. Therefore, 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. Women who are already socially and economically marginalized are particularly vulnerable when tenure governance is weak. Improving gender equality is important, as women often have fewer and weaker tenure rights to land, fisheries and forests. This inequality is due to a number of factors, including biases in formal law, in customs, and in the division of labour in society and households.

In addition to gender equality, the SSF Guidelines also address gender equity. The difference between the two concepts is described in Box 3.

BOX 3
Difference between gender equality and gender equity

Gender equality is the fundamental legal principle at the core of human rights treaties and declarations (e.g. CEDAW). Gender equality is when women and men, and girls and boys, enjoy equal rights, responsibilities and opportunities.¹² Gender equity, on the other hand, refers to fairness and impartiality in the treatment of women and men in terms of rights, benefits, obligations and opportunities. At times, special treatment, affirmative action and/or positive discrimination is required.¹³

Under this principle: In recognizing the role played by women in small-scale fisheries, the SSF Guidelines emphasize the promotion of equal rights and opportunities for women, while the VGGT call on states to take policy, legal and practical steps to ensure a more equal situation for men and women.¹⁴ Holistic and sustainable integrated approach.

This principle recognizes that natural resources and their uses are interconnected, and adopts an integrated and sustainable approach to their administration.

A holistic and sustainable approach reminds us that land, fisheries and forests do not exist in isolation. For many people, in particular Indigenous Peoples and those who live in a common-resource tenure system, there is no separation between resources and the area that they occupy and use – they are considered to be one and the same.

Under this principle: Agencies responsible for natural resources need to share information and treat the environment as an integrated system, rather than something that is divided into various parts that are managed separately by individual agencies. For small-scale fisheries, the ecosystem approach to fisheries is emphasized as the guiding principle.

¹²See: <https://trainingcentre.unwomen.org/mod/glossary/view.php?id=36&mode=&hook=ALL&sortkey=&sortorder=&fullsearch=0&page=2>

¹³See: www.fao.org/gender/gender-home/gender-why/why-gender/en/

¹⁴For more information, see FAO, 2017b.

Consultation and participation

This principle involves engaging with, prior to decisions being taken, legitimate tenure right holders who could be affected by those decisions, and responding to their contributions. This requires 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.

The idea behind consultation and participation is relatively straightforward: the people who will be affected by changes need to be involved in the decision-making process.

Under this principle: States need to consult with legitimate tenure right holders and relevant stakeholders when developing new policies or services. In addition, they need to create open channels of communications with the public and the private sector. Consultation and communication are important elements of responsible governance of tenure and a more efficient way to administer tenure, particularly from a long-term perspective. Thus the SSF Guidelines call for active, free, effective, meaningful and informed participation of small-scale fishing communities, including Indigenous Peoples (in line with the UNDRIP), as well as ensuring women's participation in decision-making (in accordance with the CEDAW).

Rule of law

The rule of law refers to adopting a rules-based approach through laws that are widely publicized in applicable languages, applicable to all, equally enforced and independently adjudicated. These laws should be consistent with existing obligations under national and international laws, and with due regard to voluntary commitments under applicable regional and international instruments.

We are all subject to the law. Government bodies are subject to the laws of the country and must obey them. In this way, no one can be above the law, whether they be politician or official, wealthy or powerful. But we must know the laws if we are to follow them. The rule of law means that laws and rules are applied with equity, fairness, justice and impartiality in determining conflicting claims. Thus it is a fair and just legal framework coupled with impartial and effective implementation.

Under this principle: Laws must be written in languages that are understood by the population, and they must be well publicized in places other than official journals or gazettes. The essential elements of the laws should be communicated in a variety of media, including radio and television as well as in print. In the fisheries sector, many laws lack clear provisions on how to appeal decisions made by decision-making

bodies (i.e. issuance of licences and permits), which may exist however under other administrative laws. In such situations, a human rights-based approach requires that the available mechanisms allowing individuals to complain against negative administrative decisions be easily accessible and affordable.¹⁵

Transparency

In the context of the VGGT and the SSF Guidelines, transparency refers to clearly defining and widely publicizing policies, laws, procedures and decisions in applicable languages and in formats accessible to all.

Under this principle: *All information should be available to the public, other than information that would breach privacy, confidentiality or state secrecy rules. It should be relatively easy to find relevant information on laws, policies and procedures for government services. Government agencies should issue annual reports, and statistical data should be made available for independent analysis. Moreover, the courts should be open to the public and their decisions should be published. In the context of fisheries, the legal framework should allow for processes to be open and accessible to the public (e.g. distribution of quotas among vessel groups and establishment of marine protected areas), as decisions taken can influence access rights for small-scale fishers who depend on fisheries resources for their livelihoods.*

Accountability

Accountability refers to holding individuals, public agencies and non-state actors responsible for their actions and decisions. Accountability closely follows:

- the principle of the rule of law, as it requires that the consequences of the law apply to everyone, including politicians and officials; and
- the principle of transparency, because only when all information is made available is it possible to hold public agents and non-state actors responsible for their actions.

Under this principle: *There should be no cases where individuals, public institutions or companies avoid investigation or penalties that would normally apply. No one should be able to act with impunity no matter how important, wealthy, powerful or well-connected they are. There should be clear standards for government agencies to satisfy, and if officials do not satisfy those standards, then appropriate action should be taken. Complaints should be investigated, and complainants should have access to the results.*

¹⁵See: www.fao.org/docrep/016/ap553e/ap553e.pdf

Continuous improvement

The principle of continuous improvement (found in the VGGT only) implies that states should improve mechanisms for monitoring and analysis of tenure governance in order to develop evidence-based programmes and secure ongoing improvements.

Improving governance of tenure is an ongoing process that takes into account changing conditions, needs, attitudes and technological developments.

Under this principle: Systems need to be in place to report on how the current system is working and where it is falling short of the government's plans and the community's needs. There needs to be a regular review of procedure to see if laws, regulations, services or programmes are meeting their objectives.

The guiding principles of responsible governance of tenure provide a framework that states can use when developing their own strategies, policies, legislation, programmes and activities. At the same time, they can be a valuable tool for civil society organizations in their advocacy and awareness-raising activities, in legal assistance, and in the development of capacities for people to be able to enjoy and protect their tenure rights, and to foster responsible governance of tenure.

Additional SSF Guidelines principles

Respect of cultures

In general, small-scale fisheries are family- and community-based, and live in societies grounded in tradition, knowledge and culture. Having accumulated considerable adaptive experience, they know the most appropriate ways to utilize and manage fishery and natural resources. States must recognize and respect this, as well as small-scale fishers' customary practices and values and their conceptions of social and environmental justice. However, states must also make efforts, with the participation of small-scale fishers, to identify the main challenges for the maintenance of fishing culture and sustainability of fisheries resources to preserve their territory and identity.

Under this principle: *States are required to recognize and respect all forms of small-scale fisheries organizations, their traditional and local knowledge, as well as the practices of small-scale fishing communities. In doing so, states should respect and protect the human rights of small-scale fishers, while paying special attention to Indigenous Peoples, minorities, and women fishers and their leadership in communities.*

Economic, social and environmental sustainability

Small-scale fisheries provide a source of livelihood for millions of small-scale fishers globally who are either fishers, engaging in fishing activities, or working in fisheries-related activities. As such, small-scale fisheries must be protected from, and not contribute to, overexploitation of fish stocks, destruction and damage to ecosystems, economic losses, and irregular and underpaid employment, among others. All of these threaten the long-term economic, social and environmental sustainability of fisheries and, in turn, harm the ability of small-scale fisheries to sustain their livelihood and contribute to global food security.

Under this principle: *The SSF Guidelines use a precautionary approach to risk management in order to protect small-scale fishers and fishworkers from negative outcomes such as overexploitation of fishery resources and adverse environmental, social and economic impacts. They also call specifically for policy coherence to ensure that social, environmental and economic sustainability are balanced.*

Social responsibility

Social responsibility is based on the understanding that the actions of an individual must benefit the whole of society. Social responsibility is achieved when there is a balance between particular economic interests and the welfare of society as well as the environment. It is important to acknowledge that each individual plays a role, and that the choice a person makes has an impact on the larger world.¹⁶ Specifically, the private sector is expected to contribute to the welfare of society when making decisions, rather than focusing purely on economic profit. While corporate social responsibility generally refers to voluntary actions taken by corporations and business enterprises, human rights, on the contrary, oblige states to protect small-scale fishers from human rights abuses committed by corporations. Also, the concept of social responsibility limits private ownership rights and thereby underlies the fact that private ownership is not absolute.

Under this principle: *The SSF Guidelines call for solidarity among communities and collective and corporate responsibility. This means, specifically, that states must ensure that small-scale fishers have access to information and have the capacity to make informed decisions collectively. Under this principle, states must also ensure that decisions and actions of corporations do not undermine or contribute to human rights abuses of small-scale fishers, including their tenure rights to land and fishery resources. In addition, states should make efforts to foster an environment that promotes collaboration among stakeholders.*

Feasibility and social and economic viability

Although small-scale fisheries, with their high participation of women, contribute tremendously to income and employment as well as to global food security, they are often economically and politically marginalized and vulnerable to large-scale processes and threats (e.g. globalized markets). States must take action at all levels to protect small-scale fisheries and rectify prevailing social injustices and power imbalances, and create institutions and governance mechanisms which foster viability of small-scale fisheries and ensure that they can coexist with large-scale fisheries.

Under this principle: *The SSF Guidelines underline the importance of ensuring that policies, strategies, plans and actions for improving small-scale fisheries governance and development are socially and economically sound and rational. They should be informed by existing conditions, implementable and adaptable to changing circumstances, and should support community resilience.*

¹⁶See: www.pachamama.org/social-justice/social-responsibility-and-ethics

SESSION 10 - Training material

B

Logic and principles for responsible governance of tenure and sustainable small-scale fisheries

(Powerpoint presentation)



SLIDE 1

 Food and Agriculture
Organization of the
United Nations
 

Logic and principles for responsible governance of tenure and sustainable small-scale fisheries

Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security
Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication

This presentation is part of the *Learning Guide for Civil Society Organizations* developed to undertake trainings on the VGGT and SSF Guidelines with civil society actors from the grassroots to the national level.

SLIDE 2

How are the VGGT and SSF Guidelines organized?

The common principles of the VGGT and SSF Guidelines are based on human rights:

VGGT	SSF Guidelines
Five general principles	SSF Guidelines <u>do not</u> talk about general principles
<ul style="list-style-type: none"> Principles of implementation of the VGGT 	<ul style="list-style-type: none"> Guiding principles of the SSF Guidelines

↔

Many common principles

SLIDE 3

VGGT - general principles

The five general principles summarize the basic elements of responsible governance of tenure. They are directed in the first instance to states, and encourage them to:

1. Recognize and respect all legitimate tenure right holders and their rights;
2. Safeguard legitimate tenure rights;
3. Promote and facilitate the enjoyment of legitimate tenure rights;
4. Provide access to justice;
5. Prevent tenure disputes, conflicts and corruption.

SLIDE 4

VGGT and SSF Guidelines – principles

The VGGT and SSF Guidelines are built on some common principles: implementation principles (VGGT)/guiding principles (SSF Guidelines)

1. Human rights and human dignity
2. Non-discrimination
3. Equity and justice/equality
4. Gender equality and equity
5. Holistic and sustainable integrated approaches
6. Consultation and participation
7. Rule of law
8. Transparency
9. Accountability
10. Continuous improvement

ONLY IN VGGT

SLIDE 5

Guiding principles of responsible governance of tenure

- The general principles and the implementation principles provide the **basic elements of a good system of governance of tenure**.
- **Where they all exist** in policies, laws, institutions and services, **then responsible governance of tenure emerges for the benefit of all**.
- The general principles and the implementation principles are called the **guiding principles of responsible governance of tenure**, and they create the framework for the rest of the VGGT.

SLIDE 6

SSF Guidelines – guiding principles

Additional guiding principles which can be found only in the SSF Guidelines are:

- **Respect of cultures**
- **Economic, social and environmental sustainability**
- **Social responsibility**
- **Feasibility and social and economic viability**

SLIDE 7

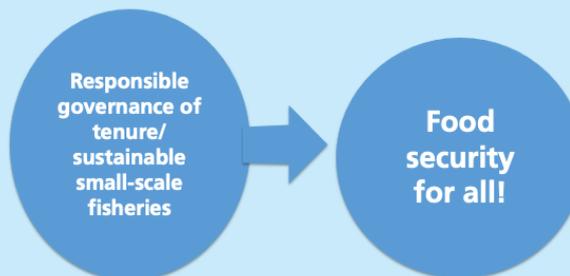
How can CSOs use the VGGT and SSF Guidelines?

Valuable tools for CSOs:

- Advocacy
- Awareness raising
- Legal assistance
- Development of capacities for small-scale fishers and fishworkers to be able to enjoy and protect their tenure rights and an array of human rights
- Policy dialogue
- Fostering responsible governance of tenure (especially fisheries tenure)

SLIDE 8

DISCUSSION: How can the principles be applied to address tenure issues and challenges faced by small-scale fishers in your country?



Purpose	To familiarize the participants with the classification of the topics of the VGGT (as described in the <i>People's Manual</i>) and the SSF Guidelines.
Steps	<ol style="list-style-type: none"> 1. Before the beginning of the session, print or prepare the posters for the session. Select those that have the most relevance for the small-scale fisheries in the respective national context. 2. Before the session starts, put up the posters around the room. 3. Explain the purpose of the session. 4. Ask the participants to visit each of the market areas, to reflect on the topic discussed in each poster, and then to rate the relative importance of each topic from their point of view. Provide each participant with three green Post-its, three yellow Post-its and three pink Post-its to distribute on the posters as follows: <ul style="list-style-type: none">  green Post-its = important  yellow Post-its = not sure  pink Post-its = less important 5. Call the participants together in plenary to identify and discuss the most important topics for the country and then sum up.
Materials	<ul style="list-style-type: none"> • The selected posters on the main topics covered by the VGGT and SSF Guidelines, printed and displayed in the room (see below) • Green, yellow and pink Post-it notes to distribute to all participants • Tape
Suggested time	45 minutes
Comments and tips	<ul style="list-style-type: none"> • The posters should be displayed far enough apart to allow for circulation of the participants. • In the case of participants with limited literacy, separate them into groups and direct each group to review and rate each topic with the help of co-facilitators. • Considering the high number of topics, one possible option is to briefly present them all; then the facilitator can preselect the ones he/she thinks are the most relevant according to local context (around 15 to 18 maximum). These selected topics will be used in the posters during the marketplace. An additional white poster could be added where the participants can add any other topic that was not preselected by the facilitator but that they consider relevant.

SESSION 11
Main topics covered by the VGGT and SSF Guidelines

Presentation and Group Exercise

SESSION 11 - Training material

B

Main topics covered by the VGGT and SSF Guidelines



Posters for the marketplace

The following posters are only suggestions. The facilitator may find it useful to adapt them with examples extracted from the national context analysis. The facilitator might also simplify the explanations of these topics according to the audience.

We also encourage the facilitators to leave out those topics that might not be relevant in certain national or local contexts. It is recommended to highlight and cover those issues which may be more prominent in case studies that have been discussed in Sessions 6 and 7.

Policy processes and institutional structures

1. *Corruption:*

- Transparency International defines corruption as “abuse of entrusted power for private gain”. Corruption occurs when individuals who hold a position of authority to allocate tenure rights misuse the public power they have been given for private benefit.
- There are two types of corruption:
 - The first type is called petty (or administrative) corruption and entails the abuse of office by individual officials who use their power for self-enrichment rather than to execute the tasks for which they are appointed.
 - The second type is called grand (or political) corruption and consists of acts committed at a high level of government. It involves illegally transferring economic resources from the state to private interests.
- States should prevent corruption and create conditions which allow small-scale fishers to conduct activities in an environment free not only from corruption and abuse of authority, but also from violence, organized crime activities, piracy, theft and sexual abuse. Moreover, access to justice must be guaranteed for victims of abuse and violence.



