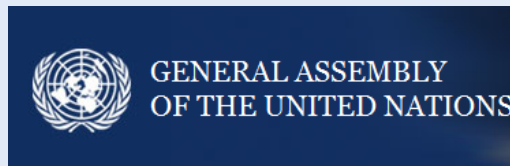




Voluntary Guidelines on the
**RESPONSIBLE GOVERNANCE
OF TENURE OF LAND,
FISHERIES AND FORESTS**
in the context of national food security

Tea Dabrundashvili
Land Tenure Officer

Deqing, China
27 September
2018



AN UNPRECEDENTED INTERNATIONAL AGREEMENT ON TENURE GOVERNANCE

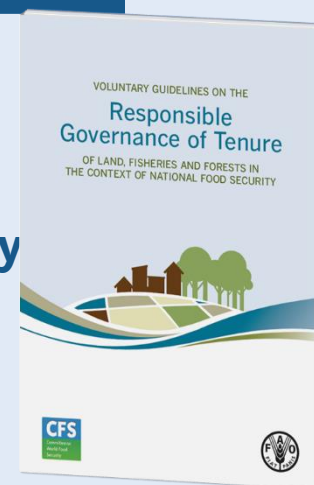
"An historical momentum."

Alberta Guerra,
Food Policy officer, Action Aid International

"A milestone achievement."

José Graziano da Silva, Director General, FAO

application encouraged by G8, G20, Rio +20, APEC,
Francophone Parliamentary Assembly, **UN General Assembly**
and Berlin Agriculture Ministers' Summit ...



"We encourage private investment be carried out in a responsible manner with VG and PRAI being taken into account."

Kazan Declaration on APEC Food Security

Addis Ababa Declaration on Geospatial Information Management Towards Good Land Governance for the 2030 Agenda:

“Recalling General Assembly resolution on Agriculture Development and Food Security 67/228 and reaffirmed in its resolutions 68/233 and 70/233 for countries to give due consideration to implementing the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security, as endorsed by the Committee on World Food Security.”



Problems of tenure and weak governance

Tenure rights not recognized

Expensive and difficult procedures

Discrimination

Limited capacity

Bribery

State capture

Forced eviction

Inequitable access

No accountability or transparency

Contradictory laws and policies

**Governing institutions
have not adapted to
growing intensity of
competition**

INCREASING COMPETITION FOR NATURAL RESOURCES:

- Population growth
- Urbanization
- Changing diets
- Demand for energy



VOLUNTARY GUIDELINES

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



- **Voluntary**
- **Set out principles and practices**
- **Contribute to the improvement of & development of the policy, legal & organizational frameworks**
- **Do not replace laws and treaties**
- **Do not reduce existing obligations**

VOLUNTARY GUIDELINES ON THE Responsible Governance of Tenure OF LAND, FISHERIES AND FORESTS IN THE CONTEXT OF NATIONAL FOOD SECURITY



Development of the Voluntary Guidelines

CONSULTING ACTORS

RESEARCH and NETWORKING

- 2000 onwards

CONSULTATIONS

- 2009 – 2010

DRAFTING

- 2011
(January – June)



Development of the Voluntary Guidelines

NEGOTIATING A RELEVANT TEXT

NEGOTIATIONS

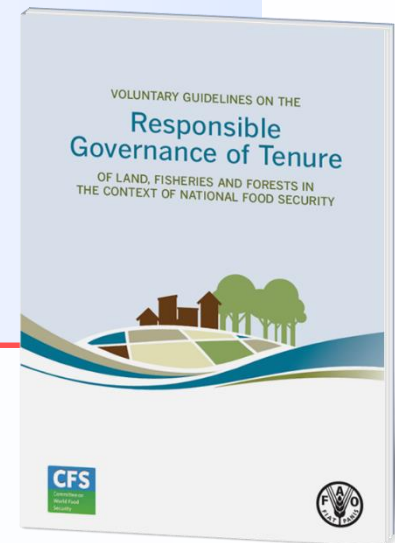
- 2011 – 2012
(July, October, March)

