



How to monitor and promote
policy changes on
governance of tenure

Introduction. Land monitoring as a tool for change in governance of tenure

Text-only version



Food and Agriculture
Organization of the
United Nations

This course is funded by the European Union through the EU-FAO
Improved Global Governance for Hunger Reduction Programme



© FAO, 2016

In this lesson

LEARNING OBJECTIVES.....	2
THE BACKGROUND.....	2
WHY MONITOR GOVERNANCE OF TENURE USING THE VOLUNTARY GUIDELINES?	3
WHO MONITORS?	4
SUMMARY	8

LEARNING OBJECTIVES

This is an introduction to the course on land monitoring.

At the end of the lesson, you will understand that monitoring is an inherent part of the implementation of the Voluntary Guidelines on the Responsible Governance of Lands, Fisheries and Forests (VGGT).

You will also understand the important role that civil society organizations and individuals can have in monitoring tenure issues.

THE BACKGROUND

Last summer a powerful typhoon hit the country. Several months have passed since then, but a recent investigation has shown that fisherfolk have found it challenging to recover access to and use of common fisheries that they were entitled to prior to the reconstruction efforts.

The local fisherfolk have reached out to local non-governmental organizations (NGOs) and international organizations to support them in addressing this situation.

Maricel Maricel works for an NGO promoting legal recognition of subsistence fisherfolk so that their access to fishing in local waters can be guaranteed.

Kamal Kamal is a data analyst with extensive experience in monitoring initiatives. He is collaborating with Maricel's NGO to promote a serious monitoring and evaluation of the reconstruction operations.

They are discussing the need for monitoring.

"Tenure should be an issue of primary importance for states and other parties in post-disaster situations." - Kamal

"Yes, but during the reconstruction phase not all efforts were made to ensure that displaced persons could return to their place of origin. A serious monitoring initiative will be able to understand why local fisherfolks' tenure rights have not been re-established." - Maricel

Monitoring is one strategy that organizations and individuals can use to influence tenure governance processes so as to make them more responsive to the needs of vulnerable and marginalized people.

Alongside other evidence-gathering approaches, such as research and journalism, monitoring can be used as a way of strengthening dialogue and advocacy processes by bringing in objectively verifiable evidence.



“Due to the importance of monitoring, we intend to undertake a monitoring initiative to collect verifiable evidence about the access of fisherfolks to local waters. This initiative will allow us to request additional government support for the protection of fisherfolks’ tenure rights following the emergency.”- Kemal

“I agree with this aim, but I am concerned about a couple of issues. Can you advise?”- Maricel

WHY MONITOR GOVERNANCE OF TENURE USING THE VOLUNTARY GUIDELINES?

Two issues concern Maricel. The first issue is the relationship between monitoring and the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests.

“I know that the Voluntary Guidelines (VGGT) promote secure tenure rights and equitable access to land, fisheries and forests as a means of eradicating hunger and poverty. But can the Guidelines serve as a reference on aspects related to monitoring governance of tenure?”- Maricel

How would you respond to Maricel?

Kamal has an interesting response to this question:

The VGGT seek to improve governance of tenure for the benefit of all, with an emphasis on **vulnerable and marginalized people**. The Guidelines can also be used to monitor governance in order to improve tenure governance and the functioning of tenure systems. They can also contribute to the development of policy, legal and organizational frameworks. Central to these aims is the need to produce and exchange quality information from different actors in order to capture invisible data on the ground. That data can then be used in policy dialogues and advocacy. Monitoring is, therefore, **an inherent part** of the implementation of the Voluntary Guidelines.