2. *Participation:*

- All decisions that could affect small-scale fishers and fishworkers should involve the participation of those groups (with particular emphasis on the equitable participation of women, their organizations and vulnerable and marginalized groups). Women should be encouraged to participate in fishers' organizations, and relevant organizational development support should be provided.
- In order to ensure that small-scale fisheries actors can participate in the management of their fishing resources, necessary support must be provided by states in terms of organizational strengthening and development and a conducive regulatory framework.
- Participatory management systems, such as co-management, should be promoted in accordance with national law.

3. *Access to justice:*

- Access to justice is "the ability of people to seek and obtain a remedy through formal or informal institutions of justice, and in conformity with human rights standards" (UNDP, 2005).
- Aside from access to courts, access to justice and remedies includes restitution, indemnity, compensation and reparation, among others. This access must be fair, transparent, effective, non-discriminatory and accountable.
- States must provide access to timely, affordable and effective means (including alternative means) of resolving disputes over tenure rights, and should provide effective remedies such as entitlement to appeal.
- Access to justice for small-scale fishers (both men and women) who are victims of inter alia violence and abuse, including within the household or community, must also be ensured.

4. *Traditional fisheries knowledge and traditional forms of associations*

- Traditional knowledge and traditional forms of associations play a crucial role in sustaining the livelihoods of small-scale fishers and their families.
- Often, small-scale fishers are organized into traditional forms of associations.
- States must recognize traditional forms of associations of fishers and fishworkers and promote their adequate organizational and capacity development throughout the different phases of the value chain.

5. Policy coherence, institutional coordination and collaboration:

- It is crucial to have policy coherence and cross-sectoral collaboration to achieve the objectives of the VGGT and SSF Guidelines.
- Aside from clearly defining the roles and responsibilities of agencies dealing with tenure of land, fisheries and forests, states must ensure coordination between implementing agencies, local governments, Indigenous Peoples and other communities with customary tenure systems.
- The SSF Guidelines have one chapter (Chapter 10) on policy coherence, institutional coordination and collaboration, calling on states to work toward policy coherence with regard to national legislation and policies, international human rights law and other international instruments, with a specific attention to gender equality and equity.
- States should ensure that the overall policy framework for fisheries is coherent with the long-term vision for sustainable small-scale fisheries and human rights, paying particular attention to vulnerable and marginalized people.

6. Information, research and communication:

- This topic includes the interrelated aspects of access to information and capacity development. There is in general a lack of information and research on small-scale fisheries, and thus capacity development at all levels and scales is needed.
- The SSF Guidelines have one chapter (Chapter 11) on information, research and communication, calling for creating systems of fisheries data collection that are of relevance for decision-making on sustainable management of small-scale fisheries, and also generating gender-disaggregated data in official statistics that underline the importance of small-scale fisheries.
- Communication and information are crucial for the effective decision-making of small-scale fisheries. To this end, access to relevant information pertaining to the existing problems faced by small-scale fishers and the improvement of their livelihoods must be ensured.

Criminalization and conflict

7. Protection of human rights defenders:

- Human rights defenders are people who “individually or with others, act to promote or protect human rights”.

- States should respect and protect the human rights of these human rights defenders, especially those who protect the rights of Indigenous people, peasant farmers, fisherfolk and small-scale fishers, pastoralists, and rural workers.

8. *Conflict, armed conflict, and occupation:*

- Insecure tenure can lead to or worsen conflicts, which include armed conflict and situations of occupation.
- States should recognize the problems of tenure during armed and other conflicts, including occupation, and take steps to prevent and eliminate issues of tenure as a cause of conflict.
- State should act in accordance with international humanitarian law.
- Problems should be resolved through peaceful means, also considering customary and other local mechanisms for resolution.
- When conflicts arise, existing legitimate tenure rights should be protected.
- Refugees should be resettled under safe conditions that protect the tenure rights of host communities.
- Access should be provided to timely, affordable and effective conflict resolution and effective remedies.
- Official records of tenure rights must be protected.
- States should seek durable gender-sensitive solutions to tenure problems.

9. *Illegal, unreported and unregulated fishing:*

- Illegal fishing practices range from the use of explosives and poisons to the use of highly destructive fishing gear, methods and techniques.
- Ever-increasing competition for resources has compelled small-scale fishers to engage in illegal, unreported and unregulated (IUU) fishing, but there is also ample evidence of large-scale fishing vessels operating illegally in fishing zones which are exclusively reserved for small-scale fisheries.
- IUU fishing has a negative impact on resources, as well as on small-scale fishers whose activities have great social and economic significance, unlike industrial operators whose activities are purely and solely commercial.
- States should ensure that information on IUU fishing is available.

10. Violence (including organized crime activities, piracy, theft and sexual abuse):

- Conflict over land and water is far more likely to escalate and become violent when tenure and resource rights are weak, insecure and non-negotiable, and when the land and water governance systems in place are ineffective, corrupt or otherwise dysfunctional.
- States should establish conditions allowing all small-scale fishing communities to fish and conduct fisheries-related activities free from violence, organized crime activities, piracy, theft and sexual abuse.
- States should also take measures to eliminate violence and protect women exposed to such violence in small-scale fishing communities.

Social justice and development

11. Gender equality and women's rights:

- Gender equality is ensured when women and men, and girls and boys, enjoy equal rights, responsibilities and opportunities. Gender equity, on the other hand, refers to fairness and impartiality in the treatment of women and men in terms of rights, benefits, obligations and opportunities.
- Gender equity and gender equality for responsible governance of tenure can be seen through:
 - gender-equitable participation in the policymaking process;
 - concrete pro-gender equality measures translated into laws;
 - recognition of women's participation in the day-to-day processes of land governance tenure at all levels;
 - gender-sensitive approaches in land administration; and
 - gender-sensitive communication.
- Gender equity and equality are core objectives and guiding principles of the SSF Guidelines.
- Gender equality must be an integral part of all small-scale fisheries development strategies.

12. Youth and children:

- Responsible governance of tenure must benefit all groups, including youth and children, equally promoting their equitable tenure rights and access to land, fisheries and forests and ensuring their effective participation in decisions regarding their tenure systems.

- In accordance with the Convention on the Rights of the Child, children's human rights (the right to food and nutrition, the right to housing, the right to education, the right to health, etc.) must be guaranteed and protected from any form of abuse and violation in order to secure the welfare and well-being of children. This is important for the future not only of the children themselves, but of society at large.
- In the small-scale fisheries sector, child labourers are engaged in a wide range of activities, found both on and off shore, on fishing platforms as well as in fishing processing factories. They work as unpaid family labourers or under contract for others. In some instances, they become victims of trafficking or forced labour.
- It is therefore of utmost importance that states guarantee access to schools and education facilities that meet the needs of small-scale fishing communities, and facilitate the availability of decent employment for youth in respect of their career choices, with equal opportunities provided for all (boys, girls, young men and young women).

13. Capacity development:

- Capacity development is "a process by which certain abilities are enhanced, including the ability to set and achieve objectives, perform functions, solve problems, and also to develop the means and conditions required to enable this process" (FAO, 2004a, cited in FAO, 2017b, p. 127).
- The capacity of small-scale fisheries actors to participate in decision-making processes should be enhanced, with a focus on women.
- Capacity development should be a two-way process. Knowledge and skills should be developed to support sustainable development and successful co-management arrangements.
- Because of the extra barriers faced by many women members of fishing communities, special attention must be given to supporting capacity development for women.

14. Social development and access to social services (e.g. schools and education):

- Social development refers to "processes of change that lead to improvements in human well-being, social relations and social institutions, and that are equitable, sustainable, and compatible with principles of democratic governance and social justice" (UNRISD, 2011, p. 2). Social development (which also includes access to social services) is a crucial dimension of small-scale fisheries.
- States should apply a holistic approach to small-scale fisheries development and management.

- States should ensure the progressive realization of the right of small-scale fishers and fishworkers to an adequate standard of living.
- States should promote investment in health, education, literacy, digital inclusion and other technical skills.
- States should provide access to schools and education facilities, recognizing the importance of children's well-being and education for their future.
- Access to social security schemes for all workers, with emphasis on inclusion and access of women to these services in small-scale fisheries along the entire value chain, should be enabled.

15. Transboundary matters:

- Transboundary fisheries are a worldwide phenomenon that has considerable impact on small-scale fisheries.
- As the migration of fishers and fishworkers is common, states should cooperate to allow fair and adequate integration of migrants engaging in sustainable use of fisheries resources and who do not undermine local community-based fisheries governance and development in small-scale fisheries.
- States should cooperate in addressing tenure issues related to land, fisheries and forests that cross over national borders.
- Tenure rights of migrating populations should be protected.
- Tenure rights of small-scale fisheries in transboundary and similar situations (shared waters and fishery resources) should also be protected.
- States should seek a better understanding of transboundary tenure issues such as rangelands, seasonal migration routes of pastoralists, or fishing grounds of small-scale fishers.
- Legal standards of tenure governance should be harmonized.
- Existing international measures should be developed or strengthened to administer tenure rights that cross international boundaries.
- States should also recognize and address the underlying causes and consequences of the transboundary movement of fishers.

16. Migration and migrants:

- For small-scale fisheries, migration (also seasonal migration) is a common livelihood strategy.
- Large-scale migration as a livelihood strategy in response to resource grabbing and inland migration can alter tenure arrangements.

- The main causes behind the migration of small-scale fishers are inter alia landlessness, decline of fishing resources, illegal fishing, and natural hazards caused by climate change.
- If transboundary matters related to tenure arise, tenure rights, livelihoods and food security of migrant populations while in their respective territories must be protected.
- Appropriate frameworks must be created to allow for fair and adequate integration of migrants who are engaged in sustainable use of fisheries resources and who do not undermine governance of local community-based fisheries and development of small-scale fisheries.
- States need to recognize the existence of informal tenure arising from large-scale migration.
- States must coordinate with relevant national governments with respect to migration of fishers and fishworkers across national borders, and frame policies and management measures in close collaboration with small-scale fisheries organizations and institutions.

Economy and labour issues

17. Large-scale development projects:

- Development projects can have a detrimental impact (e.g. loss of tenure, loss of means of livelihood, eviction, migration) on livelihoods in local communities, such as the livelihoods of small-scale peasants and fishers and fishworkers.
- Before any large-scale development projects are implemented, states must consult communities and Indigenous Peoples and consider the social, economic and environmental impacts of such projects.
- Any effective and meaningful consultation with Indigenous Peoples must obtain their free, prior and informed consent in accordance with the UNDRIP.

18. Investments:

- Investment in natural resources may cause the loss of legitimate tenure rights of local communities.
- For small-scale fishers, promotion of investment in human resource development (e.g. health, education) is needed in order to support sustainable small-scale fisheries.

- Investments should do no harm to the environment, respect human rights, and provide guarantees against the loss of legitimate tenure rights. In case of loss of legitimate rights, these should be compensated.
- However, promotion of other kinds of investments, such as those in human resource development (e.g. health, education, literacy, digital inclusion and other skills of a technical nature) as well as infrastructure, organizational structures and capacity development, are needed to support sustainable small-scale fisheries.

19. *Trade and markets:*

- Access to markets must be ensured for small-scale fishers through capacity building and information.
- States should foster equitable and non-discriminatory trade of small-scale products in local, national, regional and international markets.
- International trade should not negatively affect the nutritional needs of the local population who depend on fish for their nutritional well-being.
- Benefits from international trade should be distributed fairly, and effective fisheries management systems should be in place to prevent overexploitation of fishery resources driven by market demand.
- In order to support small-scale fisheries in producing good-quality and safe fish and fishery products for markets (both export and domestic), states should provide and promote investment in appropriate infrastructure, organizational structures and capacity development.

20. *Forced labour and debt bondage:*

- Forced labour is defined as “all work or service which is exacted from any person under the menace of any penalty and to which the said person has not offered himself/herself (add-on) voluntarily”.¹⁷ Migrant small-scale fishworkers in particular are often forced to work for long hours at very low pay, while engaged in hazardous tasks. In addition, they are forced to work on board vessels under the threat of force or by means of debt bondage. Often brokers and recruitment agencies are involved.
- Forced labourers and victims of debt bondage suffer from illness, physical injury, psychological and sexual abuse, and death. They remain vulnerable while working on board vessels in remote locations of the sea for months and even years.
- States should eradicate forced labour and debt bondage, and implement effective measures to protect fishers and fishworkers (both men and women) as well as children and migrants, with an aim to completely eliminate forced labour in small-scale fisheries.

¹⁷ILO Forced Labour Convention, 1930 (No. 29), Article 2(1).

21. *Income and income-generating opportunities:*

- Responsible governance of tenure of land, fisheries and forests encourages tenure right holders to make responsible investments in these resources, increasing sustainable agricultural production and generating higher incomes.
- Responsible investments should strive to contribute to policy objectives, such as creation of employment and diversification of livelihoods.
- For small-scale fisheries, states should support and develop complementary and alternative income-generating opportunities, in addition to earnings from fisheries-related activities and in support of sustainable resource utilization and livelihood diversification.
- The income and livelihood security of small-scale fishers can be enhanced by recognizing and promoting the traditional forms of associations of fishers and fishworkers and their organizational and capacity development in all stages of the value chain.
- For many small-scale fishers, fishing is not their only means of income. Support is therefore needed to develop complementary (and if so, required) alternative income-generating opportunities.

22. *Decent work, unfair working conditions and occupational health issues:*

- Aside from decent income and fair working conditions, decent work encompasses the notion of security in the workplace, social protection for workers and their families, organization and participation in decisions, and equality of opportunity and treatment for women and men.
- Often fishers are forced to work for long hours at very low pay, while engaged in work that is intense, hazardous and difficult.
- It is estimated that close to 90 percent of all people directly dependent on capture fisheries work in the small-scale fisheries sector; capture fisheries have among the highest occupational fatality rates in the world.
- Safety at sea must be ensured and guaranteed in national laws and regulations, in accordance with existing international guidelines.
- States should promote decent work for all small-scale fishers; address occupational health and safety and unfair working conditions; work toward elimination of forced and child labour in the sector; and prevent debt bondage.
- Women suffer from double marginalization: a) they are involved in domestic work in addition to fisheries-related work (which is often unrecognized and underpaid), and b) they have inadequate access to basic services (e.g. social security, education).

23. Value chains and post-harvest:

- Value chain refers to the stages through which a product passes and gains value (for example through some type of processing method – essentially converting raw fish to a resulting finished or semi-finished product that has more value in the marketplace).
- States and other actors should recognize the central role of the small-scale fisheries post-harvest subsector, in which women are largely engaged.
- Access to timely and accurate market and trade information for small-scale fisheries throughout the value chain should be enabled by the state.
- States should facilitate access to credit and infrastructure facilities in post-harvest processing and trade, through representative organizations for women (where possible).
- States need to provide investment in appropriate infrastructure, organizational structures and capacity development for the post-harvest subsector.