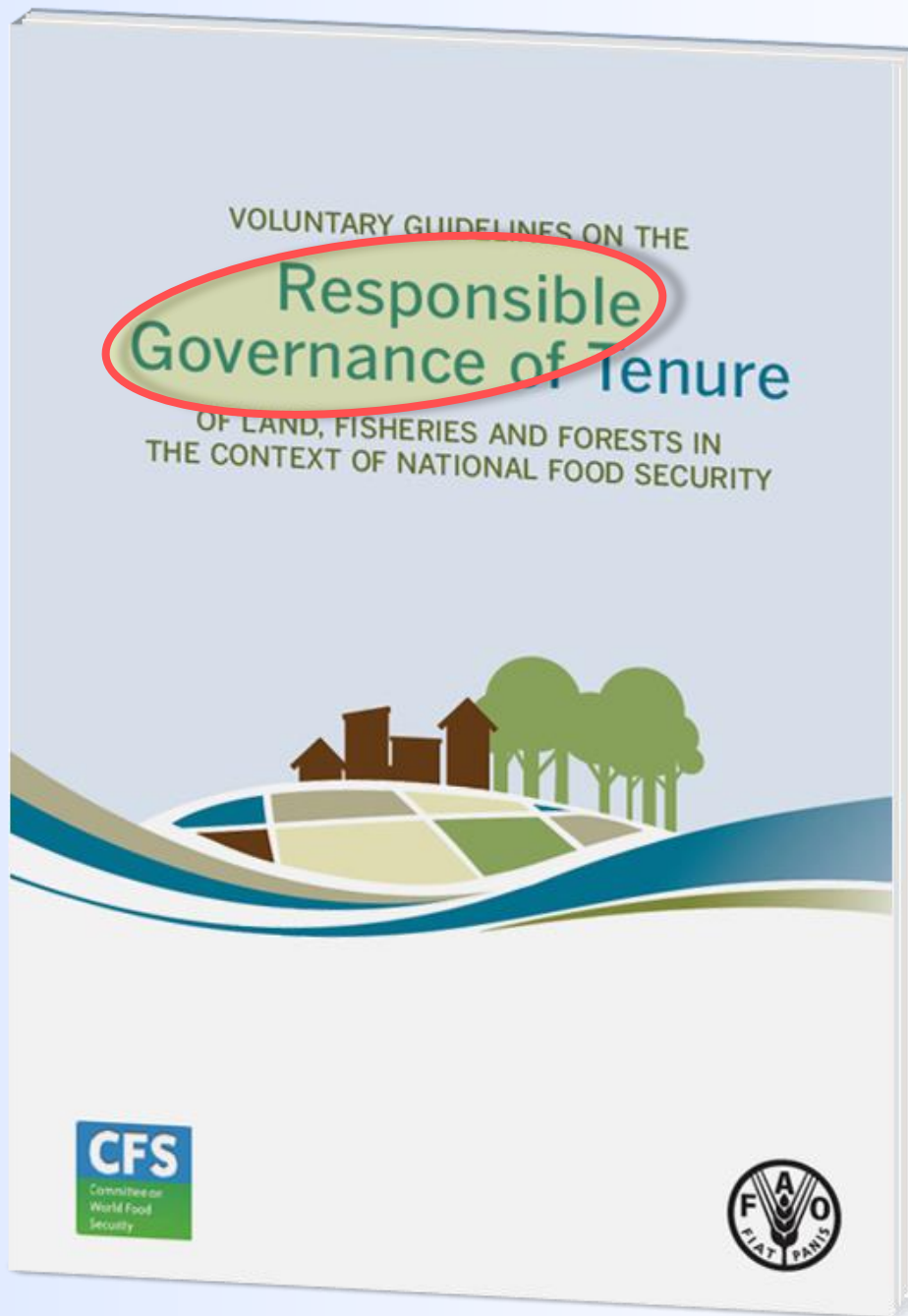
ENDORSEMENT by CFS

- 11 May 2012



What are the Guidelines about?





Responsible Governance

is about doing the right thing
and doing it well.

