



THE VOLUNTARY GUIDELINES ON THE RESPONSIBLE GOVERNANCE OF TENURE: **5 YEARS LATER**

WHAT ILC IS DOING AND WHAT NEEDS TO BE DONE NEXT TO SCALE UP COLLECTIVE IMPACT

Since their endorsement in May 2012, the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGTs) have become a global reference document for land governance. The International Land Coalition (ILC) has embraced the VGGTs as a benchmark for policy and practice and has worked at all levels to contribute to their application.

Five years on, it is time to take stock of what ILC has done and what we, as the land community can do to collectively increase our impact and move towards the full application of the VGGTs.

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ILC Members actively participated throughout the consultation and negotiation process leading up to the VGGT's adoption.

They did so because of the critical role the VGGTs can play in realising ILC's overall vision of 'a just, equitable, and inclusive world in which land rights are secure and poverty is eradicated'¹.

The significance of the VGGTs in establishing an international consensus and setting benchmarks was recognised by the 2013 ILC Global Land Forum Declaration after the VGGTs adoption. Through this Declaration, ILC also endorsed ten commitments for people-centred land governance. These commitments draw from the VGGTs, while providing a common ground for members to address land governance at all levels.

Each of the commitments strongly relate to specific parts of the VGGTs, offering a framework to operationalise and track progress. For example, Commitment 4 on equal land rights for women is recognised in the VGGTs principle 3B4, with specific provisions across the Guidelines. Another example is Commitment 7 on inclusive decision making which is clearly linked with principle 3B6, since the VGGTs mention participation and consultation more than 60 times.

Multi-stakeholder platforms and frameworks should be used to support the application of the VGGTs.


Multi-stakeholder platforms and frameworks should be used to implement the VGGTs. ILC, a multi-stakeholder platform of more than 200 civil society organisations (CSOs), non-governmental organisations (NGOs) and inter-governmental organisations (IGOs) present in all continents, is well equipped to support the application of the Guidelines. It offers a space for members to challenge one another, learn from each other and work together at global, regional and national levels.

¹ This is the vision for 2016-2020. The previous vision that has also been mentioned in the Antigua Declaration of 2013 stated that 'Secure and equitable access to and control over land reduces poverty and contributes to identity, dignity, and inclusion'.

ILC'S 10 COMMITMENTS TO PEOPLE CENTRED LAND GOVERNANCE

-  **1 SECURE TENURE RIGHTS**
-  **2 STRONG SMALL-SCALE FARMING SYSTEMS**
-  **3 DIVERSE TENURE SYSTEMS**
-  **4 EQUAL LAND RIGHTS FOR WOMEN**
-  **5 SECURE TERRITORIAL RIGHTS FOR INDIGENOUS PEOPLES**
-  **6 LOCALLY MANAGED ECOSYSTEMS**
-  **7 INCLUSIVE DECISION-MAKING**
-  **8 TRANSPARENT AND ACCESSIBLE INFORMATION**
-  **9 EFFECTIVE ACTIONS AGAINST LAND GRABBING**
-  **10 PROTECTION FOR LAND RIGHTS DEFENDERS**





TWO GLOBAL EXAMPLES OF ILC'S ACTIVITIES IN APPLYING THE VGGTs

ILC members contributed to **capacity development activities led by FAO on Indigenous Peoples and the VGGTs in Central America and India**. The training enabled Indigenous Peoples and local communities to conduct local awareness raising and capacity development activities. These included identifying the main issues encountered, analysing legal and institutional contexts, and seeking solutions for responding to the challenges.

ILC promoted the use of the **Gender Evaluation Criteria (GEC)**. A tool that helps analyse land-related policies, laws and administrative frameworks from a gender perspective. In the context of the VGGTs, the GEC was used to assess compliance with the Guidelines in Malawi and Togo. The resulting studies highlighted some weaknesses and strengths of the countries in terms of gender and land governance, and made proposals for ways forward. The exercises also began a dialogue between the different actors as a basis for more systematic monitoring practices.

HOW HAS ILC CONTRIBUTED TO IMPLEMENTING THE VGGTs DURING THE FIRST FIVE YEARS?

