



2 April 2016 – Polytechnic University of Valencia

WORKSHOP 10: VOLUNTARY GUIDELINES ON THE RESPONSIBLE GOVERNANCE OF TENURE OF LAND, FISHERIES AND FORESTS IN THE CONTEXT OF NATIONAL FOOD SECURITY (VGs): WHAT CONCRETE IMPLEMENTATION ON THE GROUND?

Translated from French by Karen Stokes, Translators Without Borders (TWB)

EVALUATION

General considerations

The voluntary guidelines do not create an absolute obligation. They are a basic tool that can be used to bring about changes in governance policies and practices associated with the tenure regimes applicable to land, fisheries and forests. The recommendations they contain are highly legitimate insofar as they were signed in late 2012 by the member states of the Committee on World Food Security (CFS) following a drafting process that placed significant emphasis on the views of civil society around the world.

The VGs legitimize the participation of civil society in processes to reform the governance of tenure regimes. In practice, this was encouraged in cases where governments were willing to organize participation of this kind. The VGs can also constitute a reason to engage in dialogue upstream with actors whose interests diverge and encourage governments to apply their recommendations.

The VGs call for recognition, respect for and protection of the rights – both formal and informal – of majorities (individual and community) in respect of natural resources, and for such rights to be transferred in exchange for fair consideration. They do not, however, suggest that one form of agriculture should be prioritized over any other. Yet large-scale capitalist agriculture that employs workers is developing at the expense of family agriculture. Ensuring that the recommendations of the VGs to support rural majorities are properly applied, while preventing their being used to legitimize the expansion of large-scale agriculture, depends on how this requirement is expressed by civil society.

In many countries, improving access to land and natural resources for families and rural communities contradicts the immediate interests of those who hold power in the public authorities. Although these were the people who signed the VGs, and even embarked on a political process around them, their willingness to applying them to protect disadvantaged rural communities can be very limited. More generally, capitalist agricultural production companies that employ workers exercise considerable influence over decisions relating to land and agricultural policies. It is essential to mobilize civil society everywhere to change the governance of tenure regimes, in order to ensure greater social justice.

First, rural communities need to be familiar with the VGs if the guidelines are to strengthen the claims of rural majorities. This is not yet always the case, including in countries where people are more directly concerned about competition from large-scale farms and eviction. The FAO has been working on a process to raise awareness of the VGs since late 2012, but it is a long-term effort that has not yet been implemented in every country. Information and training materials are available to everyone on the FAO's websites.

Feedback

The discussions and political reforms that have drawn on the VGs in Chile, Colombia, Scotland, Guatemala, Madagascar, Mauritania and Uruguay were presented. In these cases, the VGs have helped to:

1. legitimize the decision to engage in dialogue on the subject of access to land between stakeholders with divergent interests in this area, including in situations where their differences have led to conflict, and in particular, to legitimize the participation of social movements in these discussions;
2. provide a framework for assessing the measures taken in the context of previous reforms, such as confirming certain decisions about method and content, and identifying differences;
3. where the VGs have guided political reforms (in Colombia, Scotland, Guatemala, Madagascar and

Uruguay), in some cases with support from the FAO (in Colombia, Guatemala and Madagascar), they have resulted in the development of legal and administrative support for family agriculture, indigenous communities and women. The tangible effects of these measures are often still unclear, since the reforms have only been finalized recently or are still under discussion. Where the guidelines have begun to be applied by governments that favour land concentration on a large scale, they have continued to act as they have previously.

The discussions on the VGs in the Specialized Meeting on Family Farming (REAF) by members of the MERCOSUR (Southern Common Market) were reported. These allowed both state representatives and participants from civil society organizations to assess the importance of introducing regulations to support family farmers, indigenous communities and women. For example, they supported the decision made by the National Institute of Colonization in Uruguay to supervise the transfer (by farmers) of rights to use the land it administers in order to guarantee its use by families over the long term. These discussions led to the REAF's adoption of a common definition of family agriculture and the creation of a register of family farmers to facilitate their access to support mechanisms in all MERCOSUR member states.

PROPOSITIONS

The actions proposed can be confined to citizens only but can also usefully mobilize local, national and international institutions, in particular the FAO.

