

Improving land governance through the use of the Voluntary Guidelines on land tenure

Presentation at AEFJN event “*Bridging the gap between policy and practice: international soft law and large scale land acquisitions in Africa*”

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Structure:

- (1) The Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests: what it is and why it matters?
- (2) ‘Voluntary’: what does it mean, and what does it not imply?
- (3) Twofold responsibility for the European Union
- (4) How using the Guidelines at the domestic level?
- (5) Priorities for international support (including from the EU) for the Guidelines implementation
- (6) Some other existing international frameworks aiming at promoting “responsible” investments

1. Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security: what it is and why it matters?

- First global framework setting out principles and internationally accepted norms for responsible governance of tenure of land, fisheries and forests
- Credibility and legitimacy
- Since their official adoption within the CFS in May 2012, the Guidelines have received global recognition

2. 'Voluntary': what does it mean, and what does it not imply?

- Technically not legally-binding as a treaty, but...
- Strongly anchored in a human rights based approach;
- The VGs are the interpretation into / application to the context of tenure of land, fisheries and forests of existing obligations of States and other actors with regards to human rights;
- CFS Member States have committed to 'implement' them

3. Twofold responsibility for the European Union

- The challenge of policy coherence: putting relevant European policies in coherence with the principles of the Guidelines, addressing both policies having impacts on land governance within the EU and abroad including in development countries (e.g. CAP, biofuels policy, trade and investments treaties...);
- The challenge of supporting consistently the Guidelines implementation abroad, including and especially in developing countries.

4. How using the Guidelines at the domestic level?

- What should a consistent domestic use of the Guidelines look like for improving land governance?
 - (a) setting up an inclusive multi-stakeholders platform, or further develop / strengthen an existing one, while conducting in addition bilateral consultations if needed;
 - (b) identifying key priority needs of the most vulnerable and marginalized groups with regard to access to and tenure over land, fisheries and forests;



- (c) Identifying relevant processes, primarily existing ones, through which priority needs of the most vulnerable and marginalized groups could be better addressed;
- (d) Defining a plan for action, containing key priority actions that are necessary for addressing those needs through the relevant processes;
- (e) Monitoring progresses realized on a regular basis, and update accordingly the plan for action



5. Priorities for international support (including from the EU) for the Guidelines implementation:

- Ensuring truly inclusive, participatory processes, which implies among others working with the right CSOs;
- Adopting a coherent approach for ensuring that initiatives aiming to improve land governance truly address the priority needs of the most vulnerable and marginalized;
- Promoting the right governance mechanisms for ensuring effective application of recommendations

6. Some other existing international frameworks aiming at promoting “responsible” investments

- CFS Principles for Responsible Investment in Agriculture and Food Systems;
- OECD Responsible business conduct along agricultural supply chains;
- Guiding Principles on Large Scale Land Based Investments
- ...