

# COUNTRIES HELP TURN VOLUNTARY GUIDELINES ON TENURE INTO ACTION



**WORKING FOR** people without secure tenure of land, fisheries and forests

**WORKING TO** help countries use Guidelines to improve their tenure policy

**WORKING WITH** governments, civil society, academia, private sector and regional organizations

**WORKING THANKS TO** Switzerland, Belgium, EU, Germany, IFAD



**A**s the Central African Republic undergoes a process to harmonize its multiple and often overlapping legal frameworks on tenure, it uses the *Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security* as a standard on which to base decisions. Other sub-Saharan countries, reforming their forest tenure and management policies and legislation, report that they now refer to the Guidelines to set a standard that ensures communities do not lose access to forests for livelihood purposes. Representatives from academia will begin integrating the Guidelines into their courses, to imbue their students with awareness of their value in establishing a baseline for setting tenure policies, laws and programmes.

All of this emerged at a December 2012 workshop hosted by FAO in Cameroon, which gathered 70 experts from 14 francophone Africa countries. This was the first of a series of regional workshops set up by FAO to raise awareness of

**In the first decade of this century**, the developing world dealt with an unprecedented level of large-scale land acquisition by international speculators and global agribusinesses, mainly in Africa. Other, related issues included corruption in natural resource administration, conflicting claims over natural resources, and lack of recognition of customary tenure systems. This focused global attention on the need for more responsible governance of tenure. It was against this backdrop that more than a thousand experts from governments, academia, civil society organizations (CSOs) and the private sector, representing 133 countries, participated in a series of consultations, workshops, drafting committees and intergovernmental negotiations led by FAO and the Committee on World Food Security (CFS). These resulted in a document considered a landmark achievement – the *Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security*. Its approval, in May 2012, marked a huge step in setting global standards for tenure policy to protect smallholders in developing countries. Now FAO has begun taking steps to transform the words on paper into concrete actions on the ground.

the Guidelines. Participants learn about the content, discuss how they might implement them in their own

countries, and establish regional networks so they can continue discussing ideas broached at the



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meeting. They also share information about national initiatives.

Whenever possible, the regional workshops are complemented by national events to discuss the use and implementation of the Guidelines. FAO also works with individual governments and civil society to develop capacity and strengthen partnerships, in order to facilitate the implementation process.

**GUIDELINES REPRESENT GLOBAL CONSENSUS**

The fact that the worldwide consultations and negotiations that led to the Guidelines were completed in just three years is testament that countries recognize the importance of securing people's tenure rights and their equitable access to resources. In fact the Guidelines were endorsed by the UN General Assembly in December 2012.

While they are voluntary, their existence in the global arena represents an enormous step forward in protecting the rights of the world's rural communities. They provide a well-thought-out, shared vision of principles and practices that can serve as an equal starting point for governments in making laws and administering tenure rights to land, fisheries and forests.

The Guidelines, which apply equally to both developed and developing countries, are useful in guiding politics and legislation, setting out principles and providing benchmarks for activities. They can guide the establishment of strategies to address a myriad of problems such as overlapping tenure rights and disputes over natural resources. They promote a rights-based approach, encouraging governments to recognize, respect, safeguard and promote legitimate tenure rights, and they also present best practices for recognizing and protecting legitimate tenure rights, even those from informal systems. They also include best practices for registration and transfer of those rights.

**TENURE SECURITY ENCOURAGES OWNERS TO INVEST IN IMPROVEMENT**

As shown over the years, those who have tenure security are much more likely to invest in improving their land, fisheries or forests, protect it or plan its use on a long-term basis. The Guidelines present directives for a host of practical tenure issues, such as keeping tenure administrative services accessible, affordable and transparent, managing expropriations and restitution of land to people forcibly evicted in the past, recognizing the

rights of indigenous communities, and dealing with urban expansion into rural areas. The answers are all there, in the Guidelines.

The approval of the Guidelines is universally recognized as an enormous step forward in setting fair standards for tenure in all countries of the world. The FAO regional meetings and support programme now take it to a next level – raising national capacity to turn words on paper into on-the-ground action by using the Guidelines as a reference in national policies, legislation and programmes. Those who attended the Cameroon workshop have now taken ideas back to their countries, as will the representatives of dozens of other countries who attend the other regional workshops FAO will host. These workshops are the first step in facilitating the implementation of the Guidelines in countries. As has been shown, when tenure rights are secure, and when they provide poor and vulnerable people with equitable rights to land, fisheries and forests, it is a key step in the fight against hunger and poverty and a starting point towards sustainable rural development.