Environmental and ecological issues

24. Natural disasters and climate change:

- Land, fisheries and forests are affected by natural disasters.
- Natural disasters and climate change increase insecurity of tenure, as they may destroy natural resources and displace people from their land. Insecure tenure can reduce the ability of people to return to their land, inhibiting their ability to recover from a disaster.
- Women and girls are more vulnerable and likely to be negatively affected than men both during and after disasters.
- It is important to restore access to traditional fishing grounds and coastal lands for small-scale fishing communities who have been displaced by natural disasters and/or armed conflicts.
- States should provide support when fishing communities who have suffered from grave human rights violations are rebuilding their lives and livelihoods, including for example the elimination of any form of discrimination against women in tenure practices in case of natural disasters and/or armed conflict.
- With respect to climate change, special attention should be paid to small-scale fishing communities living on small islands.
- In case of disaster caused by humans that impact small-scale fisheries, the responsible parties should be held accountable.

25. *Holistic and integrated approaches to land, fisheries and forests:*

- Land, fisheries and forests have a social, cultural, spiritual, economic, environmental and political value.
- All parties should consider integrated and holistic ecosystem approaches to small-scale fisheries management and development that take the complexity of livelihoods into account.
- Due attention to social and economic development may be needed to ensure that small-scale fishing communities are empowered and can enjoy their human rights.

26. *Resource management:*

- Responsible management of fisheries resources and aquatic biodiversity must guarantee that benefits are equitably distributed to small-scale fishers and fishworkers. It is also equally important to ensure that resource management meets the developmental and environmental requirements of present and future generations.
- States should adopt measures for long-term conservation and sustainable use of fisheries resources in order to secure the ecological foundation for food production. States should also promote and implement appropriate management systems that give due recognition to the requirements and opportunities of small-scale fisheries.
- With regards to spatial planning, states have a duty to promote diversified sustainable management of land, fisheries and forests, including agro-ecological approaches and sustainable intensification, and to meet the challenges of climate change and food security.

27. *Environmentally sustainable practices and use:*

- Mechanized fishing and technically advanced fishing equipment have substantially changed traditional small-scale fishing practices.
- States should recognize the role of small-scale fishing communities and Indigenous Peoples to preserve, protect and co-manage local aquatic and coastal ecosystems.
- Environmentally sustainable practices within ecosystem approaches should be promoted by states. This means, for example, discouraging the waste of inputs in small-scale fish handling and processing.
- States should also seek ways – building on existing traditional and local technologies – to create local innovations and culturally appropriate technology transfers to avoid post-harvest losses and waste.
- All actors should respect the long-term protection and sustainable use of land, fisheries and forests.

28. Overexploitation of resources:

- Overexploitation of resources may lead to resource degradation and can impact on the livelihoods of small-scale fishers.
- Policies and financial measures that may contribute to overcapacity and overexploitation of resources can have adverse impacts on small-scale fisheries, and thus should be avoided by states.
- Overexploitation is driven by market demand and can threaten the sustainability of fisheries resources, food security and nutrition. Therefore, states must ensure that effective fisheries management systems are in place to prevent overexploitation.

Tenure and land, fisheries and forest

29. Human rights and tenure rights to land, fisheries and forests:

- Tenure rights are based on human rights, and the governance of tenure affects the enjoyment of an array of human rights (e.g. the right to food, to housing, to health).
- The VGGT and SSF Guidelines place tenure rights in the context of human rights. The governance of tenure may affect the enjoyment of various human rights including the rights to food, housing and an adequate standard of living for health and well-being, among others.
- Tenure rights are different from simple ownership – they are broader and encompass many types of rights, including rights to possess, occupy and use; to harvest and collect; and to sell, gift, mortgage, lease, and leave by inheritance. In the case of fisheries, tenure rights can include the right to catch fish or other aquatic products.

30. Recognition of tenure rights to land, fisheries and forests (including ancestral, customary and informal rights):

- States should recognize, respect and protect all legitimate tenure right holders and their rights. For small-scale fisheries, this also means customary rights to aquatic resources and land as well as small-scale fishing areas of small-scale fishers and communities.
- States should enact legislation to recognize and respect all legitimate tenure right holders and their rights. For small-scale fisheries, this also includes customary rights to aquatic resources and land as well as small-scale fishing areas of small-scale fishers and communities.

- States should also take reasonable measures to identify, record and respect legitimate tenure right holders and their rights, whether formally recorded or not; to refrain from infringement of tenure rights of others; and to meet the duties associated with tenure rights.
- Laws and procedures should have clear provisions that allow for the recognition of right holders and their rights, and should clearly specify:
 - how rights are recognized;
 - how rights are recorded; and
 - what they mean in practice.

31. Indigenous Peoples and communities with traditional tenure systems:

- Customary tenure refers to tenure of land and other natural resources that is generally associated with Indigenous and traditional communities and governed in accordance with their customs (customary or traditional rights). Customary tenure often exists in parallel with legal tenure based on written laws and regulatory frameworks (statutory rights).
- States should recognize the tenure rights of these groups, including the rights of Indigenous fishing communities, peasants, farmers and pastoralists, and other communities with customary tenure systems.
- Customary tenure refers to tenure of land and other natural resources that is generally associated with Indigenous and traditional communities and governed in accordance with their customs (customary or traditional rights). Customary tenure often exists in parallel with legal tenure based on written laws and regulatory frameworks (statutory rights).
- Local norms and practices, as well as customary or otherwise preferential access to fishery resources and land by small-scale fishing communities (including Indigenous Peoples and ethnic minorities), should be recognized, respected and protected consistent with international human rights law.

32. Land, fisheries and forests that are public or controlled by the public sector, including natural resources that are collectively used and managed (“commons”):

- Commons refers to natural resources such as land, fisheries and forests that are collectively owned, managed and/or used by a community or group of users (e.g. small-scale fishing communities) based on local, customary or Indigenous tenure systems.
- Collective tenure rights, including commons on state land and water resources (including fishery resources), should be protected.
- When determining the use and tenure rights of these resources, their social, economic and environmental objectives must be considered.

33. Access to and redistribution/restitution of land, fisheries and forests:

- States should adopt measures to facilitate equitable access to fishery resources for small-scale fishing communities, including redistributive reform, taking into account the provisions of the VGGT.
- The VGGT explore several ways to facilitate broad and equitable access to land, fisheries and forests through redistribution. The VGGT address the issue of restitution, when appropriate, for individuals, peoples and communities who have lost legitimate rights to land, fisheries and forests.

34. Land speculation and concentration:

- Land speculation occurs when certain individuals or companies acquire a tenure right (property or rent) without using the land. Concentration of land occurs when a few individuals or companies hold tenure rights on a high proportion of the available land.
- Land is equally important for small-scale fisheries because of residential and fishery-related uses of land (e.g. processing, landing sites, fish markets).
- States should take measures to prevent undesirable impacts from land speculation or concentration on local small-scale fishing communities, Indigenous Peoples and marginalized groups.

35. Evictions and expropriation:

- Insecure tenure leaves communities marginalized and vulnerable to eviction from, and expropriation of (i.e. compulsory acquisition), their land, fisheries and forests. Frequently in most countries, tenure rights are lost in favour of large-scale agricultural production, mining and exploitation of natural and mineral resources, urbanization, and industrialization.
- States should protect people such as small-scale fishing communities against expulsion by force from their land and territories, and ensure that legitimate tenure rights are not taken away in such situations. In case of expropriation for public purposes, the concept of “public purposes” should be defined in law; processes to decide expropriation should be transparent; and participatory mechanisms to value and compensate the evicted should be established to ensure a return to housing and access to productive resources.
- Competition with other users (e.g. sport fishers, tourism development, deep-sea mining, conservation) is increasing within small-scale fisheries, putting especially those who are vulnerable and marginalized in a weaker position due to an imbalance of power. Therefore, states should provide special support when the livelihoods of small-scale fishing communities are threatened due to the development and activities of other sectors.

36. *Spatial planning:*

- Spatial planning is defined and understood as any attempt by society, particularly the public sector, to influence or control the arrangement and use of land, fisheries and forests. For marine zones specifically, spatial planning is a process of analysing and allocating parts of three-dimensional marine spaces to specific uses, to achieve ecological, economic and social objectives that are usually specified through the political process.
- States should not only reconcile interests but also prioritize the interests and human rights of small-scale fishers in regulated spatial planning programmes.
- Wide public participation must be ensured in the development of planning proposals and the review of draft spatial plans to guarantee that priorities and interests of communities and Indigenous Peoples are reflected.
- States must prevent corruption by establishing safeguards against improper use of spatial planning powers.
- Spatial planning should take into account the need to promote sustainable management of land, fisheries and forests, including agro-ecological approaches, and to meet the challenges of climate change and food security.
- Spatial planning approaches (also inland and marine spatial planning) must take due account of small-scale fisheries' interests and role in integrated coastal zone management, and ensure their consultation and participation when formulating gender-sensitive policies and laws on regulated spatial planning. Furthermore, formal planning systems should consider methods of planning and territorial development used by small-scale fishing and other communities with customary tenure systems, and decision-making processes within those communities.

37. *Preferential access to fisheries resources and fishing grounds/exclusive zones for small-scale fisheries:*

- In the face of increased competition over fishing resources (e.g. industrial fisheries, tourism, construction of ports and harbours, development of special economic zones, activities of extractive industries such as mining), collective and community-based preferential access to fisheries resources and fishing grounds for small-scale fisheries must be ensured.
- The CCRF (Article 6.18) requests that states guarantee preferential access to traditional fishing grounds and resources as a way to protect the rights of small-scale fishers.

SESSION 12
**Mapping actors
(and their roles)
related to
responsible
fisheries and
sustainable
development**

Group Exercise

Purpose	<ul style="list-style-type: none">• To identify the main actors related to responsible fisheries and sustainable development (responsible governance of tenure, especially for small-scale fisheries; sustainable resource management; social development, employment and decent work; value chains, post-harvest and trade; gender equality; and disaster risks and climate change) in the country and to define their roles and responsibilities.• To support the design of action plans which integrate the main actors involved in the governance of tenure.
Steps	<ol style="list-style-type: none">1. Explain the purpose of the session.2. Recap the findings of the participants during Session 7 by naming the different actors and their identified roles and responsibilities.3. Add missing actors, thinking about the country as a whole, and complete the roles and responsibilities, adding to those already described in Session 7.4. Ask each group to discuss the roles and responsibilities of one of the actors. The participants will discuss the potential implications of their chosen actor on their work, following a list of guiding questions. The group should allocate 15 minutes for discussion and 5 minutes to organize the feedback they want to give in plenary.5. Ask each group to write on a card the name of any new actor that they had not thought about in the cases, and add this card to the mapping poster developed in Session 7.6. Ask each group to present a summary of their discussion on each actor.7. Give each group two minutes to explain and display their cards on the map.
Materials	<ul style="list-style-type: none">• Guiding questions (see below)• Cards
Suggested time	1 hour
Comments and tips	<ul style="list-style-type: none">• If Session 7 produces an already complete mapping of the stakeholders' roles and responsibilities, this second session to map the actors can be skipped. The aim of this session is to complement Sessions 6 and 7 and to ensure that the participants have a full overview of the stakeholders and an accurate understanding of their roles and responsibilities.

SESSION 12 - Training material

B

Mapping actors (and their roles) related to responsible fisheries and sustainable development

The following is a list of guiding questions to be displayed in the room:

- 1 What is your relationship with this actor?
- 2 What is your experience with this actor?
- 3 According to the role and responsibilities of this actor, would it be possible for you to interact with him/her? If yes, on what basis?
- 4 If you wanted to interact with this actor, what would be the next step?



PRINT/PHOTOCOPY THIS PAGE
AND USE IT DURING THE SESSION

SESSION 13
**Use of the
VGGT and SSF
Guidelines
worldwide**
Group Exercise

Purpose	<ul style="list-style-type: none">• To provide information on the possible use of the VGGT and SSF Guidelines and some examples of such use in various countries around the world.• To brainstorm about possible uses of the VGGT and SSF Guidelines at the country level.
Steps	<ol style="list-style-type: none">1. Explain the purpose of the session.2. Present some examples of possible uses of the VGGT and SSF Guidelines using the PowerPoint presentation provided.3. Present the video on the SSF Guidelines.4. Divide the participants into four groups and ask them to identify ways the VGGT and SSF Guidelines could be used in their country.5. Ask each group to present the results of its discussion and reinforce the main points by writing them on a flipchart. Wrap up the discussion by summarizing the main ideas.
Materials	<ul style="list-style-type: none">• PowerPoint presentation: <i>VGGT and SSF Guidelines use and status of implementation worldwide</i> (see below)• Video: Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries (www.youtube.com/watch?v=uqC9Bef-lwE&t=5s)• Laptop computer and projector• Flipchart• Markers
Suggested time	40 minutes
Comments and tips	<ul style="list-style-type: none">• This session could also be enhanced by providing examples of how the VGGT and SSF Guidelines have been used in the country where the training is taking place.• Refer to Chapter 3 of the People's Manual for concrete examples on how the VGGT and SSF Guidelines could be used.• Find other helpful information in the handbook <i>Towards gender-equitable small-scale fisheries governance and development</i> (www.fao.org/3/a-i7419e.pdf).

A Context analysis

B Principles of the VGGT and the SSF Guidelines

C Experimentation

D Analytical reflection

E Contextualized planning

B

SESSION 13 - Training material

VGGT and SSF Guidelines use and status of implementation worldwide

(Powerpoint presentation)



SLIDE 1

 Food and Agriculture Organization of the United Nations
 

VGGT and SSF Guidelines use and status of implementation worldwide

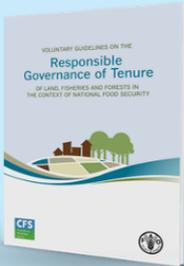
Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security

 Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication

This presentation is part of the **Learning Guide for Civil Society Organizations** developed to undertake trainings on the VGGT and SSF Guidelines with civil society actors from the grassroots to the national level.

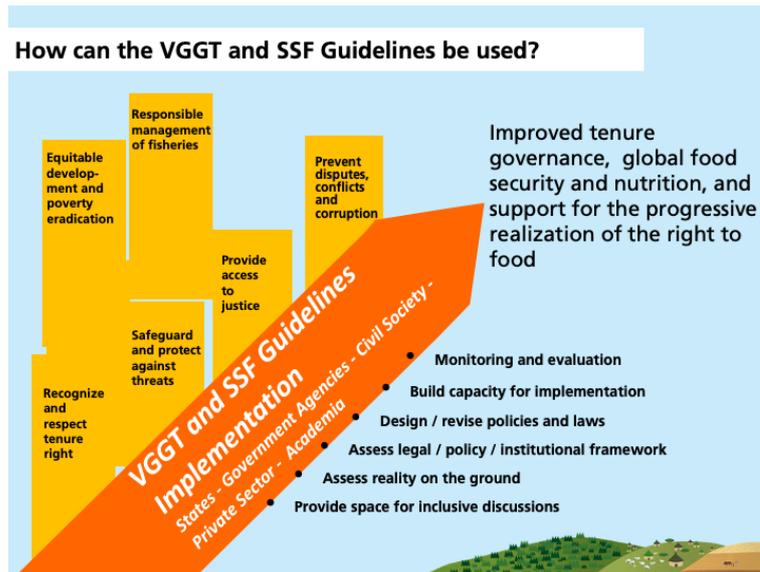
SLIDE 2

Possible uses of the VGGT and SSF Guidelines




- Awareness raising
- Capacity development
- Support to countries
- Partnerships
- Monitoring and evaluation

SLIDE 3



SLIDE 4



SLIDE 5

Example from the ground – using the VGGT and SSF Guidelines

- In South Africa, Masifundise/Coastal Links conducted awareness-raising activities and capacity building workshops on the VGGT at the national and provincial level.
- The knowledge gained was used to reject the proposed draft on regulations of marine protected areas (MPAs) of the Department of Environmental Affairs (DEA).
- Later, a court case was built with the support of the Legal Resources Centre and in partnership with research institutions.
- This resulted for the first time in the legal recognition that the declaration of MPAs does not preclude the exercise of the customary rights of coastal fishing communities to access their marine resources in a given area.