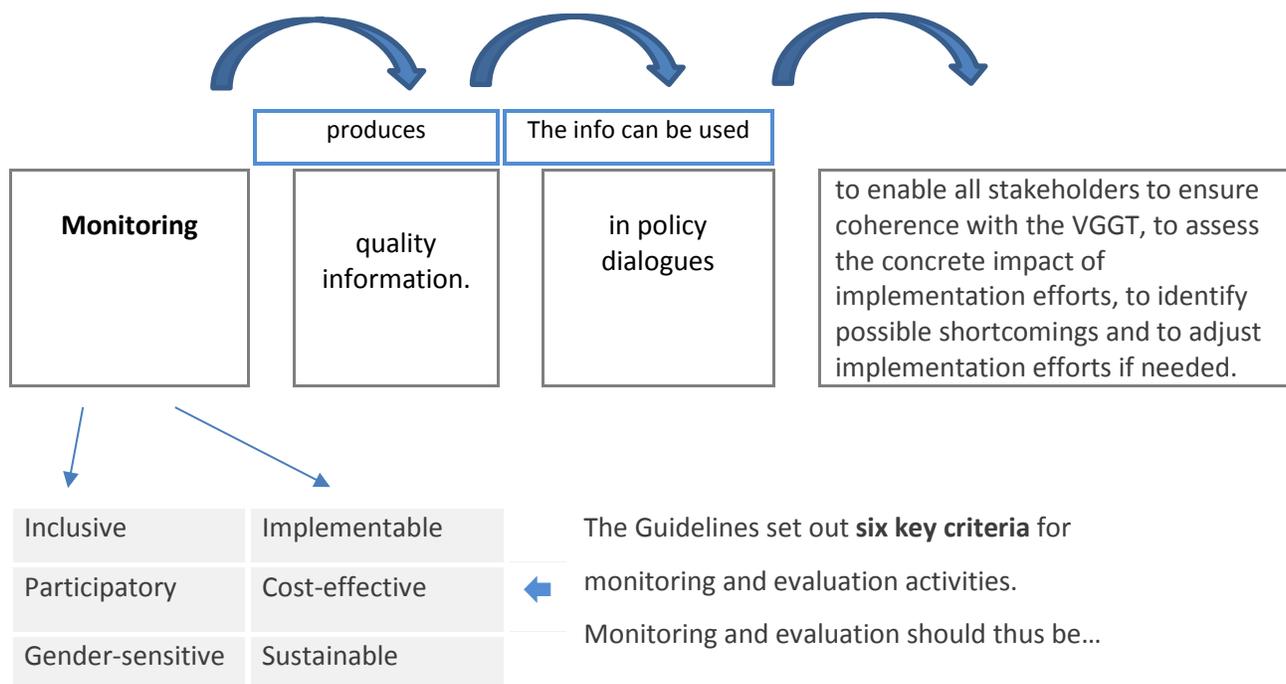


The Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests (VGGT)

The VGGT represent the first global consensus on universally applicable standards for

the recognition, recording and protection of tenure rights. They were officially endorsed by the Committee on World Food Security (CFS) in May 2012, and all member states made a strong commitment to utilize them.

To summarize...



Refer to Voluntary Guideline 26.2

"States are encouraged to set up multi-stakeholder platforms and frameworks at local, national and regional levels or use such existing platforms and frameworks to collaborate on the implementation of these Guidelines; to monitor and evaluate the implementation in their jurisdictions; and to evaluate the impact on improved governance of tenure of land, fisheries and forests, and on improving food security and the progressive realization of the right to adequate food in the context of national food security, and sustainable development. This process should be inclusive, participatory, gender sensitive, implementable, cost effective and sustainable. In carrying out these tasks, States may seek technical support from regional and international bodies".

WHO MONITORS?

The second issue Maricel wants to understand is who monitors.

There are several organizations involved in governance of land, fisheries and/or forests.

Should governments only be in charge of monitoring activities of tenure governance issues? Or can civil society organizations or individuals undertake land-monitoring initiatives?

What would you say to Maricel?

“In the Philippines, monitoring has been conducted by The Philippine Association for Intercultural Development (PAFID). The aim was to stop adverse mining projects in areas of high biodiversity under Indigenous Peoples’ stewardship.” Kamal

Kamal illustrates his response with two relevant experiences. In this case, monitoring has been successfully carried out using **participatory methodologies** involving local communities of Indigenous Peoples and **indicators** related to the **Convention of Biological Diversity** (CBD) article 8j on traditional knowledge, innovation and practices as land monitoring and advocacy tools.



Refer to Voluntary Guideline 9.3

"In the case of indigenous peoples, States should meet their relevant obligations and voluntary commitments to protect, promote and implement human rights, including as appropriate from the International Labour Organization Convention (No 169) concerning Indigenous and Tribal Peoples in Independent Countries, the Convention on Biological Diversity and the United Nations Declaration on the Rights of Indigenous Peoples."

In Georgia, a monitoring initiative was undertaken by **Transparency International** for the Global Corruption Barometer.

Transparency International's legal advice centre had kept track of more than 1,000 complaints related to land issues when people became concerned about large-scale economic projects in less developed regions of the country. Many people complained that when they attempted to register their land in those regions they encountered artificial barriers.

“I was part of the team that worked with land claimants by providing information on land rights, publishing a report in tandem with advocacy activities which put pressure on the system to investigate the numerous cases brought forward. The result was the government registering the land ownership rights of families who had been evicted without compensation.”- Kamal

These examples show that, while there is great potential for collaboration, tenure issues are monitored by different organizations in different ways.



