

# New International Land Governance Responses to Rising Demand for Land in Africa

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## New International Initiatives on Land Governance

- **Voluntary Guidelines on Tenure Governance:**

<http://www.fao.org/nr/tenure/governance-of-tenure/en/>

- The Guidelines place tenure rights in the context of human rights. There is currently no international consensus that a tenure right is a human right.
- **An instrument of “soft law”:**
- “Soft laws” have an advantage over binding international agreements in that they are usually easier for countries to reach agreement on



## Voluntary Guidelines: The founding principles

- Section 3 lays out the principles that are at the heart of the Guidelines. In accordance with the general principles, **States should:**
- RECOGNIZE AND RESPECT all legitimate tenure rights and the people who hold them
- SAFEGUARD legitimate tenure rights against threats
- PROMOTE AND FACILITATE the enjoyment of legitimate tenure rights
- PROVIDE access to justice when tenure rights are infringed upon
- PREVENT tenure disputes, violent conflicts and opportunities for corruption



## The Voluntary Guidelines on: Investors

- Investors should **ensure their investments do not cause people to be dispossessed of their tenure rights.**
- When they propose to acquire tenure rights to land, fisheries and forests, they should **ensure that all relevant people are informed and engaged in the negotiations.**



# Land Governance Assessment Framework

<http://web.worldbank.org/WBSITE/EXTERNAL/EXTDEC/EXTRESEARCH/EXTPROGRAMS/EXTARDR/EXTLGA/0,,contentMDK:22793966~pagePK:64168427~piPK:64168435~theSitePK:7630425,00.html>

- A diagnostic tool to help evaluate the legal framework, policies and practices regarding land governance and to monitor improvement over time
- Led by the World Bank in collaboration with partners
- Many country pilot studies have been implemented
- Can form the basis for establishing stronger national land governance institutions, build capacity, improve knowledge, policies and implementation





# Other Initiatives

- **UN Economic Commission for Africa:**

- **Land Policy Initiative:**

- [http://new.uneca.org/lpi/home\\_lpi.aspx](http://new.uneca.org/lpi/home_lpi.aspx)

- Has developed a 5 Year Strategic Plan and Roadmap 2012-2016

- **African Union:**

- **Declaration on Land Policies and Challenges in Africa**

- [http://new.uneca.org/Portals/lpi/Documents/AU-Declaration-on-Land-Issues\\_ENG.pdf](http://new.uneca.org/Portals/lpi/Documents/AU-Declaration-on-Land-Issues_ENG.pdf)

