

Concept Note

Policy Brief on Voluntary Guidelines on the Responsible Governance of Tenure of Land Fisheries and Forest

Background

A prelude on the impact of gradual reduction of productive resources like land, water and forest against the growing population which is putting the food security of the developing countries at stake. Large-scale land investment/land grabbing, impact of climate change and growing industrialisation are the key factors deepening the problem manifold. In this context, FAO in 2012 came up with the VGGT guideline proposing the vulnerable countries to address the problem.

The Guidelines make it clear that achievement of food security and progressive realisation of the right to food are the most important goals of good land tenure governance. VGGT mainly focuses the areas like human rights approach, diversity of existing land and natural resource tenure systems, women's land rights and corporate responsibility.

Overall Objective

- A. Firstly, the **policy brief** will basically compare the provisions of the VGGT and the current provisions under national laws related to the governance and tenure of land, fisheries and forests. Thus, the paper will describe what provisions under the national laws are consistent with the VGGT; and what are not (loopholes that are casting a negative impact on the producing community - the poor and marginalised farmer - who contribute to the most in meeting the demand of food of the total population. The policy brief will be a key instrument to sensitise the farmers to demand for a pro-poor governance system of tenure of land, fisheries and forest.
- B. Secondly the **policy brief** will outline main policy recommendations to make existing national laws (on the governance and tenure of land, fisheries and forests) consistent with the VGGT. It will propose the changes and amendment required in the national laws and policies to address the drawbacks in the governance system of tenure of land fisheries and forest. The document will thus reflect the voice of the farmers on how to make the governance system of tenure of land, fisheries and forest a pro-poor one
- C. Thirdly, the document will outline main action points that can be taken by multi stakeholders (government, farmers, NGOs) to push through the policy recommendations. It will be a key instrument to guide the farmers on what rights they are entitled to and how to claim it from the state. It will set out the responsibilities of civil society to create necessary pressure on the government to make the governance system of tenure of land, fisheries and forest an accountable one.

Expected Outcomes:

1. The policy brief will be a key instrument to sensitise the farmers to demand for a pro-poor governance system of tenure of land, fisheries and forest.
2. This document will engage the civil-society, development practitioners and think-tanks with the farmers' movement to realise their pertinent demands.
3. It will also sensitise the policymakers to take necessary measures to make the utilisation of productive resources like tenure of land fisheries and forest into an equitable one.

Deliverables:

1. The consultant will first generate a draft policy brief on the VGGT during the national consultation.
2. S/he will develop a keynote on the recommendations of the policy brief to be shared at the national level seminar/workshop/consultation.
3. H/she will incorporate the suggestions made at the national consultation/seminar/workshop to finalise the policy brief and submit it to the contractee.

Important Institutions to be involved

1. Country offices/officers of FAO and IFAD - FAO is committed to assist governments in implementing the VGGT. It will be good for the AFA member FO and the researcher (if already available or hired) to present this project to FAO and see how FAO can assist in the technical aspect or even in bringing the government to the consultations. If our members need some letter of introduction to FAO and IFAD, AFA can give you one.
2. ILC members in the countries – In Kyrgyzstan, the ILC member is RDF; in Cambodia it is Star Kampuchea et al, and in Bangladesh it is ALRD et al. The ILC members can offer also technical assistance; the researcher can even come from them if they have the availability and the expertise.
3. Government agencies involved in the tenure of land, fisheries and forests – we hope our member FOs have allies inside these institutions; if not, you can ask FAO and IFAD.
4. MTCP2 FOs in Bangladesh and Cambodia (none yet in Kyrgyztan). They should at the very least be present in the national consultation. For KKM and FNN, you may be able to convince your national MTCP2 platform to earmark some resources for a consultation on the comparison of VGGT and national laws with the MTCP2 FO leaders.
5. Partner/support institutions of AFA members (e.g. CEDAC for FNN, Action Aid Bangladesh for KKM, Forest and Land User Association for UWUA).

Task Implementation Plan

The appointed consultant is expected to perform the following key steps /methodology contingent to develop the Policy Brief.

1. Literature review:

- Laws, policies, government circular and guidelines concerning land tenure, forest and fisheries.
- FAO guidelines on VGGT.
- Documents related to Land Matrix and the guideline on responsible agricultural investment (RAI)
- Existing research work on utilisation of tenure of land, fisheries and forest.
- Existing work on popularizing VGGT in several countries (e.g. Philippines)

2. Focus group discussion /consultation:

- With smallholder farmers' organisations, farmers from other marginalised communities like woman farmers, indigenous community.
- With CSOs and other relevant stakeholders.
- With relevant government officials

3. National level consultation:

- The consultant will prepare a keynote on the recommendations of the policy brief and present it at the multi stakeholder national level seminar/workshop/consultation consisting of representatives from farmers, fishers, forest dwellers, indigenous peoples , NGOs, government, academe, media.

Outline of the Policy Brief

A. Executive Summary

B. Introduction

- Rationale/ Context
- Objectives of the Policy Paper
- Process/Methodology
- Limitations

C. Main Findings

- Comparison : VGGT principles and guidelines viz selected main national laws on land, fishers, forests (researcher can make own sections of comparison relevant to the national situation and the national land laws)

D. Analysis

- Strengths, gaps, weaknesses, limitation of national laws on lands, fisheries, forests viz VGGT.

E. Policy Recommendations

- Should be based on the analysis

F. Immediate Action Points

G. Conclusion