PROGRESS AT THE REGIONAL AND GLOBAL LEVELS

ILC has mainstreamed the VGGTs in its policy and advocacy work. Virtually all of ILC's cross-country initiatives contribute to the application of the VGGTs. At the global and regional levels, ILC has joined other actors in advocating all major institutions and processes to fully endorse and apply the VGGTs.

As a Coalition, we have provided support and inputs to the FAO-led drafting of VGGT Technical Guides on '*Governing land for women and men*' and '*Improving governance of pastoral lands*'. ILC also collaborated with FAO to develop an e-learning module on '*Rendering "invisible data" visible – Land Monitoring as a tool for Change in Governance of Tenure*', which has already been completed by more than a hundred people, most of whom are government officials. For its members and partners, ILC has prepared an easy-reference guide on how to use the VGGTs and the African Land Policy Framework and Guidelines².

PROGRESS AT COUNTRY LEVEL THROUGH ILC'S NATIONAL ENGAGEMENT STRATEGIES

ILC's major value added and impact in promoting the use of the VGGTs has been at the national level. ILC is connecting over 300 organisations in twenty countries through National Engagement Strategy (NES) processes. NES responds to the VGGTs call to establish multi-stakeholder platforms (paragraph 26.2) as it creates an inclusive space for dialogue and the promotion of people-centred land policy formulation and implementation. Thus making NES platforms ideal hosts and key promoters of the VGGTs.

NES processes have opened spaces for CSOs to develop common strategies and visions in a focused and coordinated manner.

ILC members have also observed a realignment of power imbalances where CSOs have increased their political legitimacy in decision-making processes and their capacity for direct engagement with governments, parliamentarians and the private sector. In Cameroon, Togo and Albania, government representatives are actively engaged in the NES processes. In Ecuador, NES members are regularly consulted by the Parliamentary Committee on Food Sovereignty on the design of Ecuador's new Land Law.

2 ILC (2013), Benchmarks for land governance in Africa, <http://www.landcoalition.org/sites/default/files/documents/resources/BenchmarksLandGovernanceVGGT-ALPFG.pdf>

Furthermore, NES platforms have acted against human rights violations related to land. In general, the NES experiences demonstrate how multi-stakeholder approaches recommended by the VGGTs can combine different strategies (such as policy dialogue, monitoring, capacity development and local level intervention) to make change happen on the ground.

WHAT IS A NATIONAL ENGAGEMENT STRATEGY?

National Engagement Strategies (NES) are multi-stakeholder processes set in motion by the International Land Coalition (ILC) to promote People-Centred Land Governance. NES processes and their platforms are led by national actors and include ILC members and non-members. Through these platforms, grassroots, civil society, intergovernmental organisations, research centres and government come together to formulate country strategies and multi-year action plans to address the country's priorities.

NES is a space for governments to approach, listen to and interact with civil society, to complement expertise and share knowledge to improve the state of their country's land governance. NES work plans include activities such as land monitoring, spatial mapping, land conflict resolution, legal aid, capacity building, policy dialogue and gender sensitive approaches and tools.

The overall aim is to influence the formulation and implementation of land-related policies and legal frameworks using the ILC's 10 commitments to peoplecentred land governance as their compass, and promote the use of instruments such as the Voluntary Guidelines for Land Tenure (VGGTs) and the Framework and Guidelines on Land Policy in Africa.

NES MALAWI AS AN EXAMPLE

NES Malawi has promoted the VGGTs and other international instruments as one of its core objectives, contributing to the popularisation of the Guidelines in the country. By linking to the Land Governance Task Force—whose Ministry of Lands Chair oversees the application of the VGGTs—NES Malawi has enabled the Task Force to benefit from the bottom up approach of the platform, thus exchanging on land issues with several organisations and members of the private sector and receiving regular updates on the elaboration of a new Land Bill.

Partnering with FAO for a project that provides CSOs recommendations for the domestication of the VGGTs, ILC Member LandNet Malawi has conducted training activities on the VGGTs together with FAO and UN Women. The process has further strengthened the capacity of CSOs which have provided their inputs to the Land Bill through the NES platform.