Weak governance VS Responsible governance

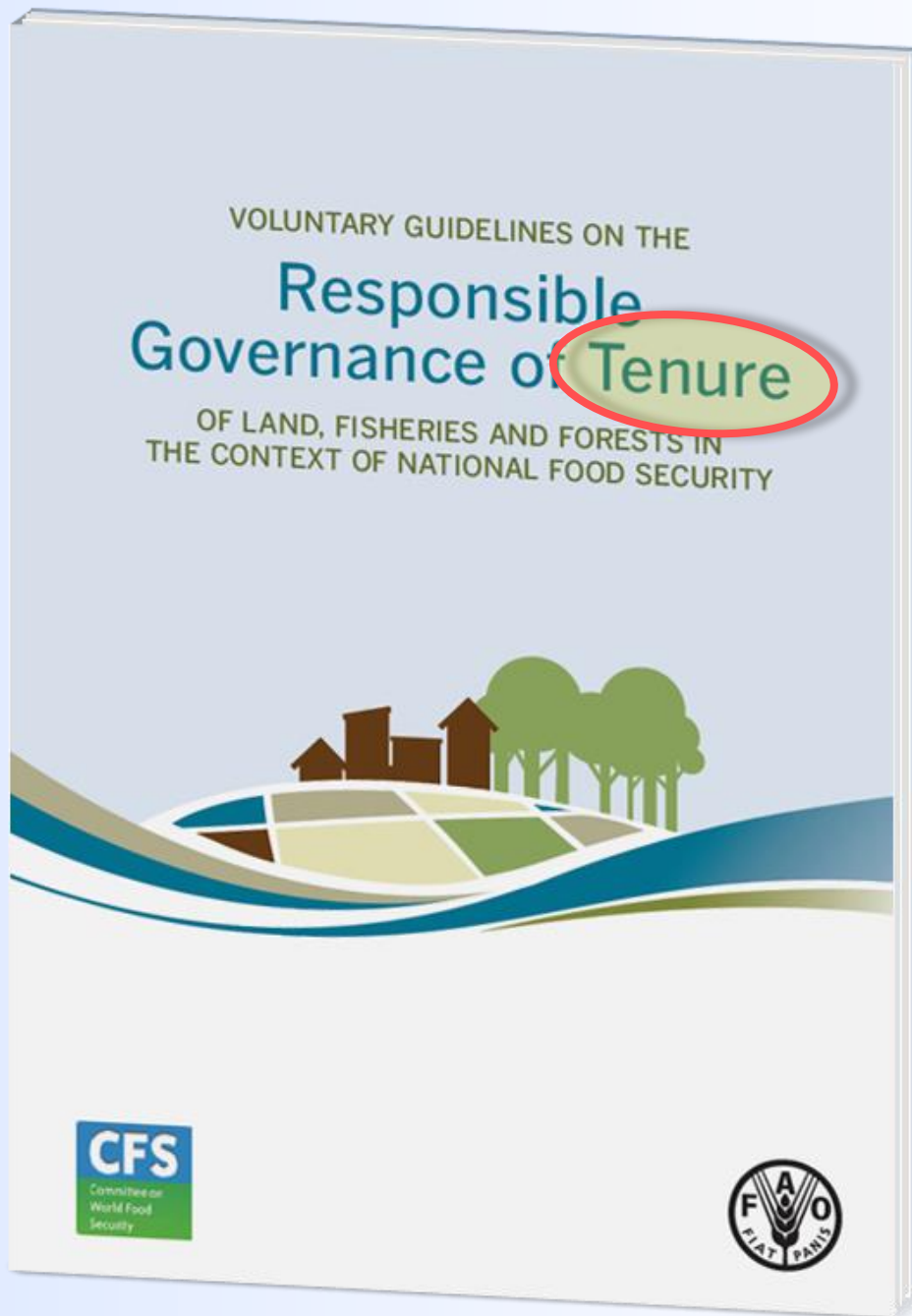
Weak governance

- marginalizes the poor who lose out because they lack the political force to influence decisions, and because they lack the financial resources to bribe corrupt officials
- makes already socially and economically marginalized women more vulnerable
- affects economic growth by discouraging investments
- hinders environmental sustainability by enabling people to profit from overexploiting resources

Responsible governance

- simplifies the administration of tenure and makes it more accessible and effective to all (“leave no one behind”)
- protects people from the loss of their tenure rights, including through forced evictions
- helps ensure no one is subject to discrimination under laws, policies and practices
- leads to more transparent and participatory decision-making
- helps ensure that all people are treated equally when laws are enforced
- helps ensure disputes are resolved before they degenerate into conflict
- makes access to land, fisheries, Forests and other natural resources more equitable