- The way in which the VGs can help to encourage political choices geared to development based on family agriculture, and family and community use of natural resources in general, could be discussed in more detail and documented to allow experiences to be shared on a large scale.
- From the perspective of encouraging responsible governance of land tenure but also making a political choice to support family agriculture, and given the necessity of social movements being drivers of change, a methodology could be developed to guide social movements in developing strategies for engaging in multi-stakeholder dialogue, with the aim of motivating governments to act in support of rural majorities.
- In addition to the recommendations set out in the voluntary guidelines, guides could be produced to develop thinking around the issues and possible political measures in some key areas of governance. Firstly, the importance of market regulation for land rights (use and ownership) in order to maintain long-term access for farmers and rural communities to natural resources, their independence in using them, and relevant tools should be specifically documented. Similarly, ways of recognizing and protecting communal/community rights could usefully be examined in more detail and additional documents and guides produced. Agrarian reform processes should also be documented.
- Support moves towards intergovernmental regional discussions, which are open to civil society, to allow people to share political and practical experiences and encourage emulation in the field of responsible governance of land tenure.
- Form internal and international alliances involving not only civil society but also academic sectors and government institutions that are willing to support dialogue that encourages development with a focus on small-scale agriculture and other family/community uses of natural resources. International alliances are absolutely essential to move in this direction in countries where rural communities have a limited right of expression, or none at all.

The civil society organizations present expressed three expectations:

- Resources to translate and disseminate the VGs in countries where there is a low level of awareness among the rural majorities, primarily because national governments refuse to communicate them;
- Communication by the FAO on its strategy for applying the VGs in the context of projects to combat climate change involving a large land take, with which it is associated (projects to maintain and create carbon sinks by conserving and planting forests, and projects to conserve and restore soils);
- That the review of the dissemination and implementation of the VGs at the next CFS session in October 2016 should not only present successful examples ("good stories") but also give government the opportunity to learn lessons from the difficulties that may have been encountered in other cases, in order to find solutions.

INTERVENTIONS

The following list is not exhaustive. We apologize to anyone who spoke or attended the workshop who is not listed here, and invite you to contact us at the following address so that we can produce a new version of this summary with the complete list: secretariat@landaccessforum.org

Introductory interventions:

GAMBOA, Klemen, United Nations Food and Agriculture Organization (FAO), Latin America delegation
OUSMANE CAMARA, Jean, National Coordinator in the Land Reform Coordination Unit, Ministry of Presidential Territorial Development and Infrastructure Projects, Madagascar
GOMEZ, Jacqueline, President of the National Institute of Colonization, Uruguay
LEON AYALA, Yvan Felipe, United Nations Food and Agriculture Organization (FAO) representative, Colombia

Interventions from participants:

BA, Elhadj Mamadou, Mauritanian Association for Self Development (AMAD), Mauritania
BINYUKI NYOTA, Espérance, Union for the Emancipation of Indigenous Women (UEFA), Democratic Republic of Congo
I MOBIN JINNAH, Shah, Community Development Association (CDA), Bangladesh
MOLINA, Javier, United Nations Liaison Officer, United Nations Food and Agriculture Organization (FAO), Colombia
KEMANDA, Bienvenu, Pygmy Women and Children's Centre, Central African Republic
MACHART, Yves-Rocher, Agronomists and Veterinarian Without Borders (AVSF), France
MANCHOLA RUIZ, Olga, Colombia
PEACOCK, Peter, Community Land Scotland, United Kingdom
RAVINDRA GUNAWARDANA, Kariyawasam Mapalagam Hewaruppage, Center for Environment and Nature Studies, Sri Lanka
SABLE, Anne-Laure, Catholic Committee Against Hunger and For Development CCFD - Terre Solidaire, France
SAMPHORS, Doung, Star Kampuchea, Cambodia
VETTRAINO, Jean, Secours Catholique, France
WARTENA, Sjoerd, Terre de Liens, France

Moderator:

SANCHEZ CURIHUENTRO, Ruben, Observatorio Ciudadano, Chile

Rapporteur:

TAYLOR, Michael, Director of the International Land Coalition Secretariat (ILC), Botswana