The VGGTs have been explicitly used as a reference point in 12 NES countries. Members have reported using them as a training tool to forge alliances, review and assess policy proposals, as well as draft bills. The VGGTs are also used as a progress marker and members are requested to report whether ‘governments adopt legal and policy frameworks consistent with international benchmarks on tenure rights, including the VGGTs’ and whether ‘governments are held accountable by their citizens on their compliance with laws, policies, and internationally agreed benchmarks’.

HOW THE VGGTs HAVE BEEN USED TO SUPPORT LAND GOVERNANCE REFORMS IN NES COUNTRIES

CAMBODIA VGGTs used as an instrument to enter in dialogue with the government and to influence their policies. Series of workshops to create trust among the parties and to explain the importance of the VGGTs.

COLOMBIA VGGTs used to influence a new Land Bill. Thematic work on small-scale fisheries. Dialogue with FAO, public institutions and other players on the VGGTs.

ECUADOR VGGTs used as an advocacy and policy influence tool.

GUATEMALA Study on the application by the government of the VGGTs in solving land conflicts. Promotion of the VGGTs by individual ILC members.

INDIA VGGTs used to influence the implementation of a forest rights policy.

PHILIPPINES VGGTs used to assess a proposed Bill on Indigenous Communities Conserved Areas. Collaboration between ILC members and FAO.

TOGO Awareness raising workshop on VGGTs. VGGTs used as a reference tool in policy formulation. GEC and VGGT assessment.

In addition, NES platforms in the following countries have promoted the VGGTs as a reference point in their efforts to influence land reforms, raising awareness and building capacity for their application:

NEPAL Workshop on the VGGTs that raised the awareness of government officials.

MADAGASCAR Contribution to the translation of the VGGTs in Malagasy. Participation in awareness raising meetings on the VGGTs.

CAMEROON Dissemination of the VGGTs to CSOs to raise awareness on current national and international instruments that promote responsible land governance.

PERU Training workshops on indigenous peoples, family farming, food security and VGGTs. Collaboration between ILC members and FAO.

WHAT HAVE WE LEARNED FROM THE FIRST FIVE YEARS & HOW CAN WE COLLECTIVELY SCALE UP OUR IMPACT?

Thanks to the commitment and leadership of many national governments as well as intergovernmental and civil society organisations (including ILC Members), and donors, **progress on the implementation of the VGGTs has been significant in many countries.** FAO has made a large effort so that the VGGTs are disseminated at country level, while NGOs and civil society—notably social movements—have disseminated the VGGTs and used them to influence policies and actions. Many powerful international institutions and private sector companies have committed to respect and apply the VGGTs, often because of civil society advocacy. However, many countries have not ensured that policies and programs at national, regional and global levels are consistent with and contribute to the application of the VGGTs.

We need to collectively assess how we can increase our impact, particularly in countries where no progress has been made. ILC’s global secretariat has identified what we see as potential challenges – and made suggestions on how to scale up implementation:

CHALLENGE #1: LACK OF ENGAGEMENT AT NATIONAL LEVEL BEYOND THE FOOD AND AGRICULTURE COMMUNITY.

The level of commitment and endorsement among the organisations and ministries working on food and agriculture on the VGGTs is high, yet responsibility on key land governance aspects often lies with other Ministries and actors. This has strong limitations on the potential impact of the VGGTs in many countries.

MOVING FORWARD: advocate for the benchmarks established within the VGGTs in other fora to increase our reach with actors outside of the food and agricultural communities.

CHALLENGE #2: LACK OF COORDINATION BETWEEN ACTORS SUPPORTING LAND GOVERNANCE REFORMS.

In many countries, the level of engagement and coordination between relevant governmental actors and bodies and civil society needs to be dramatically strengthened.

MOVING FORWARD: all actors should support increased capacity of both CSOs and governments to engage and coordinate with each other.

CHALLENGE #3: THE ABSENCE OF STRONG AND EFFECTIVE LAND GOVERNANCE MECHANISMS.