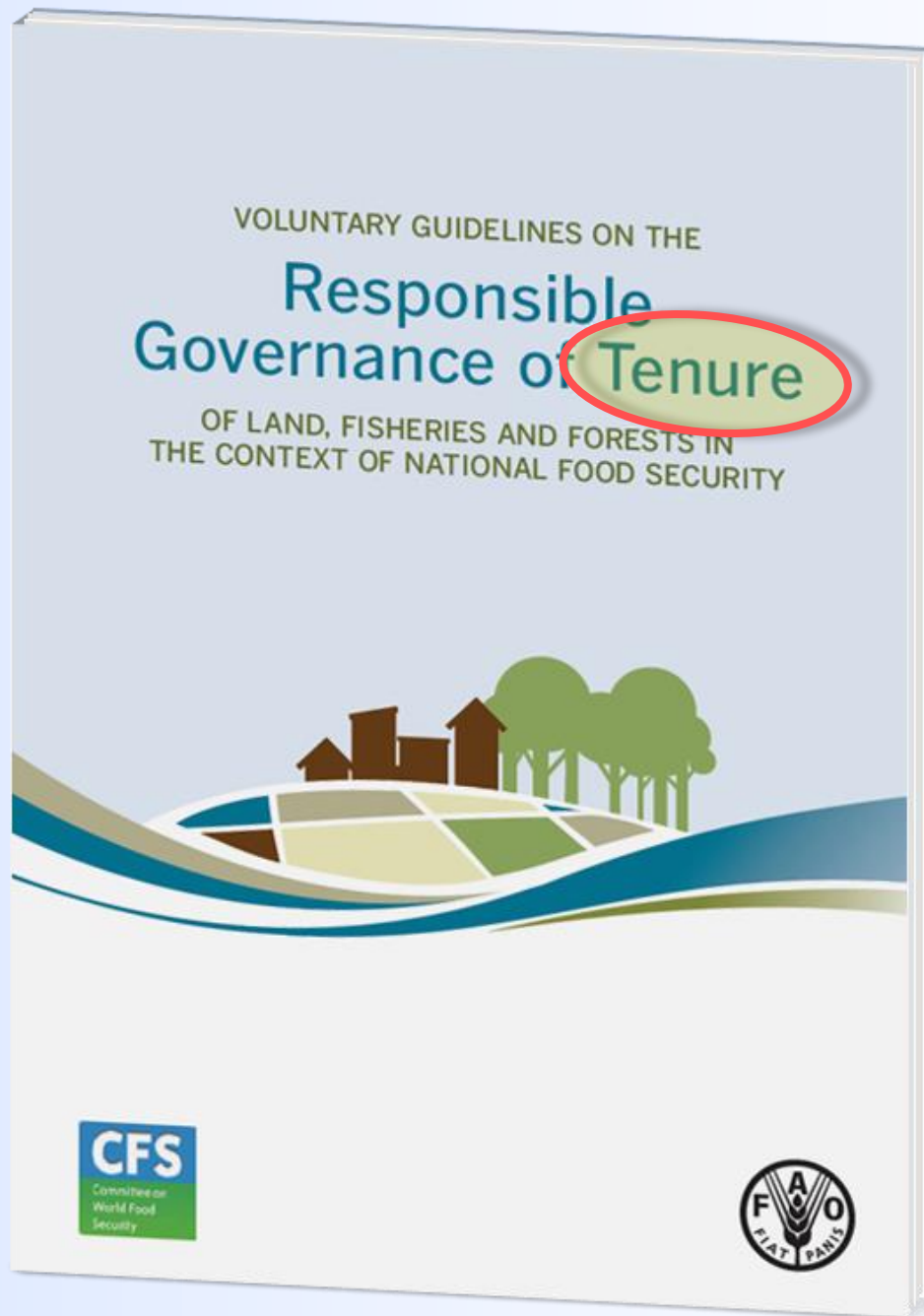




Tenure

How people get access to natural resources.

Who can use **what** resources, for **how long**, and under what **conditions**.



All forms of tenure

Public, private, communal, collective, indigenous and customary.

Ownership and other rights to use the land & natural resources.

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Part 3 Legal recognition and allocation of tenure rights and duties

Part 4 Transfers and other changes to tenure rights and duties

Part 5 Administration of tenure

Part 5: Administration of tenure

of the Voluntary Guidelines

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Part 5: Administration of tenure

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



Part 5: Administration of tenure

- States should ensure that implementing agencies and judicial authorities have the human, physical, financial and other forms of capacity to implement policies and laws in a timely, effective and gender-sensitive manner. Staff at all organizational levels should receive continuous training, and be recruited with due regard to ensuring gender and social equality.
- States should provide systems...to record individual and collective tenure rights.
- ...ensure that appropriate systems are used for the fair and timely valuation of tenure rights for...transactions as a result of investments, expropriation and taxation.





