



**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**

A Beginning

Global pressure on natural resources

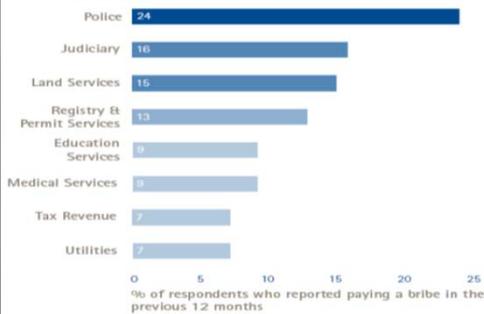
- Further population growth
 - by 2050 9.1bn 34% more than today
- Urbanization, changing food production, distribution and consumption
 - by 2050 70% urban (50% today)
- Increased mobility of goods, capital and labour in countries and across borders
 - by 2050 50% increased investment in agriculture 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

Figure 5 PERCENTAGE OF PEOPLE WHO REPORTED PAYING BRIBES IN THE PREVIOUS 12 MONTHS, BY SERVICE



Source: Transparency International Global Corruption Barometer 2009. Percentages are weighted and calculated for respondents who came in contact with the services listed. Colours indicate that there is a statistical difference between services.

- 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



• Initiatives on Land Policy and Governance

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

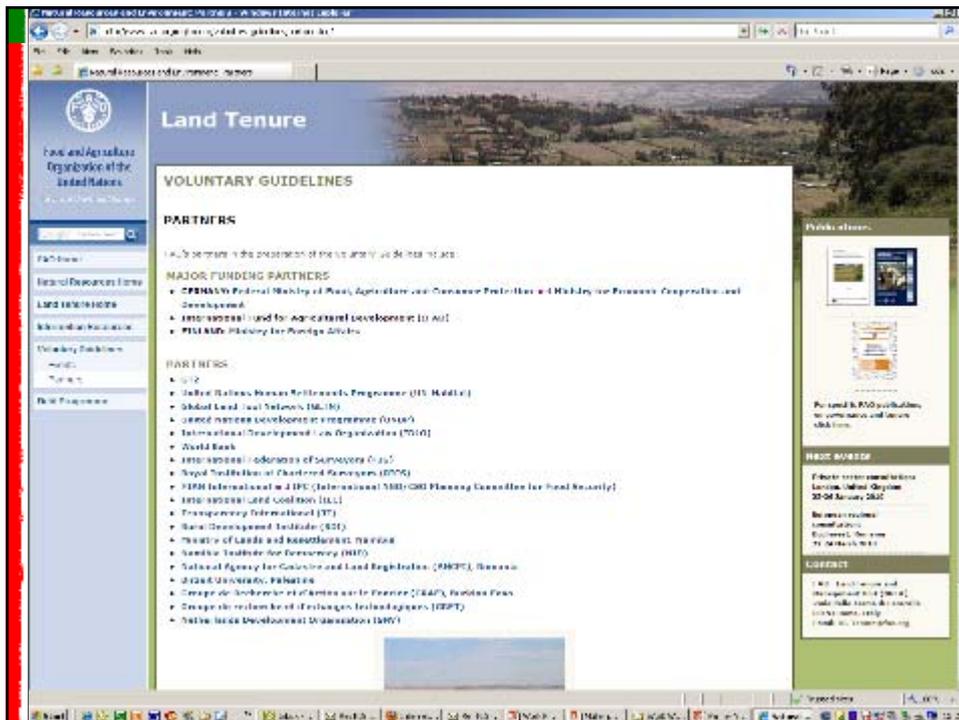


How will the Voluntary Guidelines be prepared?

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**.

The image shows the cover of the 'Guidelines for Responsible Practices' document. It features a photograph of two firefighters in yellow gear. Below the photo, the text reads 'GUIDELINES FOR RESPONSIBLE PRACTICES'. At the bottom, there is a blue box with the text 'GUIDE TO OBJECTIVE FOR RESPONSIBLE PRACTICES' and the FAO logo.

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



A Future

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**, Brazilia, 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?)

2010-11: Process of drafting. E-consultation. Process of negotiation. Member country consideration. Endorsement by FAO governing bodies

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**



