

REVIEW AND RECOMMENDATIONS ON THE REU WORK PROGRAMME 2020-2021

RI 1: IMPLEMENTATION OF THE VOLUNTARY GUIDELINES ON THE RESPONSIBLE GOVERNANCE OF TENURE OF LAND, FISHERIES AND FORESTS IN THE CONTEXT OF NATIONAL FOOD SECURITY (VGGT)

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Introduction

After the endorsement in May 2012 of the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT), the land tenure work of FAO in the region is as elsewhere building on the principles and guidance of the tenure Guidelines.

In the first years after the endorsement, many efforts were focused on awareness raising about VGGT and its implementation, including through the Caravan Project in seven countries in 2015, a regional awareness raising workshop for civil society representatives in Budapest in 2016, a sub-regional workshop also for CSOs in Central Asia organized in Bishkek in 2017 and the preparation of Roadmaps for VGGT implementation in Kyrgyzstan and Tajikistan in 2018.

At present, the implementation of the Guidelines is fully mainstreamed in all land tenure related projects and activities in REU. The main activities include the following technical areas: i) support to introduction of land consolidation instruments and building up of national land consolidation programmes, ii) addressing land abandonment and introduction of land banking instruments, iii) support to improved state land management and iv) support to the development of agricultural land markets.

The FAO regional land consolidation programme

FAO has so far supported the introduction of land consolidation instruments and building up of national land consolidation programmes in 11 countries in the region.¹ Land consolidation is usually introduced in response to farm structures characterized by excessive land fragmentation and small farm sizes. An ongoing flagship land consolidation programme is the EU/FAO funded MAINLAND project in North Macedonia². During 2014-2017, FAO supported the implementation of two land consolidation pilots testing the procedures of the Law on consolidation of agricultural land adopted in 2014, provided legal recommendations and supported initial capacity development. Since 2017, FAO has through the MAINLAND project supported development of detailed procedures for land consolidation, amendment of the land consolidation legislation based on pilot experiences and the implementation on the ground of 10 ongoing projects. Land consolidation is based on local needs linked with improvement of the local agricultural infrastructure in the projects areas such as irrigation, roads and drainage.

Developing sound and operational land consolidation legislation in line with the principles of VGGT is a corner stone in all countries applying land consolidation and REU has long felt the need for a guidance document. In 2018, FAO conducted a study of good European practise for land consolidation legislation. Based on the study, REU prepared together with the Development Law Service of the FAO Legal Office

¹ Hartvigsen, M. (2019): FAO support to land consolidation in Europe and Central Asia during 2002-2018 – Experiences and way forward. FAO Land Tenure Journal 1/2019. Web link: <http://www.fao.org/3/CA3184EN/ca3184en.pdf>

² GCP/MCD/002/EC ; TCP/MCD/3603 - Mainstreaming of the National Land Consolidation Programme

(LEGN) a *Legal Guide on Land Consolidation*.³ The Guide was published in June 2020. The Guide was presented and its application discussed at a webinar organized jointly between FAO and the International Federation of Surveyors (FIG) on 18 June 2020. The webinar was attended by 570 participants from 100 countries. The Guide has potential for global application.

Well implemented land consolidation programmes have a potential to strongly contribute to achieve a number of SDG targets, including Target 2.3 on doubling productivity and income of small-scale food producers, Target 1.4 on ensuring that all men and women, in particular the poor and the vulnerable, have equal rights to economic resources, as well as access to basic services, ownership and control over land and other forms of property and Target 5.a on undertaking reforms to give women equal rights to economic resources, as well as access to ownership and control over land and other forms of property.

Addressing land abandonment with land banking instruments

Land abandonment is widespread in several countries in the Western Balkans and Caucasus. In Armenia and North Macedonia, more than 1/3 of all arable agricultural land is abandoned (not in production). In Turkey, around 2 million ha are abandoned.

A Study conducted by FAO in Armenia on the reasons for land abandonment revealed multiple inter-related reasons for the high level of land abandonment, including structural problems with small farm sizes and excessive land fragmentation; low profitability in agriculture; dependency on irrigation; land degradation; difficult access to markets for small farms. This is leading to out migration (and absent owners) and finally to land abandonment. Bringing abandoned agricultural land back into production is a way to strengthen local food production, which has become very relevant in response to the COVID-19 outbreak in spring 2020.

At the request of the Government of Armenia, FAO is currently supporting the establishment of a Land Agency with a mandate to apply land management instruments such as the mediation of lease agreements between absent owners and local farmers, land banking and land consolidation. The objective is to address land abandonment and improve farm structures in selected intervention areas.

A land banking project to be funded from the FAO Turkey Partnership Programme (FTPP) is currently under formulation. The expected outcome is the development of institutional capacity to implement land banking as instrument to address agricultural land abandonment and ensure sustainable use of agricultural land, facilitate farm structure development (reduction of fragmentation and enlargement of farm sizes) through better interconnection with the ongoing land consolidation programme. The Project will also involve Uzbekistan and Azerbaijan as partner countries where the main objective will be to raise awareness of relevant stakeholders about the role of land banking in addressing the problems of land abandonment and efficient land use together with initial steps towards development of an agricultural land market based on the principles of VGGT.

Development of agricultural land markets and enhanced management of state land

Developed and well-functioning agricultural land markets is to a large extent a precondition for agriculture and rural development. In Ukraine, the moratorium on sales of agricultural land will be lifted from July 2021. FAO has supported the preparation of a position paper on land reform initiated by the Office of the UN Resident Coordinator.

In many countries in the region, agricultural land markets remain weak and their development hampered by a high degree of informality, e.g. unregistered inheritance and lack of formal registration of new ownership after land transactions.

³ Veršinskas, T., Vidar, M., Hartvigsen, M., Mitic Arsova, K., van Holst, F. and Gorgan, M. (2020): Legal guide on land consolidation: Based on regulatory practices in Europe. FAO Legal Guide, No. 3. Rome, FAO. <https://doi.org/10.4060/ca9520en>

State owned agricultural land has when managed in a targeted way the potential to contribute to development of agricultural land markets and to the development of small farms into commercial family farms. FAO has supported Montenegro and North Macedonia in strengthened management of state land.

Land tenure / VGGT components in GEF and GCF projects

In line with VGGT, it is important to continuously promote security of tenure rights and the enjoyment of secure tenure rights. This is in particular the case for smallholders and small family farms who, for a number of reasons, often do not have well secured tenure rights. The small farms are also usually vulnerable to the impact of land degradation, climate change, etc. FAO is implementing a number of projects in the region funded from GEF and GCF on sustainable management of natural resources. Efforts have been made to better integrate work on land tenure and VGGT implementation in these projects.

Partnerships

FAO has in the region established a strong technical network and partnerships around land tenure work. More than 20 regional workshops have been organized since 2002. The most recent workshop took place in Santiago de Compostela in Galicia, Spain, in November 2019 with participation of more than 200 land tenure professionals from more than 30 countries in Europe and Central Asia. The technical network, LANDNET, has a focus on sharing experiences across the region related to land consolidation, land banking and land market development. Strong partnerships have been developed with the UNECE Working Party on Land Administration (WPLA), the International Federation of Surveyors (FIG), GIZ, civil society and academia.