Part 5: Administration of tenure

Section 17. Records of tenure rights

Ensure that everyone is able to record their tenure rights and obtain information without discrimination.

- Establish service centres or mobile offices
- Use locally-based professionals to deliver information on tenure rights to the public

Ensure that information on tenure rights is easily available to all

- Prevent corruption in the recording of tenure rights by widely publicizing processes, requirements, fees and any exemptions, and deadlines for responses to requests for services.



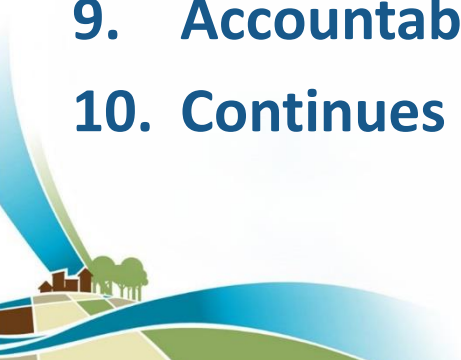
5 Key GENERAL principles of the VGGT:

- 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**



10 Principles of Implementation :

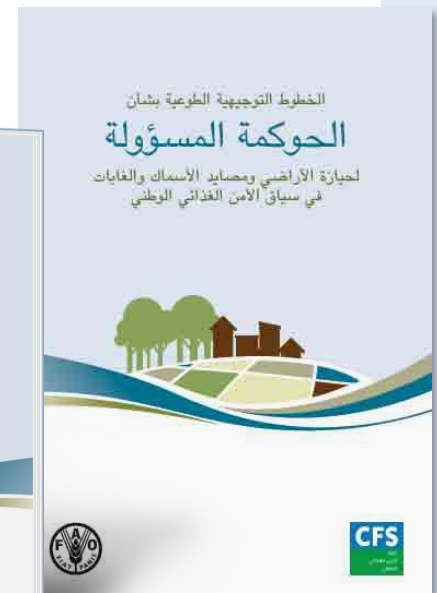
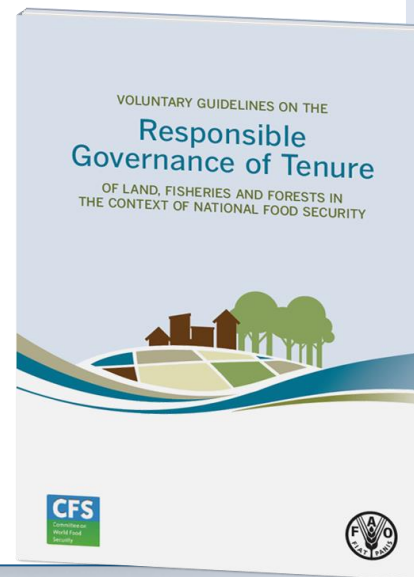
1. **Human Dignity**
2. **Non-Discrimination**
3. **Equity & Justice**
4. **Gender Equality**
5. **Holistic & Sustainable Approach**
6. **Consultation & Participation**
7. **Rule of Law**
8. **Transparency**
9. **Accountability**
10. **Continues Improvement**



Reaching a consensus

A MILESTONE ACHIEVEMENT

- Globally relevant, appropriate and accepted text
- Dialogue between global, regional and national actors
- Networks and partnerships



Addis Ababa Declaration on Geospatial Information Management Towards Good Land Governance for the 2030 Agenda:

“Acknowledging that the use, ownership or occupation of land, which is a prerequisite for human rights on shelter, food and peace is fundamental for economic development and poverty alleviation, and that the 2030 Agenda cannot be achieved without the introduction of modern land management approaches accompanied by good land governance;

We therefore resolve to,



Addis Ababa Declaration on Geospatial Information Management Towards Good Land Governance for the 2030 Agenda:

We therefore resolve to,

- affirm the importance of good land administration and management as the pillar of good governance and efficient government to address the challenges and opportunities for the 2030 Agenda, specifically within the framework of the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security and supporting the development of fit-for-purpose land administration and geospatial information, particularly in developing countries;”



More information

DOWNLOAD THE VGs
www.fao.org/nr/tenure

SUBSCRIBE TO NEWSLETTER
VG-tenure@fao.org