SLIDE 6

Way forward

DISCUSSION:

How can the VGGT and SSF Guidelines be used in your country?



SESSION 13 - Training material

B

Video on guidelines for securing sustainable small-scale fisheries



Guidelines for securing sustainable small-scale fisheries
(Duration 4:55)



AVAILABLE AT:
www.youtube.com/watch?v=uqC9Bef-lwE



C Experimentation

SESSION 14

Guiding note

Training material



How can CSOs play a role in the VGGT and SSF Guidelines implementation process?

The role-play

Chapter 2 of the *People's Manual*

Purpose	<ul style="list-style-type: none"> To reflect on the potential application of the VGGT and SSF Guidelines to actual tenure governance challenges. To allow participants to explore their role as CSO representatives in addressing a tenure governance challenge. To identify potential roles that participants and their organizations can play to apply the VGGT and SSF Guidelines at the country level.
Steps	<ol style="list-style-type: none"> Clearly establish the learning objective(s) that you wish to achieve through the role-play exercise. For example: <ol style="list-style-type: none"> Analyse actors and responsibilities (including of CSOs) in improving the governance of tenure. Analyse processes and possible entry points for improving the governance of tenure with links to the VGGT and SSF Guidelines. Identify three to four scenarios relating to tenure challenges to serve as the basis for the role-plays. Examples of challenging tenure cases can be found in the <i>People's Manual</i> (Chapter 2). The <i>SSF Guidelines Gender Handbook</i> details challenges faced by small-scale fisheries from a gender perspective. These may be adapted, or alternatively the facilitator may identify a real case from the country or make up a new scenario (a sample scenario is provided in the guiding note). Prepare individual briefs for each actor with an introduction to the case and an indication of how he/she might react or behave. Ideally select the players the day before the exercise and give them the briefs so that they can think about and prepare their role in advance. Present a few PowerPoint slides to explain the role-play session and describe the chosen case and the different roles. Prepare facilitation questions to ask after each role-play. Refer to sample questions (see guiding note). Prepare observation sheets for those watching the role-play. Give each role-play group approximately 20 minutes to prepare their role-plays together. Carry out the role-plays. Conduct a reflection on the role-plays using three or four prepared facilitation questions. The reflection could include: <ol style="list-style-type: none"> feedback to the other groups; individual sharing of experiences playing a specific role; and new elements that arose during the role-play that are normally forgotten in actual situations.

SESSION 14
How can CSOs play a role in the VGGT and SSF Guidelines implementation process?

Role-play exercise



▶	Materials	<ul style="list-style-type: none">• Guiding note: Additional background on facilitating a successful role-play (see below)• Role-play scenarios and participants' briefs for the role-play (to be prepared by the facilitators)• Sample role-play scenario and facilitation questions (see guiding note below)• People's Manual, Chapter 2 (www.foodsovereignty.org/wp-content/uploads/2016/06/peoplesmanual.pdf)• Handbook: Towards gender-equitable small-scale fisheries governance and development (www.fao.org/3/a-i7419e.pdf)
	Suggested time	2 hours
	Comments and tips	<ul style="list-style-type: none">• To make the session more interesting, prepare briefs for three or four different role-play situations. Otherwise, if time is limited, conduct the role-play just once, and ask the other participants to observe and evaluate the role-play by sharing their comments.• Make sure each role-play scenario contains the essential details, including the starting point, the context and the parties involved. If the intention is to limit the range of options that participants can select, the scenario should be quite tightly written. If the intention is for participants to fully explore a range of options, then the scenario can be less detailed. Do not overload the orientation with unnecessary detail.• Facilitators may ask observers to track one particular character in the role-play or to examine a specific issue (e.g. how conflict was addressed), or may instead simply ask them to report back on what they saw happening during the role-play.



SESSION 14 - Guiding note

The role-play



The purpose of this activity is to allow participants to experience first-hand how potential actors related to tenure issues can behave in a real-life situation.¹⁸ A role-play focuses on creating a learning opportunity using drama, dialogue and action, through a specific situation containing two or more different viewpoints or perspectives.

Each person in the role-play will have a particular objective or objectives they want to fulfil which may be in conflict with those of one or more of their fellow role-players. How each role-player handles the situation forms the basis of the skills practice.

The situation has to be realistic and relevant to the role-players. A successful role-play will be focused on developing a particular skill or skill set. In this case, we want the participants to experience how CSO actors can play a role in the VGGT and SSF Guidelines implementation process. This means that the selected case needs to represent a relevant situation for the participants and present a critical issue to be solved. By assigning the participants a role that is different from what they usually play in their daily life, they will be forced to put themselves in the shoes of another actor and to better understand their perspective, priorities, relationships and communication style.

You will need to design cases that are representative of your country.

Sample scenario

This is a story of Mira. Together with her husband Ahmad they have five children. Ahmad is a small-scale fisherman, as were his father, grandfather and great grandfather. Their home is located 100 metres from the coast, and their island is situated far from the provincial capital.

Mira's day begins early. At 4 a.m., she wakes up to take care of the daily household chores. She also helps Ahmad before he goes out to fish and again when he comes back with the catch. Usually she is engaged in unloading,

¹⁸Adapted from ARC Facilitator's Toolkit – Reach-Out Refugee Protection Training Project (UNHCR, 2005).

sorting, gutting, net mending, processing the catch (e.g. salting and sun drying), etc. Although Mira considers herself a fisherwoman, these fishing-related activities are seen by others as an extension of her housework. Mira also sells extra catch at the local market and helps out occasionally, on a daily wage basis, in a small seafood processing plant owned by her neighbour.

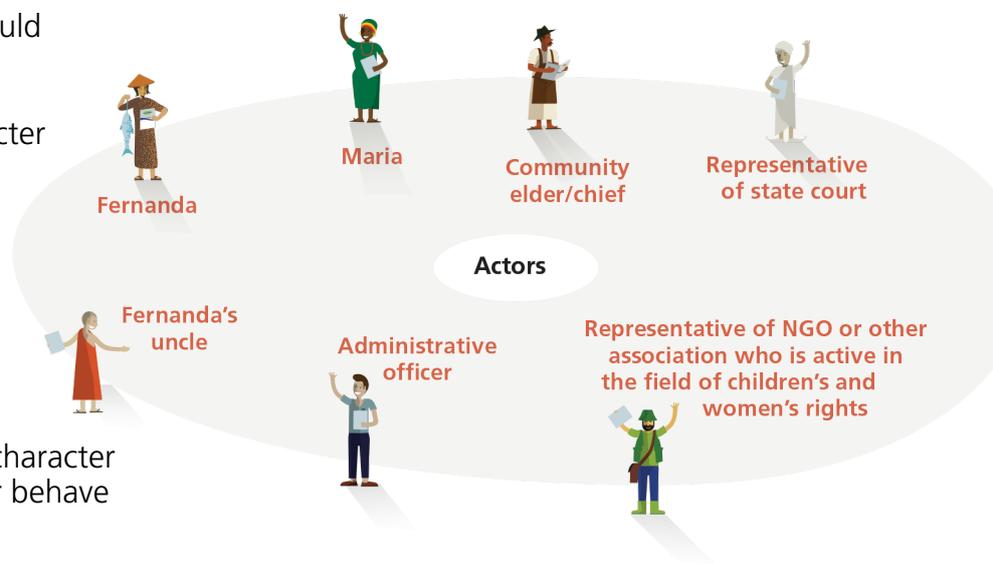
Ahmad fishes ten months a year. He does not fish in lean months or during monsoon season. Although he knows that rough seas make the fishing lifestyle threatening, he defies warnings and goes fishing when he sees no other options.

Mira and Ahmad are only able to get by with what they fish and earn. Sometimes they are unable to send their children to school because they do not have enough money to pay for bus transportation. When they fall sick, they need to travel to the next health post which is 20 km away. Ahmad hopes to avail himself of a government loan provided to fishers, but he is afraid that he does not meet the loan conditions (e.g. does not own a valid vessel license).

Recently they have been informed of the government's plan to promote tourism along the coastal area and to build hotels and a small port for tourists. Some investors have already visited the area. Mira and Ahmad are concerned about their lives and livelihoods, as they are aware what happened to a neighbouring small-scale fishing community in a similar situation: the community members were forcibly relocated, lost their homes and boats, lost their access and control over traditional fishing grounds, and now can no longer enter the beaches which they have used for generations. Apparently, many of them have migrated elsewhere. The local authorities keep silent on the matter.

For each role you should provide a brief that:

1. Defines the character
2. Defines the character's goal
3. Defines the character's position/role/responsibility
4. Defines how the character is likely to react or behave



Sample facilitation questions

The following are some sample questions to facilitate the discussion after this role-play. Prepare 3–5 questions in advance, adapted to the particular role-play scenario.

General questions

- What did you learn from the scenario?
- How are the perspectives on governance of tenure different among the actors?
- How are the perspectives on responsible fisheries and sustainable development for small-scale fishers different among the actors?
- What did you think about how the issues were or were not resolved?
- How could the VGGT and SSF Guidelines be used to address the situation?
- How could you apply what you learned in this role-play to your own work?

Scenario-specific questions

- What is the case about?
- What do you think about Mira's engagement as a fisherwoman?
- Do you agree that Mira should be considered a fisherwoman? Why or why not? How did this custom develop?
- How will the tenure situation change when the investors come in and start building hotels?
- What could be the future for Mira and Ahmad?
- What are the main differences between statutory law and customary rules?
- What do you think about the principle of equality between men and women? Do you think that this principle was violated?
- What could Mira and Ahmad do to ensure that their access to fishing grounds and land are guaranteed in order to ensure their livelihoods?

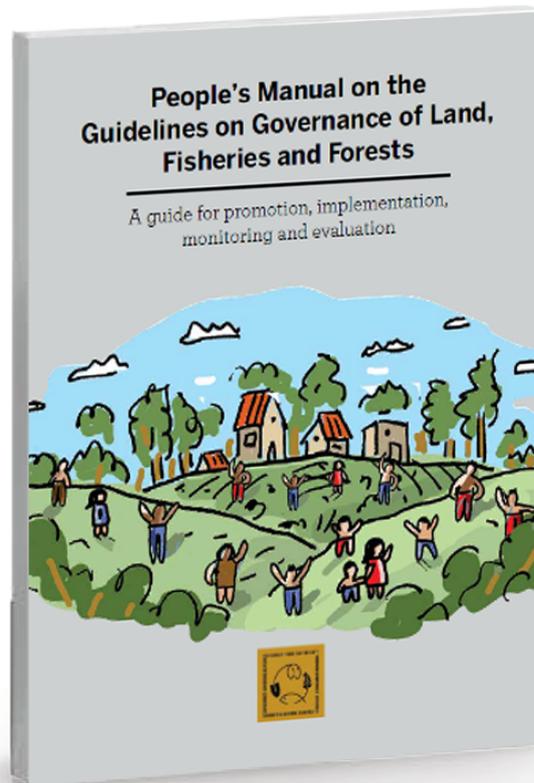


SESSION 14 - Training material Chapter 2 of the *People's Manual*



CHAPTER 2

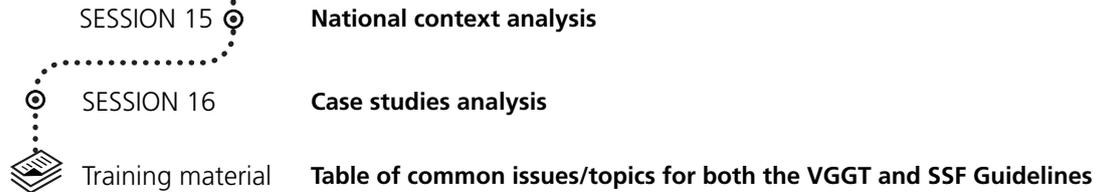
When conflicts arise, what do the Guidelines tell us?



AVAILABLE AT:

www.foodsovereignty.org/wp-content/uploads/2016/06/peoplesmanual.pdf

D Analytical reflection



Purpose	To give the participants a common understanding of the national tenure governance situation and the socioeconomic challenges faced by small-scale fisheries, as well as information on the relevant national processes.
Steps	<ol style="list-style-type: none"> 1. Explain the purpose of the session. 2. Make a 20-minute presentation on the national context analysis for tenure governance and challenges faced by small-scale fisheries. 3. Facilitate a 30-minute question-and-answer/discussion session.
Materials	PowerPoint presentation or posters to be prepared by the facilitators
Suggested time	1 hour
Comments and tips	<ul style="list-style-type: none"> • The situation of tenure governance as well as social and economic challenges of small-scale fishers in the country will be introduced. The presentation should be concise and should help participants to get a broad perspective on governance of tenure in the country and major challenges faced by small-scale fishers, possibly highlighting some facets that are not so well known. The presentation could consider the following points: <ul style="list-style-type: none"> • legal and policy framework; • government institutions involved; • main tenure governance issues related to land, forestry and fisheries; • consideration of issues related to marginalized populations, women, Indigenous groups, migrant small-scale fishers, children and youth, etc.; • socioeconomic challenges; • ongoing reform efforts; • coordination mechanisms; and • role of civil society. <p>The presentation should also include a timeline to show the major milestones or events affecting the governance of tenure.</p> <ul style="list-style-type: none"> • The level of information provided in this session may vary according to the pre-existing knowledge of the participants.

SESSION 15
National context analysis
 Presentation

SESSION 16
**Case studies
analysis**
Group Exercise

Purpose

- To analyse local cases using the actual text of the VGGT and SSF Guidelines.
- To identify keywords or entry points from the tenure cases where a link can be made to the text of the VGGT and SSF Guidelines.
- To identify potential uses of the VGGT and SSF Guidelines in relation to the case and areas of action for their potential use.

Steps

1. Explain the purpose of the session.
2. Distribute the table of common issues/topics for both the VGGT and SSF Guidelines and explain how to use it.
3. Split the participants into four or five working groups. Ask each group to select one of the existing case studies from Session 6 to work on.
4. Ask groups to undertake the case study analysis by:
 - a. reviewing the case and identifying the main issues, themes, actors, policies and relevant laws;
 - b. identifying keywords related to the main topics of the VGGT and SSF Guidelines;
 - c. finding the keywords/entry points in the table of common issues/topics and the related chapter/paragraph of the VGGT and SSF Guidelines;
 - d. reading the chapters/paragraphs of the VGGT and SSF Guidelines to become familiar with them; and
 - e. identifying areas of action related to the case based on knowledge of the VGGT and SSF Guidelines.
5. Ask a representative from each group to present the group's results to the plenary and discuss them.

Materials

- Summary of selected cases (handout prepared by the facilitator, as developed in Session 6)
- The flipcharts or summaries of local cases from Session 6 and the flipcharts showing the mapping of actors from Session 7 and Session 12
- Table of common issues/topics for both the VGGT and SSF Guidelines, to be distributed to all participants
- Flipchart
- Markers

Suggested time 2 hours 30 minutes

Comments and tips It is also possible to prepare this session based on Chapter 2 (When conflicts arise, what do the Guidelines tell us?) of the People's Manual.



SESSION 16 - Training material

The table of common issues/topics for both the VGGT and SSF Guidelines



TOPICS

Policy processes and institutional structures

1) Corruption

- Transparency International defines corruption as “abuse of entrusted power for private gain”. Corruption occurs when individuals who hold a position of authority to allocate tenure rights misuse the public power they have been given for private benefit.
- There are two types of corruption:
 - a. The first type is called petty (or administrative) corruption and entails the abuse of office by individual officials who use their power for self-enrichment rather than to execute the tasks for which they are appointed.
 - b. The second type is called grand (or political) corruption and consists of acts committed at a high level of government. It involves illegally transferring economic resources from the state to private interests.
- States should prevent corruption and create conditions which allow small-scale fishers to conduct activities in an environment free not only from corruption and abuse of authority, but also from violence, organized crime activities, piracy, theft, and sexual abuse. Moreover, access to justice must be guaranteed for victims of abuse and violence.

Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT)

Paragraphs 3A5, 5.8, 6.9, 8.9, 9.12, 10.5, 11.7, 15.9, 16.6, 17.5, 18.5, 19.3, 20.4, 21.5

Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines)

Paragraphs 6.9, 11.3

2) Participation

- All decisions that could affect small-scale fishers and fishworkers should involve the participation of those groups (with particular emphasis on the equitable participation of women, their organizations and vulnerable and marginalized groups). Women should be encouraged to participate in fishers’ organizations, and relevant organizational development support should be provided.
- In order to ensure that small-scale fisheries actors can participate in the management of their fishing resources, necessary support must be provided by states, in terms of organizational strengthening and development and a conducive regulatory framework.
- Participatory management systems, such as co-management, should be promoted in accordance with national law.

Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT)

Paragraphs 3B6, 4.4, 4.10, 6.9, 8.6, 8.7, 9.2, 9.7, 9.9, 11.2, 11.3, 12.7, 12.8, 12.9, 12.10, 15.7, 15.10, 20.2, 20.4, 22.1, 22.3, 23.2, 23.3, 24.3, 24.5

Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines)

Paragraphs 3.1.1, 3.1.6, 5.15, 5.18, 6.17, 6.18, 7.2, 8.2, 10.2, 11.3





3) Access to justice

- Access to justice is “the ability of people to seek and obtain a remedy through formal or informal institutions of justice, and in conformity with human rights standards” (UNDP, 2005).
- Aside from access to courts, access to justice and remedies includes restitution, indemnity, compensation and reparation, among others. This access must be fair, transparent, effective, non-discriminatory and accountable.
- States must provide access to timely, affordable and effective means (including alternative means) of resolving disputes over tenure rights, and should provide effective remedies such as entitlement to appeal.
- Access to justice for small-scale fishers (both men and women) who are victims of *inter alia* violence and abuse, including within the household or community, must also be ensured.

Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT)

Paragraphs 3.1.4, 7.3

Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines)

Paragraphs 5.11, 6.9

4) Traditional fisheries knowledge and traditional forms of associations

- Traditional knowledge and traditional forms of associations play a crucial role in sustaining the livelihoods of small-scale fishers and their families.
- Often, small-scale fishers are organized into traditional forms of associations.
- States must recognize traditional forms of associations of fishers and fishworkers and promote their adequate organizational and capacity development throughout the different phases of the value chain.

Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT)

Paragraphs 9.2, 25.5

Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines)

Paragraphs 1.1.f, 2.3, 3.1.2, 3.1, 7.4, 7.5, 11.6, 11.7

5) Policy coherence, institutional coordination and collaboration

- It is crucial to have policy coherence and cross-sectoral collaboration to achieve the objectives of the VGGT and SSF Guidelines.
- Aside from clearly defining the roles and responsibilities of agencies dealing with tenure of land, fisheries and forests, states must ensure coordination between implementing agencies, local governments, Indigenous Peoples and other communities with customary tenure systems.
- The SSF Guidelines have one chapter (Chapter 10) on policy coherence, institutional coordination and collaboration, calling on states to work toward policy coherence with regard to national legislation and policies, international human rights law and other international instruments, with a specific attention to gender equality and equity.
- States should ensure that the overall policy framework for fisheries is coherent with the long-term vision for sustainable small-scale fisheries and human rights, paying particular attention to vulnerable and marginalized peoples.

Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT)

Paragraphs 5.6, 26.4 (VGGT implementation)

Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines)

Paragraphs 10.1–10.8





6) Information, research and communication

- This topic includes the interrelated aspects of access to information and capacity development. There is in general a lack of information and research on small-scale fisheries and thus capacity development at all levels and scales is needed.
- The SSF Guidelines have one chapter (Chapter 11) on information, research and communication, calling for creating systems of fisheries data collection that are of relevance for decision-making on sustainable management of small-scale fisheries, and also generating gender-disaggregated data in official statistics that underline the importance of small-scale fisheries.
- Communication and information are crucial for the effective decision-making of small-scale fisheries. To this end, access to relevant information pertaining to the existing problems faced by small-scale fishers and the improvement of their livelihoods must be ensured.

<p>Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT)</p>	<p>Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines)</p>
<p>Paragraphs 1.2.1, 5.8, 6.5, 8.4, 8.9, 9.4, 9.8, 11.4, 11.5, 12.11, 13.6, 14.4, 15.9, 16.2, 17.2–17.5, 18.3, 18.5, 24.3, 24.4, 25.4, 26.5</p>	<p>Paragraphs 10.6, 11.1–11.10</p>

TOPICS

Criminalization and conflict

7) Protection of human rights defenders

- Human rights defenders are people who “individually or with others, act to promote or protect human rights”¹⁹. States should respect and protect the human, civil and political rights of these human rights defenders, especially those who protect the rights of Indigenous people, peasant farmers, fisherfolk and small-scale fishers, pastoralists, and rural workers.

Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT)

Paragraph 4.8

Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines)

Paragraph 3.1.1

8) Conflict, armed conflict, and occupation

- Insecure tenure can lead to or worsen conflicts, which include armed conflict and situations of occupation.
- States should recognize the problems of tenure during armed and other conflicts, including occupation, and take steps to prevent and eliminate issues of tenure as a cause of conflict.
- States should act in accordance with international humanitarian law.
- Problems should be resolved through peaceful means, also considering customary and other local mechanisms for resolution.
- When conflicts arise, existing legitimate tenure rights should be protected.
- Refugees should be resettled under safe conditions that protect the tenure rights of host communities.
- Access should be provided to timely, affordable and effective conflict resolution and effective remedies.
- Official records of tenure rights must be protected.
- States should seek durable gender-sensitive solutions to tenure problems.

Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT)

Paragraphs 3A, 3.1.5, 9.11; Chapter 25

Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines)

Paragraphs 5.9, 5.12, 6.18



¹⁹See: www.ohchr.org/EN/Issues/SRHRDefenders/Pages/Defender.aspx



9) Illegal, unreported and unregulated fishing

- Illegal fishing practices range from the use of explosives and poisons to the use of highly destructive fishing gear, methods and techniques.
- Ever-increasing competition for resources has compelled small-scale fishers to engage in illegal, unreported and unregulated (IUU) fishing, but there is also ample evidence of large-scale fishing vessels operating illegally in fishing zones which are exclusively reserved for small-scale fisheries.
- IUU fishing has a negative impact on resources, as well as on small-scale fishers whose activities have great social and economic significance, unlike industrial operators whose activities are purely and solely commercial.
- States should ensure that information on IUU fishing is available.

Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT)

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Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines)

Paragraphs 5.16, 11.5

10) Violence (including organized crime activities, piracy, theft and sexual abuse)

- Conflict over land is far more likely to escalate and become violent when land tenure and resource rights are weak, insecure and non-negotiable, and when the land governance systems in place are ineffective, corrupt or otherwise dysfunctional.
- States should establish conditions allowing all small-scale fishing communities to fish and conduct fisheries-related activities free from violence, organized crime activities, piracy, theft and sexual abuse.
- States should also take measures to eliminate violence and protect women exposed to such violence in small-scale fishing communities.

Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT)

Paragraph 25.4

Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines)

Paragraph 6.9

TOPICS

Social justice and development

11) Gender equality and women's rights

- Gender equality is ensured when women and men, and girls and boys, enjoy equal rights, responsibilities and opportunities.²⁰ Gender equity, on the other hand, refers to fairness and impartiality in the treatment of women and men in terms of rights, benefits, obligations and opportunities.²¹ Gender equity and gender equality for responsible governance of tenure can be seen through:
 - gender-equitable participation in the policymaking process;
 - concrete pro-gender equality measures translated into laws;
 - recognition of women's participation in the day-to-day processes of land governance tenure at all levels;
 - gender-sensitive approaches in land administration; and
 - gender-sensitive communication.
- Gender equity and equality are core objectives and guiding principles of the SSF Guidelines.
- Gender equality must be an integral part of all small-scale fisheries development strategies.

Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT)

Paragraphs 3B4, 4.6, 5.3–5.5, 7.1, 7.4, 9.2, 9.6, 15.3, 15.5, 15.6, 15.10, 17.3, 21.1, 23.2, 25.5

Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines)

Paragraphs 1.2, 2.2, 2.4, 3.1.2, 3.1.4, 3.1.5, 5.1, 5.3, 5.4, 5.12, 5.15, 5.18, 6.2, 6.5, 6.7, 6.9, 6.13, 6.14, 7.2, 7.10; Chapter 8; paragraphs 10.1, 10.2, 11.2, 11.10, 12.1, 13.3, 13.4

12) Youth and children

- Responsible governance of tenure must benefit all groups, including youth and children, equally promoting their equitable tenure rights and access to land, fisheries and forests, and ensuring their effective participation in decisions regarding their tenure systems.
- In accordance with the Convention on the Rights of the Child, children's human rights (the right to food and nutrition, the right to housing, the right to education, the right to health, etc.) must be guaranteed and protected from any form of abuse and violation in order to secure the welfare and well-being of children. This is important for the future not only of the children themselves, but of society at large.
- In the small-scale fisheries sector, child labourers are engaged in a wide range of activities, found both on and off shore, on fishing platforms as well as in fishing processing factories. They work as unpaid family labourers or under contract for others. In some instances, they become victims of trafficking or forced labour.
- It is therefore of utmost importance that states guarantee access to schools and education facilities that meet the needs of small-scale fishing communities, and facilitate the availability of decent employment for youth in respect of their career choices, with equal opportunities provided for all (boys, girls, young men and young women).

Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT)

Paragraphs 1.1, 3B3, 9.2, 15.5

Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines)

Paragraphs 6.13, 6.14, 6.15



²⁰See: <https://trainingcentre.unwomen.org/mod/glossary/view.php?id=36&mode=&hook=ALL&sortkey=&sortorder=&fullsearch=0&page=2>

²¹See: www.fao.org/gender/gender-home/gender-why/why-gender/en/



13) Capacity development

- Capacity development is “a process by which certain abilities are enhanced, including the ability to set and achieve objectives, perform functions, solve problems, and also to develop the means and conditions required to enable this process” (SADC and FAO, 2004).
- The capacity of small-scale fisheries actors to participate in decision-making processes should be enhanced, with a focus on women.
- Capacity development should be a two-way process. Knowledge and skills should be developed to support sustainable development and successful co-management arrangements.
- Because of the extra barriers faced by many women members of fishing communities, special attention must be given to supporting capacity development for women.

Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT)

Paragraphs 9.2, 12.9, 13.5, 26.3

Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines)

Paragraphs 7.10, 11.8, 11.9; Chapter 12; paragraph 13.2

14) Social development and access to social services (e.g. schools and education)

- Social development refers to “processes of change that lead to improvements in human well-being, social relations and social institutions, and that are equitable, sustainable, and compatible with principles of democratic governance and social justice” (UNRISD, 2011, p. 2). Social development (which also includes access to social services) is a crucial dimension of small-scale fisheries.
- States should apply a holistic approach to small-scale fisheries development and management.
- States should ensure the progressive realization of the right of small-scale fishers and fishworkers to an adequate standard of living.
- States should promote investment in health, education, literacy, digital inclusion and other technical skills.
- States should provide access to schools and education facilities, recognizing the importance of children’s well-being and education for their future.
- Access to social security schemes for all workers, with emphasis on inclusion and access of women to these services in small-scale fisheries along the entire value chain, should be enabled.

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Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines)

Paragraphs 5.2, 6.1–6.4, 6.14, 6.15, 9.2





15) Transboundary matters

- Transboundary fisheries are a worldwide phenomenon that has considerable impact on small-scale fisheries.
- As the migration of fishers and fishworkers is common, states should cooperate to allow fair and adequate integration of migrants engaging in sustainable use of fisheries resources and who do not undermine local community-based fisheries governance and development in small-scale fisheries.
- States should cooperate in addressing tenure issues related to land, fisheries and forests that cross over national borders.
- Tenure rights of migrating populations should be protected.
- Tenure rights of small-scale fisheries in transboundary and similar situations (shared waters and fishery resources) should also be protected.
- States should seek a better understanding of transboundary tenure issues such as rangelands, seasonal migration routes of pastoralists, or fishing grounds of small-scale fishers.
- Legal standards of tenure governance should be harmonized.
- Existing international measures should be developed or strengthened to administer tenure rights that cross international boundaries.
- States should also recognize and address the underlying causes and consequences of the transboundary movement of fishers.

Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT)

Paragraphs 1.1, 1.2.4; Chapter 9 (protection of Indigenous communities and other communities with customary tenure); paragraphs 22.1–22.3

Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines)

Paragraphs 5.19, 6.10, 6.11, 11.8

16) Migration and migrants

- For small-scale fisheries, migration (also seasonal migration) is a common livelihood strategy.
- Large-scale migration as a livelihood strategy in response to resource grabbing and inland migration can alter tenure arrangements.
- The main causes behind the migration of small-scale fishers are inter alia landlessness, decline of fishing resources, illegal fishing, and natural hazards caused by climate change.
- If transboundary matters related to tenure arise, tenure rights, livelihoods and food security of migrant populations while in their respective territories must be protected.
- Appropriate frameworks must be created to allow for fair and adequate integration of migrants who are engaged in sustainable use of fisheries resources and who do not undermine governance of local community-based fisheries and development of small-scale fisheries.
- States need to recognize the existence of informal tenure arising from large-scale migrations.
- States must coordinate with relevant national governments with respect to migration of fishers and fishworkers across national borders, and frame policies and management measures in close collaboration with small-scale fisheries organizations and institutions.

Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT)

Paragraphs 10.1, 22.1, 22.2

Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines)

Paragraphs 6.10, 6.13

TOPICS

Economy and labour issues**17) Large-scale development projects**

- Development projects can have a detrimental impact (e.g. loss of tenure, loss of means of livelihood, eviction, migration) on livelihoods in local communities, such as the livelihoods of small-scale peasants and fishers and fishworkers.
- Before any large-scale development projects are implemented, states must consult communities and Indigenous Peoples and consider the social, economic and environmental impacts of such projects.
- Any effective and meaningful consultation with Indigenous Peoples must obtain their free, prior and informed consent in accordance with the UNDRIP.

Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT)

Paragraphs 9.9, 9.10, 12.7, 13.3, 13.4 (land consolidation projects), 13.6

Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines)

Paragraph 5.10

18) Investments

- Investment in natural resources may cause the loss of legitimate tenure rights of local communities.
- For small-scale fishers, promotion of investment in human resource development (e.g. health, education) is needed in order to support sustainable small-scale fisheries.
- Investments should do no harm to the environment, respect human rights and provide guarantees against the loss of legitimate tenure rights. In case of loss of legitimate rights, these should be compensated.
- However, promotion of other kinds of investments, such as those in human resource development (e.g. health, education, literacy, digital inclusion and other skills of a technical nature), as well as infrastructure, organizational structures and capacity development, are needed to support sustainable small-scale fisheries.

Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT)

Paragraphs 1.1, 3B6 (consultation and participation), 3.2 (responsibility of non-state actors); Chapter 12

Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines)

Paragraphs 6.2, 7.3, 10.1





19) Trade and markets

- Access to markets must be ensured for small-scale fishers through capacity building and information.
- States should foster equitable and non-discriminatory trade of small-scale fisheries products in local, national, regional and international markets.
- International trade should not negatively affect the nutritional needs of the local population who depend on fish for their nutritional well-being.
- Benefits from international trade should be distributed fairly, and effective fisheries management systems should be in place to prevent overexploitation of fishery resources driven by market demand.
- In order to support small-scale fisheries in producing good-quality and safe fish and fishery products for markets (both export and domestic), states should provide and promote investment in appropriate infrastructure, organizational structures and capacity development.

Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT)	Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines)
-//-	Paragraphs 7.3, 7.4, 7.6–7.10, 9.6, 9.8, 12.2

20) Forced labour and debt bondage

- Forced labour is defined as “all work or service which is exacted from any person under the menace of any penalty and to which the said person has not offered himself/herself (add-on) voluntarily”.²² Migrant small-scale fishworkers in particular are often forced to work for long hours at very low pay, while engaged in hazardous tasks. In addition, they are forced to work on board vessels under the threat of force or by means of debt bondage. Often brokers and recruitment agencies are involved.
- Forced labourers and victims of debt bondage suffer from illness, physical injury, psychological and sexual abuse, and death. They remain vulnerable while working on board vessels in remote locations of the sea for months and even years.
- States should eradicate forced labour and debt bondage, and implement effective measures to protect fishers and fishworkers (both men and women) as well as children and migrants, with an aim to completely eliminate forced labour in small-scale fisheries.

Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT)	Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines)
Paragraphs 9.3, 12.4, 12.7 (labour standards)	Paragraph 6.13



²²ILO Forced Labour Convention, 1930 (No. 29), Article 2(1).



21) Income and income-generating opportunities

- Responsible governance of tenure of land, fisheries and forests encourages tenure right holders to make responsible investments in these resources, increasing sustainable agricultural production and generating higher incomes.
- Responsible investments should strive to contribute to policy objectives, such as creation of employment and diversification of livelihoods.
- For small-scale fisheries, states should support and develop complementary and alternative income-generating opportunities, in addition to earnings from fisheries-related activities and in support of sustainable resource utilization and livelihood diversification.
- The income and livelihood security of small-scale fishers can be enhanced by recognizing and promoting the traditional forms of associations of fishers and fishworkers and their organizational and capacity development in all stages of the value chain.
- For many small-scale fishers, fishing is not their only means of income. Support is therefore needed to develop complementary (and if so, required) alternative income-generating opportunities.

Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT)

Paragraphs 12.1, 12.4

Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines)

Paragraphs 6.8, 7.4

22) Decent work, unfair working conditions and occupational health issues

- Aside from decent income and fair working conditions, decent work encompasses the notion of security in the workplace, social protection for workers and their families, organization and participation in decisions, and equality of opportunity and treatment for women and men.
- Often fishers are forced to work for long hours at very low pay, while engaged in work that is intense, hazardous and difficult.
- It is estimated that close to 90 percent of all people directly dependent on capture fisheries work in the small-scale fisheries sector; capture fisheries have among the highest occupational fatality rates in the world.
- Safety at sea must be ensured and guaranteed in national laws and regulations, in accordance with existing international guidelines.
- States should promote decent work for all small-scale fishers; address occupational health and safety, and unfair working conditions; work toward elimination of forced and child labour in the sector; and prevent debt bondage.
- Women suffer from double marginalization: a) they are involved in domestic work in addition to fisheries-related work (which is often unrecognized and underpaid), and b) they have inadequate access to basic services (e.g. social security, education).

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Paragraphs 4.8, 12.4

Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines)

Paragraphs 6.3, 6.5, 6.6, 6.12, 6.14, 6.16, 6.17





23) Value chains and post-harvest

- Value chain refers to the stages through which a product passes and gains value (for example through some type of processing method – essentially converting raw fish to a resulting finished or semi-finished product that has more value in the marketplace) (FAO, 2017b, p. 53).
- States and other actors should recognize the central role of the small-scale fisheries post-harvest sector, in which women are largely engaged.
- Access to timely and accurate market and trade information for small-scale fisheries throughout the value chain should be enabled by the state.
- States should facilitate access to credit and infrastructure facilities in post-harvest processing and trade, through representative organizations for women (where possible).
- States need to provide investment in appropriate infrastructure, organizational structures and capacity development for the post-harvest subsector.

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Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines)

Paragraphs 5.18, 6.3, 6.5; Chapter 7; paragraphs 9.6, 9.8, 10.1, 12.1

TOPICS

Environmental and ecological issues**24) Natural disasters and climate change**

- Land, fisheries and forests are affected by natural disasters.
- Natural disasters and climate change increase insecurity of tenure, as they may destroy natural resources and displace people from their land. Insecure tenure can reduce the ability of people to return to their land, inhibiting their ability to recover from a disaster.
- Women and girls are more vulnerable and likely to be negatively affected than men both during and after disasters.
- It is important to restore access to traditional fishing grounds and coastal lands for small-scale fishing communities who have been displaced by natural disasters and/or armed conflicts.
- States should provide support when fishing communities who have suffered from grave human rights violations are rebuilding their lives and livelihoods, including for example the elimination of any form of discrimination against women in tenure practices in case of natural disasters and/or armed conflict.
- With respect to climate change, special attention should be paid to small-scale fishing communities living on small islands.
- In case of disaster caused by humans that impact small-scale fisheries, the responsible parties should be held accountable.

Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT)

Chapter 23; paragraphs 24.1, 24.3, 24.4, 24.5

Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines)

Paragraph 5.12; Chapter 9

25) Holistic and integrated approaches to land, fisheries and forests

- Land, fisheries and forests have a social, cultural, spiritual, economic, environmental and political value.
- All parties should consider integrated and holistic ecosystem approaches to small-scale fisheries management and development that take the complexity of livelihoods into account.
- Due attention to social and economic development may be needed to ensure that small-scale fishing communities are empowered and can enjoy their human rights.

Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT)

Paragraph 3B5

Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines)

Paragraphs 3.1.11, 6.1, 9.3 (disaster and climate change), 10.1, 10.5





26) Resource management

- Responsible management of fisheries resources and aquatic biodiversity must guarantee that benefits are equitably distributed to small-scale fishers and fishworkers. It is also equally important to ensure that resource management meets the developmental and environmental requirements of present and future generations.
- States should adopt measures for long-term conservation and sustainable use of fisheries resources in order to secure the ecological foundation for food production. States should also promote and implement appropriate management systems that give due recognition to the requirements and opportunities of small-scale fisheries.
- With regards to spatial planning, states have a duty to promote diversified sustainable management of land, fisheries and forests, including agro-ecological approaches and sustainable intensification, and to meet the challenges of climate change and food security.

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Paragraphs 8.3, 20.5 (spatial planning)

Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines)

Paragraphs 1.1.b, 1.1.c, 5.1, 5.13, 5.15–5.18, 6.1, 6.7, 6.10, 6.12, 6.17, 7.8, 10.2 (coastal management), 10.7, 11.1, 11.6, 12.4

27) Environmentally sustainable practices and use

- Mechanized fishing and technically advanced fishing equipment have substantially changed traditional small-scale fishing practices.
- States should recognize the role of small-scale fishing communities and Indigenous Peoples to preserve, protect and co-manage local aquatic and coastal ecosystems.
- Environmentally sustainable practices within ecosystem approaches should be promoted by states. This means, for example, discouraging the waste of inputs in small-scale fish handling and processing.
- States should also seek ways – building on existing traditional and local technologies – to create local innovations and culturally appropriate technology transfers to avoid post-harvest losses and waste.
- All actors should respect the long-term protection and sustainable use of land, fisheries and forests.

Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT)

Paragraphs 4.3, 5.3, 8.1, 8.7, 9.1, 9.7, 11.2, 12.12, 20.5

Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines)

Paragraphs 5.1, 5.5, 7.5

28) Overexploitation of resources

- Overexploitation of resources may lead to resource degradation and can impact on the livelihoods of small-scale fishers.
- Policies and financial measures that may contribute to overcapacity and overexploitation of resources can have adverse impacts on small-scale fisheries, and thus should be avoided by states.
- Overexploitation is driven by market demand and can threaten the sustainability of fisheries resources, food security and nutrition. Therefore, states must ensure that effective fisheries management systems are in place to prevent overexploitation.

Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT)

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Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines)

Paragraphs 3.1.10, 5.20, 7.8

TOPICS

Tenure of land, fisheries and forests**29) Human rights and tenure rights to land, fisheries and forests**

- Tenure rights are based on human rights, and the governance of tenure affects the enjoyment of an array of human rights (e.g. the right to food, to housing, to health).
- The VGGT and SSF Guidelines place tenure rights in the context of human rights. The governance of tenure may affect the enjoyment of various human rights including the rights to food, housing and an adequate standard of living for health and well-being, among others.
- Tenure rights are different from simple ownership – they are broader and encompass many types of rights, including rights to possess, occupy and use; to harvest and collect; and to sell, gift, mortgage, lease, and leave by inheritance. In the case of fisheries, tenure rights can include the right to catch fish or other aquatic products.

Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT)

Paragraphs 1.1, 2.2, 3B1–3B10, 3.2, 4.1, 4.8

Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines)

Paragraph 1.2; Chapter 3; paragraphs 5.1, 5.3, 5.4, 6.7, 6.18

30) Recognition of tenure rights to land, fisheries and forests (including ancestral, customary and informal rights)

- States should recognize, respect and protect all legitimate tenure right holders and their rights. For small-scale fisheries, this also means customary rights to aquatic resources and land as well as small-scale fishing areas of small-scale fishers and communities.
- States should enact legislation to recognize and respect all legitimate tenure right holders and their rights. For small-scale fisheries, this also includes customary rights to aquatic resources and land as well as small-scale fishing areas of small-scale fishers and communities.
- States should also take reasonable measures to identify, record and respect legitimate tenure right holders and their rights, whether formally recorded or not; to refrain from infringement of tenure rights of others; and to meet the duties associated with tenure rights.
- Laws and procedures should have clear provisions that allow for the recognition of right holders and their rights, and should clearly specify:
 - how rights are recognized;
 - how rights are recorded; and
 - what they mean in practice.

Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT)

Paragraphs 3A, 4.4, 4.5, 5.3, 7.1, 7.3, 8.2, 9.2; Chapter 10; paragraphs 11.5, 16.1, 17.2, 24.3

Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines)

Paragraphs 5.2, 5.4, 10.2





31) Indigenous Peoples and communities with traditional tenure systems

- Customary tenure refers to tenure of land and other natural resources that is generally associated with Indigenous and traditional communities and governed in accordance with their customs (customary or traditional rights). Customary tenure often exists in parallel with legal tenure based on written laws and regulatory frameworks (statutory rights).
- States should recognize the tenure rights of these groups, including the rights of Indigenous fishing communities, peasants, farmers and pastoralists, and other communities with customary tenure systems.
- Local norms and practices, as well as customary or otherwise preferential access to fishery resources and land by small-scale fishing communities (including Indigenous Peoples and ethnic minorities), should be recognized, respected and protected consistent with international human rights law.

Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT)

Paragraphs 1.2.4, 2.3, 2.4, 4.8, 5.6, 6.5, 6.6, 7.3, 8.4, 8.9; Chapter 9; paragraphs 11.2, 12.7, 13.6, 14.3, 15.5, 17.1, 17.2, 20.2, 20.4, 25.5

Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines)

Paragraphs 3.1.2, 3.1.6, 5.4, 5.5, 6.2, 9.2 (special support for food security, nutrition, housing and livelihoods in situations of natural disasters and climate change), 10.1

32) Land, fisheries and forests that are public or controlled by the public sector, including natural resources that are collectively used and managed (“commons”)

- Commons refers to natural resources such as land, fisheries and forests that are collectively owned, managed and/or used by a community or group of users (e.g. small-scale fishing communities), based on local, customary or Indigenous tenure systems.
- Collective tenure rights, including commons on state land and water resources (including fishery resources), should be protected.
- When determining the use and tenure rights of these resources, their social, economic and environmental objectives must be considered.

Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT)

Paragraph 1.1; Chapter 8

Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines)

Paragraph 5.6

33) Access to and redistribution/restitution of land, fisheries and forests

- States should adopt measures to facilitate equitable access to fishery resources for small-scale fishing communities, including redistributive reform, taking into account the provisions of the VGGT.
- The VGGT explore several ways to facilitate broad and equitable access to land, fisheries and forests through redistribution. The VGGT address the issue of restitution, when appropriate, for individuals, peoples and communities who have lost legitimate rights to land, fisheries and forests.

Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT)

Paragraph 3B2; Chapter 8; paragraphs 11.1, 11.3, 11.8, 13.2; Chapter 14; paragraphs 15.1–15.3, 15.5, 15.6, 15.8, 25.5

Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines)

Paragraphs 5.8 (in reference to the VGGT), 5.11





34) Land speculation and concentration

- Land speculation occurs when certain individuals or companies acquire a tenure right (property or rent) without using the land. Concentration of land occurs when a few individuals or companies hold tenure rights on a high proportion of the available land.
- Land is equally important for small-scale fisheries because of residential and fishery-related uses of land (e.g. processing, landing sites, fish markets).
- States should take measures to prevent undesirable impacts from land speculation or concentration on local small-scale fishing communities, Indigenous Peoples and marginalized groups.

Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT)

Paragraph 11.2

Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines)

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35) Evictions and expropriation

- Insecure tenure leaves communities marginalized and vulnerable to eviction from, and expropriation of (i.e. compulsory acquisition), their land, fisheries and forests. Frequently in most countries, tenure rights are lost in favour of large-scale agricultural production, mining and exploitation of natural and mineral resources, urbanization, and industrialization.
- States should protect people such as small-scale fishing communities against expulsion by force from their land and territories, and ensure that legitimate tenure rights are not taken away in such situations. In case of expropriation for public purposes, the concept of “public purposes” should be defined in law; processes to decide expropriation should be transparent; and participatory mechanisms to value and compensate the evicted should be established to ensure a return to housing and access to productive resources.
- Competition with other users (e.g. sport fishers, tourism development, deep-sea mining, conservation) is increasing within small-scale fisheries, putting especially those who are vulnerable and marginalized in a weaker position due to an imbalance of power. Therefore, states should provide special support when the livelihoods of small-scale fishing communities are threatened due to the development and activities of other sectors.

Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT)

Paragraphs 4.4, 7.6, 9.4, 10.6, 16.1–16.3, 16.7–16.9

Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines)

Paragraphs 5.9, 5.12 (displacement due to natural disasters and/or armed conflict)





36) Spatial planning

- Spatial planning is defined and understood as any attempt by society, particularly the public sector, to influence or control the arrangement and use of land, fisheries and forests. For marine zones specifically, spatial planning is a process of analysing and allocating parts of three-dimensional marine spaces to specific uses, to achieve ecological, economic and social objectives that are usually specified through the political process.
- States should not only reconcile interests but also prioritize the interests and human rights of small-scale fishers in regulated spatial planning programmes.
- Wide public participation must be ensured in the development of planning proposals and the review of draft spatial plans to guarantee that priorities and interests of communities and Indigenous Peoples are reflected.
- States must prevent corruption by establishing safeguards against improper use of spatial planning powers.
- Spatial planning should take into account the need to promote sustainable management of land, fisheries and forests, including agro-ecological approaches, and to meet the challenges of climate change and food security.
- Spatial planning approaches (also inland and marine spatial planning) must take due account of small-scale fisheries' interests and role in integrated coastal zone management, and ensure their consultation and participation when formulating gender-sensitive policies and laws on regulated spatial planning. Furthermore, formal planning systems should consider methods of planning and territorial development used by small-scale fishing and other communities with customary tenure systems, and decision-making processes within those communities.

Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT)

Paragraphs 6.5, 17.2, 17.4; Chapter 20; paragraphs 21.2, 24.1, 24.3, 24.5

Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines)

Paragraph 10.2

37) Preferential access to fisheries resources and fishing grounds/exclusive zones for small-scale fisheries

- In the face of increased competition over fishing resources²³ (e.g. industrial fisheries, tourism, construction of ports and harbours, development of special economic zones, activities of extractive industries such as mining), collective and community-based preferential access to fisheries resources and fishing grounds for small-scale fisheries must be ensured.
- The CCRF (Article 6.18) requests that states guarantee preferential access to traditional fishing grounds and resources as a way to protect the rights of small-scale fishers.

Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT)

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Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines)

Paragraphs 5.4, 5.7

²³See: www.marecentre.nl/mast/documents/MAST10.2_Sharma.pdf

E Contextualized planning

SESSION 17  **Designing an action plan for CSOs**
 Guiding note  **Designing an action plan for CSOs**

Purpose	<ul style="list-style-type: none"> To design an action plan based on the knowledge acquired, and the needs and opportunities identified during the previous sessions. To integrate the action plan into the participants' regular work planning. To create or strengthen the network among the participants for collaboration and collective action.
Steps	<ol style="list-style-type: none"> 1. Explain the purpose of this session. 2. In plenary, decide how the groups will be divided (e.g. by district, by organization, by themes, by area of action) and divide into groups. 3. Specify what should be included in the plan: <ul style="list-style-type: none"> • areas of intervention with reference to the VGGT and SSF Guidelines; • timing related to ongoing processes/agendas; • actors involved; • types of activities; • resources available/needed; • alliances; and • expected outputs, outcomes and impact. 4. Explain that the participants could adapt their existing plan(s) and integrate the new priorities and activities into those, or create a completely new plan. 5. Provide the guiding questions to each group to help organize its work. 6. Ask the participants to reconvene and present the action plans in plenary. 7. Facilitate a discussion and exchange, highlighting areas where networks and collaboration can be strengthened.
Materials	<ul style="list-style-type: none"> Guiding note including the list of guiding questions to help the discussion in the working groups (see below) Sheets of paper for each participant
Suggested time	2 hours 30 minutes
Comments and tips	Ideally, this session should last a full day

SESSION 17
Designing an action plan for CSOs
 Plenary and group exercise



SESSION 17 - Guiding note

Designing an action plan for CSOs



How to structure the work on action plans

Participants will ideally have a full day to design their action plans, but the session can be shortened if needed. The development of the action plans can be broken into four main parts:

Part 1: Sharing CSO experience

First, each participant introduces in the plenary additional information on his/her work or that of his/her organization or community related to tenure and related socioeconomic issues. This information should be additional to what has already been shared during the previous sessions. The goal of this part is to provide a briefing on relevant ongoing issues and processes that the participants are engaged in.

DURATION: 30 – 40 MINUTES

Part 2: Defining the common objective(s)

Next, also in plenary, ask the participants to specify together which is/are the main objective(s) of their collective action. As representatives of CSOs who are either small-scale fishers themselves or working closely with them, what do they want to achieve – and how – with regards to governance of tenure, food security and eradication of poverty among small-scale fishers? They may wish to brainstorm on the following questions:

- What are the common problems faced? Do these problems impact women differently from men? If so, how?
- What are the most compelling needs and issues to be addressed?
- What is achievable?
- What common objectives can be identified?

- Are the identified objectives SMART?
 - **S**pecific: Do they address the matter specifically?
 - **M**easurable: Can they be measured to determine whether they have been achieved?
 - **A**chievable: Are they within the means and capacity of your group (organization, alliance, etc.)?
 - **R**ealistic: Are they practical, and can they be accomplished within a reasonable time frame?
 - **T**ime-bound: Is the time period for reaching the objectives clearly specified?

At the end of this part, the participants should have identified 2–3 common objectives which meet the SMART criteria.

DURATION: 45 MINUTES

Part 3: Action planning

Once the main objectives are defined, the next step is to plan how they will be achieved. Ask the participants to form working groups. These groups could be organized based on common interests. For instance, participants interested in gender and small-scale fisheries and tenure governance issues could be in one group. The working groups should identify:

- specific actions/activities that need to be taken to reach the objective(s);
- who would take responsibility;
- time frame for each action/activity; and
- human and financial resources needed.

It is important that the participants create a visual representation of their intended work plan. For instance, they could use a matrix (such as the one below) or a road map to show the starting point, the actions along the way, and the end destination (goal) within a given timeline.

**Sample Action
Plan Matrix**

ACTION	SPECIFIC ACTIVITY	WHO WILL CARRY IT OUT	TIMELINE	RESOURCES (EXISTING OR NEEDED)
.....
.....
.....
.....
.....

Guiding questions

These guiding questions are intended to help the working groups structure their discussion:

1. Who is in your group? Introduce yourself and explain what your organization is currently doing with regards to fisheries tenure and other issues related to small-scale fisheries. (This question is important in case the participants have not worked together in the previous sessions or have come from different organizations.)
2. Is your work specifically related to the VGGT and SSF Guidelines? If yes, please explain how. If not, how do you think the VGGT and SSF Guidelines could help your organization or the communities that you work with?
3. In which area of your work do you think the VGGT and SSF Guidelines could be useful (e.g. awareness raising, advocacy, policy analysis, alliances)?
4. What is the objective of your action plan? Or, what do you want to achieve with your actions (e.g. stop a land deal in your area, engage in dialogue with the local government, raise awareness of women's fisheries and land rights)?
5. What are the steps you must take to carry out your objectives?
6. What actions or changes should occur?
7. Who will carry out each activity?
8. When will the activities take place, and for how long?

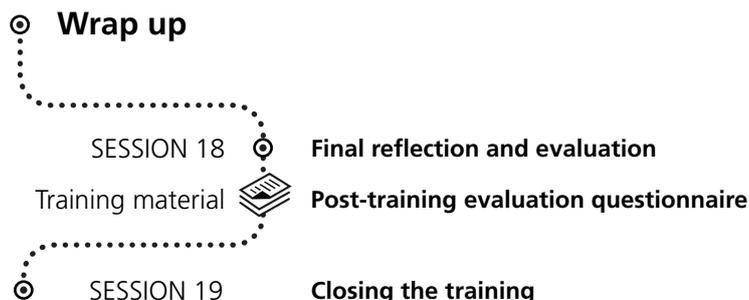
9. What resources (i.e. money, staff) are needed to carry out the actions or changes?
10. What communication strategy is needed? Who should know what?
11. What knowledge or skills are required?

DURATION: 2–2.5 HOURS

Part 4: Presentation of the action plans

In plenary, each working group is asked to present its action plan followed by a facilitated discussion, feedback and exchange. Possible synergies among the different groups and links to the VGGT and SSF Guidelines should be identified and explored.

DURATION: 1 HOUR



SESSION 18
Final reflection and evaluation
Plenary

FINAL REFLECTION	
Purpose	To help the participants consider what is important about what they have just learned and how it might be helpful to them.
Steps	<ol style="list-style-type: none"> 1. Explain the purpose of the session. 2. Invite the participants to get into a comfortable position with their eyes closed. 3. Ask the participants to reflect quietly for about five minutes on what is important about what they have just learned and how it might be helpful to them. 4. Next, say a keyword or phrase that relates to the main ideas that have been covered in the training, and ask the participants to reflect on the word for a couple of minutes. 5. Repeat one or two more keywords or phrases, leaving a couple of minutes for reflection each time. 6. Gather the group into a circle and invite them to share what they believe are the most important or valuable aspects of the ideas they have just reflected on, and how they can best use these ideas in their own situation.
Materials	None
Suggested time	10 minutes
Comments and tips	The facilitator can choose a different technique to facilitate the reflection according to the type of group or culture
EVALUATION	
Purpose	To collect feedback from participants on the training and on the knowledge gained.
Steps	<ol style="list-style-type: none"> 1. Explain the purpose of the session. 2. Provide the participants with an evaluation questionnaire to fill in.
Materials	Post-training evaluation questionnaire (see below)
Suggested time	15–20 minutes
Comments and tips	<ul style="list-style-type: none"> • The evaluation can also be done in plenary asking the participants to evaluate the training in terms of structure and content. • The evaluation sheet can be adjusted by adding or deleting questions as considered appropriate and relevant.

SESSION 18 - TRAINING MATERIAL

Post-training evaluation questionnaire

Please help us evaluate the training by completing this questionnaire.

①

②

③

We will use your feedback to improve our future events. Thanks!

Please answer each question honestly and to the best of your ability.

<p>Name (optional):</p> <p>.....</p> <p>Type of organization:</p> <p>.....</p> <p>Job title/role:</p> <p>.....</p>
--

	 Strongly agree	 Agree	 Neutral	 Disagree	 Strongly disagree
About the format of the training					
1. The training was well organized	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. The objectives of the training were clearly defined	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. The objectives of the training were coherent with my needs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. The training met its objectives	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. I will be able to apply the knowledge learned	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. The length of the sessions was adequate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. The facilitator was knowledgeable	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. The content was well organized and easy to follow	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Class participation and interaction were encouraged	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. All questions raised by participants were answered appropriately	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Overall assessment of the training

<input type="checkbox"/> Excellent	<input type="checkbox"/> Good	<input type="checkbox"/> Average	<input type="checkbox"/> Poor	<input type="checkbox"/> Very poor
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To what extent did you gain confidence in the following topics	Very well	Well	Neutral	Not well	Not at all
1. Main objectives and basic concept of the VGGT and SSF Guidelines	<input type="checkbox"/>				
2. History of CSO engagement in governance of tenure issues and in the elaboration process of the VGGT and SSF Guidelines	<input type="checkbox"/>				
3. Logic and principles of the VGGT and SSF Guidelines	<input type="checkbox"/>				
4. Main topics covered by the VGGT and SSF Guidelines	<input type="checkbox"/>				
5. Main actors and their respective roles and responsibilities with reference to the VGGT and SSF Guidelines	<input type="checkbox"/>				
6. How the VGGT and SSF Guidelines are used worldwide	<input type="checkbox"/>				
7. How CSOs can play a role in the VGGT and SSF Guidelines implementation process	<input type="checkbox"/>				
8. National context analysis	<input type="checkbox"/>				
9. Analysing actors and responsibilities (including of each CSO participant) in improving responsible fisheries and social development for small-scale fisheries (e.g. responsible governance of tenure, especially for small-scale fisheries; sustainable resource management; social development; employment and decent work; value chains, post-harvest and trade; gender equality; and disaster risks and climate change)	<input type="checkbox"/>				
10. Analysing the processes and timeline for improving responsible fisheries and social development for small-scale fisheries	<input type="checkbox"/>				
11. Analysing entry points in the VGGT and SSF Guidelines from local cases	<input type="checkbox"/>				
12. Analysing possible uses of the VGGT and SSF Guidelines by CSOs in country and elsewhere	<input type="checkbox"/>				
13. Analysing possible areas of action	<input type="checkbox"/>				
14. Designing an action plan on the basis of specific criteria	<input type="checkbox"/>				

About the usefulness of the training	 Strongly agree	 Agree	 Neutral	 Disagree	 Strongly disagree
The training was useful from my job's perspective	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I gained new knowledge and skills from the training	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The knowledge and skills learned will change my way of working	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

What do you consider was the most useful and why?

What do you consider was least useful and why?

Please indicate one thing you plan to do differently after taking this training workshop

Is there anything that was not covered in the sessions but should have been? If so, please list

Were your expectations met?

Further suggestions:

SESSION 19
**Closing
the training**
Plenary

Purpose	<ul style="list-style-type: none">• To provide a formal end to the training.• To encourage participants to carry out their action plans once they have returned to their daily lives.
Steps	<ol style="list-style-type: none">1. Make closing remarks for the training session.2. Distribute certificates of attendance to the participants.
Materials	<ul style="list-style-type: none">• PowerPoint presentation or a briefing note prepared by the speaker• Laptop computer and projector (if a PowerPoint presentation is used)
Suggested time	30 minutes



ANNEX:
**LEARNING OBJECTIVES
AND RESOURCES**

LEARNING
OBJECTIVES**1. Understand
the background
and the process
of development
of the VGGT and
SSF Guidelines**

LEARNING STEPS	CONTENT OF EACH STEP	RESOURCES
Illustrate the main objectives, basic concepts and definition of the VGGT and SSF Guidelines	Explain what the VGGT and SSF Guidelines are: two instruments based on the core concepts of their respective titles. Participants will learn to unpack the meanings of “responsible”, “governance”, “tenure”, “responsible fisheries” and “small-scale fisheries”	<ul style="list-style-type: none"> E-learning course: Introduction to the Responsible Governance of Tenure – Lessons 1, 2 (www.fao.org/elearning/#/elc/en/course/VG1) People’s Manual – Chapter 1 (www.foodsovereignty.org/wp-content/uploads/2016/06/peoplesmanual.pdf) Introductory section of the technical guide Governing land for women and men (www.fao.org/docrep/017/i3114e/i3114e.pdf) E-learning course: Governing land for women and men (www.fao.org/elearning/#/elc/en/course/VGG) Introduction of the technical guide Improving governance of forest tenure (www.fao.org/docrep/018/i3249e/i3249e.pdf)
Describe the history of CSO engagement in governance of tenure and sustainable small-scale fisheries at the international level	Briefly describe the processes that have underpinned the creation of the VGGT and SSF Guidelines and highlight where CSOs have played an important role: for example, in key events such as the World Food Summit in Rome (1996), the ICARRD conference in Porto Alegre (2006) and the First Global Conference on Small-Scale Fisheries (2008)	<ul style="list-style-type: none"> FAO Strategy for Partnerships with Civil Society Organizations – Chapter II (Background) (www.fao.org/docrep/018/i3443e/i3443e.pdf) Report of the Global Conference on Small-Scale Fisheries. Securing Sustainable Small-Scale Fisheries: Bringing Together Responsible Fisheries and Social Development, Bangkok, Thailand, 13–17 October, 2008 (www.fao.org/docrep/012/i1227t/i1227t.pdf)
Describe CSO engagement in the VGGT and SSF Guidelines elaboration and negotiation process	Describe the VGGT and SSF Guidelines preparation and negotiation and how CSOs were organized to participate (i.e. regional multi-actor consultations, regional CSO consultations and CFS negotiations)	<ul style="list-style-type: none"> People’s Manual – Chapter 1 (www.foodsovereignty.org/wp-content/uploads/2016/06/peoplesmanual.pdf) FAO Strategy for Partnerships with Civil Society Organizations – Chapter VI (Strategy Implementation) (www.fao.org/docrep/018/i3443e/i3443e.pdf) Land Tenure Working Paper No. 25: Reaching consensus on the governance of tenure (www.fao.org/3/a-i3935e.pdf) Human Rights First. A recent Technical Consultation discussed the Voluntary Guidelines for Securing Sustainable Small-scale Fisheries (SSF Guidelines) (http://aquaticcommons.org/17548/1/Sam%2067.pdf, pp. 33–35) Workshop Report: Towards Socially Just and Sustainable Fisheries: ICSF Workshop on Implementing the FAO Voluntary Guidelines for Securing Sustainable Small-scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines), 21–24 July 2014, Puducherry, India (https://igssf.icsf.net/images/proceedings/pdf/english/issue_142/142_Pondy%20SSF%20WR_14_Dec2014_ALL.pdf)