Effective multi-stakeholder mechanisms are critical to move forward land reforms using the VGGTs as reference. While the countries that already had multi-stakeholder mechanisms were among the first to use the VGGTs, other countries have set these kind of mechanisms since.

MOVING FORWARD: All actors need to work together to ensure that all countries establish a relevant and effective land governance multi-stakeholder mechanism.

CHALLENGE #4: THE ABSENCE OF A COORDINATED APPROACH TOWARDS THE VGGTs IMPLEMENTATION.

The CFS is playing a critical role as a platform of policy convergence and dialogue, but a space for operational coordination and joint action to support CSOs and countries is missing. There is no space for all actors engaged in the operationalisation of the VGGTs to come together and agree on specific actions to move towards the full application of the VGGTs at all levels.

MOVING FORWARD: A global operational multi-stakeholder group is needed.

CHALLENGE #5: A NUMBER OF COUNTRIES PICK AND CHOOSE SPECIFIC ELEMENTS OF THE VGGTs TO BE APPLIED WITHOUT CONSULTATION FROM ALL RELEVANT STAKEHOLDERS.

This is problematic because a country may end up in applying some technical aspects of the VGGTs while avoiding the more problematic issues and areas that most need reforms.

MOVING FORWARD: It is important to ensure that the VGGTs are implemented as a whole, if needed, key elements can be identified and prioritised by consensus within national multi-stakeholders platforms.

CHALLENGE #6: THE ABSENCE OF A UNIVERSAL, REGULAR AND PARTICIPATORY MONITORING MECHANISM THAT USES QUALITATIVE AND QUANTITATIVE DATA.

The CFS offers a space to discuss progress every few years based on qualitative analysis with a set of countries who volunteer themselves and various stakeholders' inputs. The SDGs process will focus on providing data on few land related indicators.

MOVING FORWARD: There is an urgent need to bring together and strengthen existing monitoring mechanisms that use people-centred data, in order to promote accountability at all levels and accelerate progress toward the use of the VGGTs in the framework of the SDGs.

WHAT ROLE CAN THE ILC PLAY IN SUPPORTING THE VGGTs IMPLEMENTATION IN THE FUTURE?

As a diverse and strong network of over 200 land-focused organisations, ILC can be instrumental to the successful application of the VGGTs. We are committed to the VGGTs adding value to what others are already doing and avoiding duplication while bringing in the competencies of our members to scale up our collective impact.

BUILDING ON ONGOING WORK, ILC COMMITS TO:

- » **Expand and strengthen NES platforms** to serve as a critical vehicle to apply the VGGTs at country level.
- » **Participate and/or co-convene periodic operational meetings** with key CSOs, donors and international organisations (taking into account respective mandates, capacities and roles) to develop and coordinate collective actions and tools to scale up the use and application of the VGGTs to advance land reforms.
- » **Scale up advocacy efforts** to: a) promote the use of the VGGTs in the frame of the SDGs at national, regional and global levels; b) support Members to further disseminate the VGGTs within their organisations and with external partners; and c) contribute to bring the VGGTs in other for a, such as SDGs related forums, to influence key decision makers.
- » **Further strengthen the use of and expertise on the VGGTs within ILC's Membership**, notably by: a) using its governing bodies, meetings, communications channels and NES as means to further promote the use of the VGGTs and discuss thematic aspects; b) providing advice to members on how to effectively operationalise the VGGTs; c) using the VGGTs to map existing competencies, identify gaps, document additional good practices and organise capacity development sessions in specific thematic and operational aspects.
- » **Contribute to strengthening the monitoring of the VGGTs** by: 1) continuing to advocate and support progress toward the full implementation of the SDGs indicators related with the VGGTs and ensure that their methodology is consistent with the Guidelines; 2) developing an ILC Global Dashboard that will provide detailed indicators on people-centred land governance; 3) engaging with other actors to see how we can further develop a coordinated monitoring mechanisms that will bring together both qualitative and quantitative methodologies based on lessons and good practices; 4) if requested, engaging within the CFS OEWG on monitoring to further develop VGGTs monitoring.



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