COMMITMENT 3  DIVERSE TENURE SYSTEMS

LEARN, SHARE AND BE INSPIRED
LEARNING FROM ILC DATABASE OF GOOD PRACTICES

INTERNATIONAL LAND COALITION

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DIVERSE TENURE SYSTEMS

ILC’s Commitment 3 seeks to recognise and protect diverse tenure and production systems upon which people’s livelihoods depend, including communal and customary tenure systems of smallholders, indigenous peoples, pastoralists, fisher folks and holders of overlapping, shifting and periodic rights to land and other natural resources. ILC’s Database of Good Practices provides concrete examples and guidance to Coalition members and partners on how to achieve this commitment.

What processes, tools, and methods have ILC members successfully used to overcome some of the challenges they face in recognising and protecting diverse tenure and production systems? Learn about:

ESTABLISHMENT AND STRENGTHENING OF LOCAL INSTITUTIONS
How ILC members have established local institutions and strengthened their capacity to recover lost land, facilitate redistribution to communities with diverse tenure systems, negotiate for fair compensation and guarantee a sustainable forest land use planning system.

MAPPING AND LAND REGISTRATION
How ILC members have used cultural and traditional land tenure systems as bases for land mapping, and developed tools for participatory mapping, including methodologies and procedures for cultural mapping, 3D mapping, and land registration.

KNOWLEDGE AND INFORMATION MANAGEMENT
How ILC members have used experiential learning and knowledge systematisation to support better management and dissemination of knowledge and information products.

LEGAL ASSISTANCE, LEGAL EMPOWERMENT, AND ACCESS TO JUSTICE
How ILC members have strengthened access to justice by offering psycho-legal and technical support to communities in the protection of their land rights.

ADVOCACY AND CAMPAIGNING
How ILC members have launched awareness raising campaigns to recover lost land for local pastoralists.
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ESTABLISHMENT AND STRENGTHENING OF LOCAL INSTITUTIONS

- The formation of Forest Protection Committees (FPCs), can support the implementation of community-led forest protection initiatives. FPCs consist of forest dwelling communities, who seek to enforce their land rights; including rights to access grazing grounds, water bodies and ownership of minor non-timber forest products. In India, IWGIA (C0027) worked with forest dwelling communities to formulate a strategy for the protection of their forestland. They facilitated the formation of four types of committees, that when put together, formed a holistic and inclusive self-governance structure. The traditional Village Council was responsible for leading and coordinating community initiatives; the Forest Protection Committees for forest management; the Women’s cooperatives and youth forums for enforcing women and the youth’s land rights and access to forest land and resources. IWGIA used capacity building workshops to teach the FPCs about forest management, biodiversity conservation, climate change mitigation and adaptation. Using their new capacity, the FPCs can now manage their forest land and resources.

- Community Property Associations, selected from previously disadvantaged communities for the purposes of enforcing the community’s land rights, can facilitate land redistribution to communities living under diverse tenure systems. In South Africa, Nkunzi (C0070) worked with the Marobala-O-Itsoše community to enforce a court order that recognised their collective land rights. Pursuant to the issuance of a court order protecting the land rights of the Marobala-O-Itsoše community, Nkunzi assisted in the formation and capacitation of the CPAs. The CPAs were instrumental in allocating land to the local communities, regularly updating beneficiaries and verify claimants in consultation with a panel of elders. Furthermore, they worked with the Department of Rural Development and Land Reform of South Africa in allocating land to the community.

- Establishing a farmers’ network can serve as an inter- and intra-community mobilisation tool, linking communities to resist logging and eviction from their forest lands. As documented by AIPP (C0049), in Thailand, indigenous people set up the Northern Farmers’ Network (NFN), a network of local farmers from four districts, to protect forest communities’ land rights and production systems. Faced with unmitigated logging and exploitation of forest resources, farmers promoted and supported sustainable land and resource use planning, and use of traditional knowledge and rotational cropping systems that are essential for carbon sequestration. Local communities used the Network to formulate tradition and culture-based rules and regulations for the restoration and management of forest land and resources. They developed a 6 tier management plan...
which identifies land use patterns and establishes practices that promote food security and income generation in the communities.

**KNOWLEDGE AND INFORMATION MANAGEMENT**

- The Learning Route Methodology is an educational journey built around the experiences of local organisations and supports them to systematise and share their knowledge. The knowledge can be used for varying purposes, including the establishment of participatory processes for communal land registration based on the local traditions and land use priorities of the community. In Guatemala, PROCASUR (C0103) used the Learning Route Methodology to support and strengthen community leaders’ project planning and implementation capacities. The Route included field visits to different case study project sites, and provided an opportunity for sharing of knowledge on reconciling diverse tenure systems. PROCASUR and the participants developed an Innovative Plan, which proposed the legalisation and registration of collective territorial rights. Based on this Plan, Procasur and the local community formalised 82.45% of all plots belonging to El Cacao, Apamiguel and Caracol-Limón, in the Mozonte indigenous peoples’ territories.

