



# HOUSING AND LAND RIGHTS NETWORK

## Habitat International Coalition

At the recent Middle East/North Africa (MENA) Land Forum, held in Tunis from 5–7 December 2015, Habitat International Coalition - Housing and Land Rights Network (HIC-HLRN) organized a space for civil society a space to reflect on the links between their local land-right struggles and the related international organizations and processes. That round of the Land Forum sought to identify how this interaction at the global level can better align with their local work. The Forum concluded with participants calling for greater capacity in critically using the FAO Tenure Guidelines,<sup>1</sup> as well as agro-ecological and sustainable approaches for land use and food production, sustainable water-management techniques, climate change mitigation, and agricultural co-ops/solidarity economy.

Working from the momentum generated in Tunis, HIC-HLRN intends to advance this dialogue in the coming World Social Forum (WSF) to focus on much needed practical application of the Tenure Guidelines in the MENA region. This workshop seeks to build social movement and civic organization capacities to apply available global norms in their ongoing work.

1. In consultations with civil society partners, HIC-HLRN is currently developing a module applying professional-training methodology to build MENA civil society organization (CSO) capacities to operationalize the Tenure Guidelines in applications that meet the region's specific needs and priorities. HIC-HLRN is producing the training materials in Arabic, with a parallel edition in English for cross-regional sharing. This training will focus on the Tenure Guidelines' conceptual, normative and implementation aspects, including practical exercises to related to specific priority concerns to the MENA region, identifying practical entry points for advocacy, problem solving and collaboration. For simplicity and efficiency within the short (2-day) program, the module will focus on four interlinked applications:

**Small-scale food producers:** Over 90% of all farms in the world are “small” family-centered farms, covering an area ranging from less than one hectare to ten hectares. Taken together, they control less than a quarter of the world's agricultural land, yet they are the most productive and the largest food producers; they produce up to 80% of food in poor countries. In the MENA region, many small-scale food producers suffer from a difficulties in access to secure tenure on their lands, credit and other inputs, which begs for clarity and coherence in tenure policies and land governance across the region. The Guidelines encourage legal recognition of

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<sup>1</sup> The Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (March 2012), at: <http://www.fao.org/docrep/016/i2801e/i2801e.pdf>; Arabic version at: <http://www.fao.org/webtranslate-feedback.systransoft.com/translate?source=en&target=ar&url=http%3A%2F%2Fwww.fao.org/docrep%2F016%2Fi2801a%2Fi2801a.pdf>.

customary and traditional land use, and full consultation with small-scale food producers in development projects or investments that affect them (FPIC). Achieving these ends requires strategies for creating dialogue between state authorities and food producers directly, as recommended in paragraph 26.2 of the Guidelines. Such norm-based dialogue is critical also to creating balanced policies and greater empowerment of local, small-scale producers to access resources, agricultural inputs, infrastructure and markets.

**Arid environments/land and water:** The governance of water (other than for fishing use) is not explicitly included in the Tenure Guidelines, although the preface to the principles acknowledges that “responsible governance of tenure of land, fisheries and forests is inextricably linked with access to and management of other natural resources, such as water and mineral resource.” Their *Principles of implementation: Holistic and sustainable approach* (para. 3B.5) acknowledge the link between the tenure and the management of water resources. While agreement on more-specific principles remains a subject of a future CFS work stream, the practical application exercise in the HLRN module will adapt the Tenure Guidelines to the MENA regional priority issue of water scarcity. In a region where many countries are reclaiming desert lands for investments (urbanization, agricultural exports) and/or national food security, sustainable development with sufficient support small-scale food producers—in particular, the landless—remain a high priority. Producers and related CSOs in the MENA region need technical skills to cope with rapid desertification, climate-change threats and apply best practices to optimize limited water resources. The workshop will produce recommendations and plans to ensure effective policy oversight and monitoring to address producer needs and promote learning from traditional and indigenous practices, which often work sustainably *with* the environment, not just *on* the environment, consistent with the Tenure Guidelines.

