Instituting Responsible Governance in Land

- Initiatives on Land Policy and Governance
- Specific Initiatives for Large Scale Agricultural Investments
- Voluntary Guidelines on Responsible Governance of Tenure
Global pressure on natural resources

- Further population growth
  - by 2050 9.1bn 34% more than today
- Urbanization, changing food production, distribution and consumption
  - by 2050 70% urban (50% today)
- Increased mobility of goods, capital and labour in countries and across borders
  - by 2050 50% increased investment in agriculture required for food security
- Climate change
  - major food security risk, especially SIDS
- Increasing demands on agriculture to provide food and energy resources
  - international large scale agricultural investment
Transparency International: Global Corruption Barometer

- > 73,000 people
- 69 countries; 2009
- Questions about corruption in the land sector

Approx. 15% of the people who contacted land authorities in the previous 12 months reported paying a bribe

14% of respondents in lowest income level quartile had paid a bribe.
9% of highest income level quartile had paid a bribe.

Corruption: experience and perceptions

- Actual experience of paying bribes in any form with land services (buying, selling, inheriting, renting) is significant
- Perception of the payment of bribes to obtain favourable decisions from land authorities is commonplace to varying degrees
- Half of respondents in high-income countries consider bribery in land management to be serious, almost 8 in 10 in low-income countries held this view
- Actual experiences and perceptions of corruption exist to a greater or lesser degree in almost all countries, and in all regions
But not just corruption:

- **Tenure and its administration** - rights to land and other natural resources; regulation of use; valuation and taxation; public lands and other natural resources

- **Frameworks and processes** – policies and legal frameworks; procedures and services; dispute management and resolution

- **Stakeholders’ responsibilities** – public sector; private sector; civil society; partnerships

- **Enabling environment** – capacity building; research, education and awareness raising; observance and monitoring

Importance of governance of tenure

- **Governance**: the process of governing:
  - necessary for achieving fundamental human rights of adequate food and shelter, and to property

- **Weak governance** undermines security by affecting:
  - investment
  - environmental sustainability
  - marginalization of the poor, especially women
The broad response: what initiatives?

- **UN and IFI initiatives** (World Bank-led Land Policies for Growth and Poverty Reduction, Land Governance Assessment Framework; FAO-led Right to Food, ICARRD; Habitat-led Global Land Tool Network; etc)
- **Regional initiatives** (African Union/UNECA/ AfDB; Pacific Islands Forum Secretariat's Pacific Plan includes land policy concerns; etc)
- **Bilateral initiatives** (including EC Guidelines on Land Policy; UK; France; Sweden; etc)
- **NGO initiatives** (FIG Policy Series, etc)
- Many **country initiatives**
- The importance of **partnerships**
Specific Initiatives for Large Scale Agricultural Investments

UN Special Rapporteur on Right to Food “Principles” Olivier de Schutter

- Large-scale land acquisitions and leases: A set of minimum principles and measures to address the human rights challenge (December 2009)

- Minimum human rights law-based principles

- Relationship with Voluntary Guidelines initiative: “Fully supportive” of FAO and partners’ process
FAO/IFAD/UNCTAD/World Bank “Principles” Discussion Note

• Global Donor Platform on Rural Development (GDPRD)

• *Principles for Responsible Agricultural Investment that Respects Rights, Livelihoods and Resources*

• Presented as discussion paper at GDPRD in January 2010 and endorsed

• Voluntary Guidelines provide land governance related guidance through fully consultative political processes

• Voluntary Guidelines on Responsible Governance of Tenure
How will the Voluntary Guidelines be prepared?

Through an open partnership process and with wide participation

- Developing core documentation
- Expert meetings
- Regional workshops
- Electronic discussion
Purpose:

- Set out principles and internationally accepted standards for responsible practices. High level language.

- Provide a framework that States can use when developing their own strategies, policies, legislation, programmes and activities.

- Allow Government authorities, private sector, civil society and citizens to judge whether proposed actions constitute acceptable practices.
But they are voluntary in nature:

- They do not establish legally binding obligations for States or international organizations.
- They do not replace existing national or international laws, treaties or agreements.
Process and timetable for the drafting and adoption of the Voluntary Guidelines

Consultation Schedule 2010:

- 25-26 January, Private sector, London, UK
- 22-24 March, Europe, Bucharest, Romania
- 2-4 May, Near East and North Africa, Amman, Jordan
- 20-21 May, South America, Brazil, Brazil
- 23-25 June, Francophone Africa, Ouagadougou, Burkina Faso
- June, Caucasus and Central Asia, Bishkek, Kyrgyz Republic
- July, Pacific, Alafua, Samoa
- September, Central America and Caribbean, Panama
- September, East Africa, Addis Ababa, Ethiopia
Programme for drafting and adoption:

2010: Report extensive consultation outcomes and way forward to FAO Governing bodies (Committee on Agriculture; Committee on World Food Security?)


2012 on: Implementation - following the example of other FAO Voluntary Guidelines and Codes of Conduct

The Voluntary Guidelines are part of a larger programme.
The preparation and adoption of Voluntary Guidelines will lay the foundation for further action through:

- A strategy for implementation
- Supplementary technical guidelines
- Training and advocacy materials
- Country action plans

The future: A call for partnership!

- Where will we be by 2014 – the time of the next FIG Congress?
- Prospects for the future – resources for implementation are already being discussed and proposed
- Adoption by all stakeholders – governments, civil society, private sector, UN and IFI systems, bilaterals
- Country implementation - A bigger future