LEARNING STEPS	CONTENT OF EACH STEP	RESOURCES
Describe the logic and principles of the VGGT and SSF Guidelines.	Clarify the organization of the chapters of the guidelines (i.e. where to find specific information) and explain the guiding principles	<ul style="list-style-type: none"> • E-learning course: Introduction to the Responsible Governance of Tenure – Lessons 1, 2, 3, 4 (www.fao.org/elearning/#/elc/en/course/VG1) • Summary: Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (https://igssf.icsf.net/images/SSF%20India%20workshop/COPYRIGHT/ICSF%20english.pdf)
Illustrate the main topics: Human rights and tenure rights to land, fisheries and forests		<ul style="list-style-type: none"> • E-learning course: Introduction to the Responsible Governance of Tenure – Lessons 1, 3, 4 (www.fao.org/elearning/#/elc/en/course/VG1) • People's Manual – Chapter 1, Chapter 3 (1.A) (www.foodsovereignty.org/wp-content/uploads/2016/06/peoplesmanual.pdf) • Technical guide: Governing land for women and men – Introductory part (www.fao.org/docrep/017/i3114e/i3114e.pdf) • E-learning course: Governing land for women and men (www.fao.org/elearning/#/elc/en/course/VGG) • E-learning course: Respecting Free, Prior and Informed Consent (www.fao.org/elearning/#/elc/en/course/FPIC) • Workshop Proceedings: Exploring the human rights-based approach in the context of the implementation and monitoring of the SSF Guidelines (www.fao.org/3/a-i6933e.pdf)
Recognition of tenure rights to land, fisheries and forests, including ancestral, customary and informal rights		<ul style="list-style-type: none"> • E-learning course: Introduction to the Responsible Governance of Tenure – Lesson 3 (www.fao.org/elearning/#/elc/en/course/VG1) • E-learning course: Respecting Free, Prior and Informed Consent (www.fao.org/elearning/#/elc/en/course/FPIC) • People's Manual – Chapter 1; Cases 1, 3, 4 (www.foodsovereignty.org/wp-content/uploads/2016/06/peoplesmanual.pdf) • Technical guide: Governing land for women and men – Module 2 (legal issues) (www.fao.org/docrep/017/i3114e/i3114e.pdf) • E-learning course: Governing land for men and women (www.fao.org/elearning/#/elc/en/course/VGG) • Technical guide: Respecting free, prior and informed consent – Ascertaining the legal status of land (p. 19) (www.fao.org/elearning/#/elc/en/course/FPIC) • Technical guide: Governing Tenure Rights to Commons (www.fao.org/3/a-i6381e.pdf) • Technical guide: Improving governance of pastoral lands • Technical guide: Support the Implementation of the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (www.fao.org/docrep/018/i3420e/i3420e.pdf)

LEARNING OBJECTIVES

2. Explain the main topics covered by the VGGT and SSF Guidelines



<p>▶ Indigenous Peoples and communities with traditional tenure systems</p>	<ul style="list-style-type: none">• E-learning course: Respecting Free, Prior and Informed Consent (www.fao.org/elearning/#/elc/en/course/FPIC)• People's Manual – Introductory part; Cases 1, 3, 4 (www.foodsovereignty.org/wp-content/uploads/2016/06/peoplesmanual.pdf)• Technical guide: Improving governance of pastoral lands (https://workspace.fao.org/form/pws/Lists/Publications%20Workflow%20System/Attachments/3096/web_TG_Pastoralism_Preflight_29072016.pdf)
<p>Land, fisheries and forests which are public or controlled by the public sector, including natural resources that are collectively used and managed (also referred to as commons)</p>	<ul style="list-style-type: none">• People's Manual – Case 5 (www.foodsovereignty.org/wp-content/uploads/2016/06/peoplesmanual.pdf)• Technical guide: Respecting free, prior and informed consent (www.fao.org/docrep/019/i3496e/i3496e.pdf)• Technical guide: Governing land for women and men – Module 3 (institutions) (www.fao.org/docrep/017/i3114e/i3114e.pdf)• E-learning course: Governing land for women and men (www.fao.org/elearning/#/elc/en/course/VGG)• Technical guide: Governing Tenure Rights to Commons (www.fao.org/3/a-i6381e.pdf)
<p>Access to land, redistribution and restitution</p>	<ul style="list-style-type: none">• People's Manual – Chapter 1 (www.foodsovereignty.org/wp-content/uploads/2016/06/peoplesmanual.pdf)• E-learning course: Addressing Disputes and Conflicts Over the Tenure of Natural Resources (www.fao.org/elearning/#/elc/en/course/VG7)• E-learning course: Spatial planning in the context of the responsible governance of tenure (www.fao.org/elearning/#/elc/en/course/VG4A)• Technical guide: Governing land for women and men – Module 4 (technical issues) (www.fao.org/docrep/017/i3114e/i3114e.pdf)• E-learning course: Governing land for women and men (www.fao.org/elearning/#/elc/en/course/VGG)• Technical guide: Respecting free, prior and informed consent – “Ascertaining the legal situation of land” and “Mapping claims to and uses of land” (www.fao.org/docrep/019/i3496e/i3496e.pdf)• Technical guide: Responsible governance of tenure and the law (www.fao.org/3/a-i5449e.pdf)

<p>Evictions and expropriation</p>	<ul style="list-style-type: none"> • People's Manual – Case 1 (www.foodsovereignty.org/wp-content/uploads/2016/06/peoplesmanual.pdf) • E-learning course: Addressing Disputes and Conflicts Over the Tenure of Natural Resources (www.fao.org/elearning/#/elc/en/course/VG7) • E-learning course: Addressing Corruption in the Tenure of Land, Fisheries and Forests (www.fao.org/elearning/#/elc/en/course/VG6) • E-learning course: Respecting Free, Prior and Informed Consent (www.fao.org/elearning/#/elc/en/course/FPIC) • Technical guide: Governing land for women and men – Module 2 (legal issues) (www.fao.org/3/a-i3114e.pdf) • E-learning course: Governing land for women and men (www.fao.org/elearning/#/elc/en/course/VGG) • Technical guide: Responsible governance of tenure and the law (www.fao.org/3/a-i5449e.pdf) • Technical guide: Safeguarding land tenure rights in the context of agricultural investment (www.fao.org/3/a-i4998e.pdf)
<p>Investments</p>	<ul style="list-style-type: none"> • People's Manual – Case 1 (www.foodsovereignty.org/wp-content/uploads/2016/06/peoplesmanual.pdf) • Technical guide: Respecting free, prior and informed consent (www.fao.org/3/a-i3496e.pdf) • Technical guide: Responsible governance of tenure: a technical guide for investors (www.fao.org/3/a-i5147e.pdf) • Technical guide: Safeguarding land tenure rights in the context of agricultural investment (www.fao.org/3/a-i4998e.pdf)
<p>Corruption, land speculation and concentration</p>	<ul style="list-style-type: none"> • E-learning course: Introduction to the Responsible Governance of Tenure – Lesson 3 (www.fao.org/elearning/#/elc/en/course/VG1) • E-learning course: Addressing Corruption in the Tenure of Land, Fisheries and Forests (www.fao.org/elearning/#/elc/en/course/VG6) • Technical guide: Responsible governance of tenure: a technical guide for investors (www.fao.org/3/a-i5147e.pdf) • Technical guide: Safeguarding land tenure rights in the context of agricultural investment (www.fao.org/3/a-i4998e.pdf)



<p>▶ Participation of individuals, communities and social organizations in decision-making processes</p>	<ul style="list-style-type: none">• E-learning course: Introduction to the Responsible Governance of Tenure – Lesson 1 (www.fao.org/elearning/#/elc/en/course/VG1)• E-learning course: How to monitor and promote policy changes on governance of tenure (www.fao.org/elearning/#/elc/en/Course/VG9)• People’s Manual – Chapter 1, Chapter 3 (IV.B) (www.foodsovereignty.org/wp-content/uploads/2016/06/peoplesmanual.pdf)• Technical guide: Governing land for women and men – Module 1 (policymaking) (www.fao.org/docrep/017/i3114e/i3114e.pdf)• E-learning course: Governing land for women and men (www.fao.org/elearning/#/elc/en/course/VGG)
<p>Protection of defenders of rights to land, fisheries and forests and access to justice</p>	<ul style="list-style-type: none">• E-learning course: Addressing Disputes and Conflicts Over the Tenure of Natural Resources – Lesson 3 (www.fao.org/elearning/#/elc/en/course/VG7)• E-learning course: Addressing Corruption in the Tenure of Land, Fisheries and Forests (www.fao.org/elearning/#/elc/en/course/VG6)• People’s Manual – Case 4, Chapter 3 (Part IV) (www.foodsovereignty.org/wp-content/uploads/2016/06/peoplesmanual.pdf)• Technical guide: Responsible governance of tenure and the law (www.fao.org/3/a-i5449e.pdf)• Technical guide: Safeguarding land tenure rights in the context of agricultural investment (www.fao.org/3/a-i4998e.pdf)
<p>Gender and women’s rights</p>	<ul style="list-style-type: none">• Technical guide: Governing land for women and men (www.fao.org/3/a-i3114e.pdf)• E-learning course: Governing land for women and men (www.fao.org/elearning/#/elc/en/course/VGG)• People’s Manual – Case 4 (www.foodsovereignty.org/wp-content/uploads/2016/06/peoplesmanual.pdf)• Handbook: Towards gender-equitable small-scale fisheries governance and development (www.fao.org/3/a-i7419e.pdf)
<p>Holistic and integrated approaches to land, fisheries and forests</p>	<ul style="list-style-type: none">• E-learning course: Introduction to the Responsible Governance of Tenure – Lesson 4 (www.fao.org/elearning/#/elc/en/course/VG1)• People’s Manual – Chapter 1 (www.foodsovereignty.org/wp-content/uploads/2016/06/peoplesmanual.pdf)
<p>Transboundary matters</p>	<ul style="list-style-type: none">• E-learning course: Addressing Disputes and Conflicts Over the Tenure of Natural Resources – Lesson 3 (www.fao.org/elearning/#/elc/en/course/VG7)• People’s Manual – Chapter 1, Case 8 (www.foodsovereignty.org/wp-content/uploads/2016/06/peoplesmanual.pdf)

Armed conflicts and occupation	<ul style="list-style-type: none"> E-learning course: Addressing Disputes and Conflicts Over the Tenure of Natural Resources (www.fao.org/elearning/#/elc/en/course/VG7) People's Manual – Case 6 (www.foodsovereignty.org/wp-content/uploads/2016/06/peoplesmanual.pdf)
Natural disasters and climate change	<ul style="list-style-type: none"> E-learning course: Tenure issues in the context of natural disasters (www.fao.org/elearning/#/elc/en/course/VG8) People's Manual – Case 9 (www.foodsovereignty.org/wp-content/uploads/2016/06/peoplesmanual.pdf)
Value chains	<ul style="list-style-type: none"> Technical paper: Value chain dynamics and the small-scale sector (www.fao.org/3/a-i3630e.pdf)
Labour	<ul style="list-style-type: none"> ILO report: Caught in Sea. Forced Labour and Trafficking in Fisheries (www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_214472.pdf)

LEARNING STEPS	CONTENT OF EACH STEP	RESOURCES
Analyse actors and roles and responsibilities (including CSOs) in improving the governance of tenure	Analyse the actors involved in the governance of tenure and define their roles and responsibilities	<ul style="list-style-type: none"> E-learning course: Introduction to the Responsible Governance of Tenure – Lessons 2, 4 (www.fao.org/elearning/#/elc/en/course/VG1) People's Manual – Chapter 1 (www.foodsovereignty.org/wp-content/uploads/2016/06/peoplesmanual.pdf) Technical guide: Governing land for women and men – Module 1 (policymaking) (www.fao.org/docrep/017/i3114e/i3114e.pdf) E-learning course: Governing land for women and men (www.fao.org/elearning/#/elc/en/course/VGG) Technical guide: Respecting free, prior and informed consent – Introduction (“Duties and responsibilities”), Identifying right-holders, Identifying decision-making institutions and representatives (www.fao.org/3/a-i3496e.pdf)
Analyse processes, timeline and possible entry points for improving governance of tenure	This content is covered in the step below related to identifying entry points for the VGGT and SSF Guidelines (learning objective 4)	<ul style="list-style-type: none"> E-learning course: How to monitor and promote policy changes on governance of tenure (www.fao.org/elearning/#/elc/en/Course/VG9)
Conduct a communication assessment	Identify stakeholders' knowledge gaps in relation to the governance of tenure and to understand social networks and information flows	<ul style="list-style-type: none"> Sourcebook: Communications for Rural Development – Module 2, Section 2 (participatory rural communication appraisal) (www.fao.org/3/a-i3492e.pdf)

LEARNING OBJECTIVES

3. Identify the main actors and processes and their respective roles in tenure governance

LEARNING
OBJECTIVES**4. Understand
how to assess
the local tenure
situation,
including
conducting
analyses of
specific cases in
the country**

LEARNING STEPS	CONTENT OF EACH STEP	RESOURCES
Looking at the local context, identify the entry points linking to the VGGT and SSF Guidelines	Have the participants look into their own cases to identify the entry points to the VGGT and SSF Guidelines	<ul style="list-style-type: none"> Table of common issues/topics for both the VGGT and SSF Guidelines

LEARNING
OBJECTIVES**5. Apply the
VGGT and SSF
Guidelines to
prepare an
agenda for action
for CSOs to
implement both
instruments**

LEARNING STEPS	CONTENT OF EACH STEP	RESOURCES
Illustrate possible uses of the VGGT and SSF Guidelines by CSOs in country and elsewhere	Provide examples of concrete uses of the VGGT and SSF Guidelines	<ul style="list-style-type: none"> People's Manual – Chapter 3 (www.foodsovereignty.org/wp-content/uploads/2016/06/peoplesmanual.pdf)
Identify the possible areas of action from a CSO perspective	Participants will learn how to classify the different possible actions: policy dialogue / normative activities / advocacy / knowledge sharing / field project / monitoring and implementation of the VGGT and SSF Guidelines	<ul style="list-style-type: none"> People's Manual – Chapter 3 (Part IV.A–F, Part V) (www.foodsovereignty.org/wp-content/uploads/2016/06/peoplesmanual.pdf)
Design strategies and actions to integrate the VGGT and SSF Guidelines into daily work and current processes on governance of tenure in the country	Participants will learn how to prepare a strategy for action	<ul style="list-style-type: none"> People's Manual – Chapter 3 (Part IV.A–F, Part V) (www.foodsovereignty.org/wp-content/uploads/2016/06/peoplesmanual.pdf) E-learning course: How to monitor and promote policy changes on governance of tenure (www.fao.org/elearning/#/elc/en/Course/VG9) Technical guide: Governing land for women and men – Module 5 (getting the message across) (www.fao.org/docrep/017/i3114e/i3114e.pdf) E-learning course: Governing land for women and men (www.fao.org/elearning/#/elc/en/course/VGG) Technical guide: Respecting free, prior and informed consent – “Carrying out iterative consultations and information sharing”, “Establishing a grievance process”, “Providing access to independent sources of information and advice” and “Reaching agreement and making it effective” (www.fao.org/3/a-i3496e.pdf)

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The Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT) and the Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines) are two internationally agreed instruments that can be used by different actors to improve the governance of tenure of land, fisheries and forests as well as to improve the socioeconomic conditions of small-scale fishers and fishworkers, with the aim to contribute to the progressive realization of the human right to food.

They are available in several languages.

This Learning Guide has been developed in partnership between several divisions of FAO and FIAN International, adapting the previous version, Putting the Voluntary Guidelines on Tenure into Practice: A Learning Guide for Civil Society Organizations, to include the specificities of the small-scale fisheries sector. It was tested in 2018 in several countries in Asia, Africa and Latin America by national counterparts, who had a key role in assessing the guide's relevance and adding their input to improve the present document. Subsequently a stocktaking exercise was conducted at the end of 2018 which gathered lessons learned and feedback from experts. The current version of the Learning Guide is the result of this testing process.

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