**Challenges of Resilience - Conflict, occupation and war:** Resilience of small-scale food producers and rural communities remains a challenge globally. The ecological factors such as limited arable land and water resources, as well as urban encroachment, further put communities at risk of shocks in economic crises or weather/environmental events. However, the fluid, and often violent, political context of the region, manifesting in conflict, occupation and war, creates further challenges to building resilience. The pursuit of resilience in our region also raises practical and normative issues to inform the concept and its application, including its relationship to accountability of actors responsible for the shocks and hazards that call necessitate resilience. Several countries in the region are in transition and/or periods of insecurity, challenging local producers and CSOs to respond with both preventive and remedial effect. This context takes regional cases into consideration in which land governance and tenure are at the center of both causes and solutions to conflict. The practical exercise will explore how CSOs and local producers can meet the needs of the situation, introducing also the outcomes of the Agenda for Action/Framework for Food Security and Nutrition in Protracted Crises. MENA civil society initiated that work stream within CFS, and promises to go far toward operationalizing the principles as development in alignment with the Tenure Guidelines. This application of the Tenure Guidelines’ supportive framework for CSOs to develop education and action, and seek to create coherent policies for resource governance across humanitarian law, refugee law and other relevant normative instruments. Empowering communities to engage

with the policy process and know their rights, and the bodies that affect these rights, is a critical step to creating policies that address the root causes of conflict and create lasting resilience.

**Investment and privatization:** A practical application of the Tenure Guidelines will apply their responsible governance principles to the current phenomena of agricultural investment and changes in land tenure arrangements, the trend of which favors the privatization of the commons, public goods and services. While the curriculum takes note of the recently adopted Responsible Agricultural Investment principles,<sup>2</sup> the exercise will explore how these compatible sets of norms apply to the region, including toward development of much-needed guidance to address intra-regional land-investment patterns.

### **The Participants**

The training will target CSOs, NGOs, social movements, researchers, technicians and academics working on issues of land in the MENA region. Interpretation facilitate other participants present, including some global HIC Members and Board representatives, who are working on these issues in other regions or at the international level. Consistent with HLRN's program, it effort seeks to allow all participants to better understand the advocacy priorities and strategies common to the MENA region.

This event is designed to complement other WSF activities that serve participants in the entire WSF week, as HIC/HIC Members are organizing jointly with organizations and networks several other relevant global meetings and workshops on issues of land and food systems, and are of particular importance to the MENA region. These events include:

- Reclaiming Local Food Systems
- Middle East/North Africa Land Forum Outcomes
- People under Occupation
- Social Function of Land

These activities will enable HIC-HLRN to diffuse the learning outcomes in these and other related WSF workshops and conferences, as well as the final day's "convergence" sessions that pool outcomes and consolidate platforms by sectoral interest group.

### **Follow-up and continuity**

HIC-HLRN has developed a timeline of key events leading to the next Near East Region Conference (NERC), which will take place at Beirut, in April 2016. The localization, implementation and popularization of the Tenure Guidelines form a normative core of the processes toward, and deliberations at the NERC.

The outcomes and recommendations from the Tunis training event will be the subject of a workshop that will take place at the Multistakeholder Consultation in Amman, Jordan, on 27–

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<sup>2</sup> Principles for Responsible Investment in Agriculture and Food Systems (October 2014), at: <http://www.fao.org/cfs/cfs-home/resaginv/en/>.

30 April 2015. This workshop in WSF will enable HIC-HLRN and participants to share the outcomes with a wider MENA and global CSO/social movement audience, as potential users of the Tenure Guidelines and contributors to their further local application. The April meeting will also serve as an occasion to present the training curriculum and materials in a Training of Trainers (ToT) format in a CSO pre-session event at Amman.

With the further training efforts of HIC-HLRN and the region's CSOs in 2015, as well as the further inclusion of the Protracted Crises principles to be adopted in October 2015, will enable participants in the NERC to address regional priorities and pose solutions more effectively.