- The formation of a coalition or network of members can assists in the systematisation of knowledge sharing between organisations that have a common mandate to implement new laws recognising diverse tenure systems of local communities. In India, Trócaire (C0045) worked with a District Forest Network (DNF) of 25 organisation in 1274 villages to raise awareness of the Forest Rights Act and assist local authorities to fulfil their duties under the Act. The DNF undertook a study in the community and identified 75,952 families that were dependant on forest land for their livelihoods. Coupled with village meetings, DNF also taught local communities about land mapping and
how to lodge claims for individual and community land rights. Furthermore, DNF provided strong and systematic support to the Forest Rights Committees (FRCs), statutory bodies tasked with the allocation and registration of forest land rights. Based on the work of DNF, 59 families in Doliambo secured land title for their forest land. DNF has successfully replicated the programme in 30 villages.

MAPPING AND LAND REGISTRATION

- Participatory Geographic Information Systems (PGiS) can be used for mapping land used for diverse purposes, including for pasturelands for nomadic indigenous communities. Through PGiS, nomadic communities can map and delineate land based on their socio-cultural and ancestral knowledge and bio-physical environment. In Iran, UNINOMAD and CENESTA (C0118) worked with local indigenous communities, using ArcGIS software to create a GIS database of land belonging to the nomadic communities. After training the community on PGiS, they worked to create 2 and 3D maps, depicting land belonging to the nomads. Based on the maps, CENESTA and UNINOMAD negotiated for the fair recognition of nomadic peoples’ territories as Indigenous and Community Conserved Areas (ICCAs), conserved through the nomads’ indigenous knowledge.

- Participatory forest management (PFM) can strengthen the inclusion of indigenous forest dwelling communities in the management of forest resources and the government’s capacity to develop and implement institutional frameworks. PFM was used by FAO in Mongolia (C0067) to support the government and local indigenous communities in setting up Forest User Groups (FUGs) to manage forest resources. In the 16 pilot areas, FAO worked with local government, communities and FUGs to develop community forest agreements for the management of forest resources. The user group members received training on forest assessment, mapping, management planning, fire prevention and marketing of forest products. With this new knowledge, the FUGs worked together in a participatory manner to develop their own simple Forest Management Plans that included details of decision-making arrangements, by-laws and constitutions. Each plan reflects what they perceive to be their community's specific needs and goals. FAO up-scaled PFM and assisted in the creation of 600 FUGs and community forest agreements.
LEGAL ASSISTANCE, LEGAL EMPOWERMENT, AND ACCESS TO JUSTICE

- Legal and psycho-legal counselling strengthens access to justice for communities with diverse land tenure systems. In Cameroon, MBOSCUDA (C0066) recognised that justice facilitates community healing and rehabilitation; thus their use of a psycho-legal mechanism to engage pastoralist communities. Psycho-legal counselling prioritises engaging with pastoralist communities to assess and strengthen their legal education, ability to mediate, and capacity to enforce their land rights. MBOSCUDA assisted local communities to form Common Initiative Groups, and gave both legal and psychological support to group members and individuals. As part of a broader Access to Justice Project, they also worked with legal advisors and paralegals to provide legal counselling to indigenous pastoralists. As a result, communities became more confident in identifying themselves as indigenous minorities with protected land rights and tenure systems, enforcing their land rights and claiming compensation for loss of their land and livestock.
ADVOCACY AND CAMPAIGNING

- A motorbike campaign is an innovative tool for advocacy against unlawful occupation of common lands by investors and other actors, restricting access for local communities. In India, MARAG (C0123) worked with the local communities to launch the “Wheels of Hope” motorbike campaign, covering 1,200 km, 9 districts and 25 blocks in 8 days. MARAG undertook background research by engaging with pastoralists with wider political and religious affiliations, community members, youth, and pastoralists to gather information about the challenges they face in accessing the commons. Running under the slogans “Protecting cows and pasturelands” and “Communities that depend on commons have rights over them”, the campaign sought to raise awareness at community and government level about the high rates of encroachment and acquisition of common land belonging to the pastoral community. As a result of the campaign, the government passed a resolution to protect common grazing lands, and also issued a notification that community members who use pasturelands, particularly pastoralists and women, will receive land title. As a result, MARAG has made 7,000 applications on behalf of the pastoralist community.

The ILC Database of Good Practices is organised around the 10 commitments for people-centred land governance. The case studies in the Database provide concrete examples and guidance to the members and partners of ILC on how to achieve each of these commitments.