*“So, if you ask if civil society organizations or individuals can undertake land monitoring initiatives, the answer is **yes**. Monitoring initiatives of food producers and civil society organizations can provide valuable information on the actual patterns of tenure security and access to resources, and advocacy undertaken in that regard”.- Kemal*

“I see. The organizations can also provide very concrete information gathered at the local level; for example, through the documentation of cases where there were conflicts over natural resources”.- Maricel

Complementary data gathering by different types of organizations can provide a range of information that allows for a better understanding of the current reality, future scenarios and trends. These different kinds of data collection can target different audiences and can directly or indirectly influence policy-makers. Monitoring initiatives undertaken on tenure issues include:

Monitoring by Inter-governmental organizations (IGOs)

- Monitoring commitments by states - An example is The Committee on Economic, Social and Cultural Rights (CESCR) which is a body of 18 independent experts that monitors implementation of the International Covenant on Economic, Social and Cultural Rights by its states parties.
- Monitoring for policy advocacy - Country assessments, for example, can assess performance on a limited number of standard indicators, such as the Human Development Index by the United Nations Development Program (UNDP).
- Monitoring for fund allocation - e.g. IGOs like the International Fund for Agricultural Development (IFAD) inform the allocation of funds through an indicator-based assessment system to support pro-poor rural policy formulation and implementation.

Monitoring by governments

Monitoring by governments includes official statistics and reports on tenure-related issues generated through censuses, administrative records and surveys.

Monitoring by Civil Society Organizations (CSOs)

- Supporting advocacy - Advocacy can be supported through parallel reporting on national and international commitments such as those on the Right to Food by organizations like Food First Information and Action Network (FIAN).
- Supporting dialogue - Monitoring can serve as an entry point for policy dialogue, particularly between government and inter-governmental institutions. An example is Land Watch Asia, which proved to be an effective starting point for policy discussions between CSOs, governments and IGOs like Asian Development Bank.
- Promoting democratic governance - Monitoring can also raise public awareness through knowledge generation, bringing attention to previously unrepresented issues and informing participation in the political process.

Monitoring by the private sector (business)

- Supporting socially responsible investments - Businesses, including multinational corporations (MNCs), aim increasingly to achieve corporate social responsibility (CSR), undertaking voluntary activities to operate in an economic, social and environmentally sustainable manner. For example, following Oxfam's Behind the Brands campaign, Coca Cola has committed to the VGGT, undertaking monitoring related to "zero-tolerance on land grabs".
- Promoting transparency in use of resources - Initiatives like the Extractive Industries Transparency Initiative (EITI) include monitoring by the private sector to promote openness and accountable management of revenues from natural resources.



“Now that I have clarified my concerns, I will have to develop an action plan for our monitoring initiative. I will need to consider many aspects for the action plan: monitoring strategies, communication issues, data quality.” – Maricel’s example

In particular, Maricel will need to:



Identify the **focus** issue of the monitoring initiative.



Answer further questions on **how** to monitor specific issues of concern for her organization with respect to

the governance of tenure.



Understand the range of existing data sources and **design a survey**.



Identify and implement an effective **communication strategy**.

If, like Maricel, you are a member of a civil society organization, government, business, a student, or the general public and you would like to undertake a monitoring initiative on tenure issues, the next lessons of this course can guide you to build an action plan for your monitoring activity. The different aspects of developing an action plan will be covered by the course lessons as illustrated below.

	Identify the focus issue of the monitoring initiative.	Lesson 2 - What to monitor?
	Answer further questions on how to monitor specific issues of concern for her organization with respect to the governance of tenure.	Lesson 3 - How to monitor?
	Understand the range of existing data sources and design a survey .	Lesson 4 - What data to use?
	Identify and implement an effective communication strategy .	Lesson 5 - How to get the message across?

SUMMARY

This lesson has provided answers to two issues regarding land monitoring:

- can monitoring of governance of tenure make use of the VGGTs?
- who monitors governance of tenure?

We have seen that the Voluntary Guidelines promote secure tenure rights and equitable access to land, fisheries and forests and that monitoring and evaluation is an inherent part of VGGT implementation. Then, we have illustrated how monitoring issues on governance of land, fisheries and/or forests does not tend to lead to only one system of monitoring and one set of indicators that have universal applicability, but that tenure issues are monitored by different organizations in different ways.

To conduct monitoring, an action plan needs to be developed. The action plan will be considered in detail in the next lessons of this course:

- **lesson 2** will explain how to identify the focus issues of the monitoring activity;
- **lesson 3** will answer further questions on how to monitor;
- **lesson 4** will discuss how to evaluate data sources and design a survey; and
- **lesson 5** will review issues related to the effective communication strategy for monitoring initiatives.