Land and Water Days 2019

Near East and North Africa NENA Land and Water Days were convened in Cairo during 31 March–4 April 2019, to review the progress made in addressing land and water realities and challenges in the region, foster exchange of knowledge and experience among countries and partners, and chart the way forward; considering lessons, new challenges and opportunities for sustainable development.

Technical Session on Land, Fisheries and Water Tenure: Opportunities for Integrated and Inclusive Governance Frameworks

Conveners: IFAD, GLTN/UN-Habitat, FAO

The GLTN/UN-Habitat, FAO and IFAD have accumulated relevant experiences and practices concerning the responsible governance of tenure of land, fisheries and water resources. Through the provision of technical support, investments and implementation of a variety of programs and projects in various countries and regions, these agencies have with government and community partners developed approaches and methodologies to address the land, fisheries and water interface in

a comprehensive and sustainable manner. This technical session provided a good opportunity to share and discuss those best practices and lessons learned so that the Conference's participants benefited from these experiences and also from a clear recognition of challenges still to be addressed. The ultimate objective of this technical session has been to provide inputs for decision makers in the region, to make informed policies and legislation (including institutions) to address the challenges the NENA region countries face concerning the land, fisheries and water nexus.

Summary report of the session:

- **Main challenges identified:** (technical, institutional, social, capacity…)
  - o Part of the widespread fragility in the NENA region has its roots in conflicts over access to scarce land, water and fisheries resources. These resources are under additional pressure from climate change, displaced people, and encroachment on land used by local communities through concessions and investments in medium and large scale mechanised farming, mining and urbanizations. These land-use changes sometimes leads to the pollution of water resources and smallholder farmers, agro-pastoralists and pastoralists are not benefitting or offered alternative livelihood opportunities.
  - o Native or traditional systems for governance of tenure have over time been weakened by fragmented state regulations where the different resources are treated in silos by different administrations. This creates inconsistencies in resources management and blindness to the fact that resources are naturally integrated in ecosystems used by local communities for their livelihoods.
  - o Land and forest resources are fixed, while water and fisheries resources are moving and have changing availability which needs to be taking into account in the allocations governed by tenure arrangements. The different resources therefore require different governance and tenure frameworks, which often contributes to the fragmentation in natural resources management and little effort has been done to come up with innovations integrating the various frameworks.
  - o To achieve the SDGs, the NENA region (as well as other regions) can no longer afford to deal with each natural resource in silos by different administrations and systems that are not communicating or facilitating their integrated governance and management. Frameworks are needed to facilitate decision-making fostering synergies and mitigating the risks of trade-offs between sectors and impacts on the livelihoods of different communities.
  - o While there are good examples of integrated land and water tenure governance and resources management at community and intercommunity level, creating peaceful co-existence and increased sustainability and productivity of shared resources, these models

are not sustained or scaled through supporting governance frameworks at the different levels of government administrations. The tenure security supporting these models are therefore in constant risk of being eroded or even overwritten by sectors with more power to influence land and water allocation and use decisions.

- **Accomplishments presented:** (e.g. partnerships; technological innovations; community participation; gender and youth empowerment; economic impact)
    - The IFAD co-financed Butana Integrated Rural Development Project (BIRDP) has over time enabled local communities to establish natural resources (NR) governance and management arrangements by networks of communities. Through the inclusive organizational structures of the networks, including women and youth committees and their representation in governing bodies as well as representives of mobile communities, these networks of communities are now able to manage broad landscapes and increase the sustainability of and production and revenues derived from their NRs. With the resulting empowerment and awareness on their opportunities provided in national regulations, local communities have also decided to take on the complex process of registering their range and forest reserves as a measure to secure their land tenure. Further, they are now able to speak with one common and stronger voice, requesting and achieving access to public and private services. Building on the empowerment and NR governance capacities of the networks, the BIRD project facilitated a series of NR fora in a bottom-up approach with the objective to put the different NR governance and tenure issues encountered by the networks at the right level of governance and resolution. This process started with NR fora between the Localities and the community networks dealing with issues the networks cannot solve on their own. Subsequently, issues also out of the capacities of the Localities were brought to NR fora at the state level with participation of the different sector administrations. This NR fora process has been an attempt to push the government administrations at the different levels to play their role in creating integrated solutions for NR governance that work for local communities and vulnerable groups.
    - The IFAD co-financed Western Sudan Resources Management Programme (WSRMP) has demonstrated how violent conflicts may be avoided by establishing co-governance and management arrangements of stock routes in Kordofan between various communities and ethnic groups in an area with multiple challenges from pressure on resources from climate change and people displaced by armed conflicts. In addition to demarcation of the routes, providing social and economic services along the routes and improving pastoralists value addition and access to markets, one key element has been the establishment of conflict resolution centers. These center are managed by the communities and backed by the Localities and have been able to solve more than 80% of the disputes along the routes and increased the peaceful co-existence of the different communities using the same landscapes.
    - The application of the instruments (Social Tenue Domain Model and registration of land-use and tenure in a database), developed by the GLTN Tenure Security Learning Initiative, in the development of the Mwea Irrigation Scheme in Kenya demonstrated the importance of community participation in mainstreaming land and water tenure aspects in water infrastructure planning. By building communities' capacities in using models for managing optimal crop water requirements and building these requirements into water allocations as part of the water tenure governance, it has been possible to minimizes water waste.
    - Recognizing that water was left out of the Voluntary Guidelines for Responsible Governance of Tenure (VGGT), FAO has initiated a project together with the governments of Senegal, Sri Lanka and Rwanda to establish national water tenure governance frameworks. Since water is a resource varying in its availability, the project has started with building capacities for establishing water balances and auditing. This allows for establishing the amount of water resources available for allocation between the different

sectors and users through tenure arrangements. These tools also facilitate decision making on water infrastructures to increase the access to water resources.

- **Lessons from the experiences:**
  o Policy and regulation leverage is needed to scale local solutions on land, water and fisheries governance and to ensure long term tenure security for vulnerable rural populations.
  o Strong intercommunity governance of natural resources showcase the interdependency of the tenure to the different resources, identify issues needed to be solved at a higher level and can as such be a push factor for improved integrated government frameworks at different administrative levels. This push dynamic can be facilitated by creating platforms (NR fora) where the communities, local governments and all sectors in state governments can discuss the concrete issues encountered by the communities and seek solutions at the adequate government level.
  o Even in a fragile context with pressure from people displaced by climate events and violent conflicts (characteristic for part of the NENA region) it is possible to establish intercommunity NR conflict resolution mechanisms able to foster peaceful co-existence. However, because of the dynamic and fragile context these mechanisms need to be backed-up by government framework and a minimum of resources to be sustainable in the long term.
  o Because of the flowing characteristic of water connecting landscapes with seascapes and making different livelihoods interdependent, in particular water governance and tenure needs to consider trade-offs between sectors and livelihoods and try to create co-benefit strategies.
  o Fish and livestock have in common that they move to follow the availability of feed. As we develop tenure systems that works for small scale fisheries we might be able to learn from successful tenure and governance systems functioning for pastoralism, where mobility is key. The challenge is to map users and evaluate and make the difficult decisions on who are included and who are excluded from the co-management of the resources. This requires the application of the criteria that no-one should be left behind, but also creating incentives for participation in conservation and rehabilitation activities by also allocating user rights and access to the benefits derived from increased resources productivity.

Main Recommendations / future directions (e.g. fund raising, scaling up…)**:**

What?	To whom?	Until when?
1. Scaling up of local interventions is possible provided that the enabling environment is there.	National Governments	
2. Facilitating further inter-regional learning on land tenure and water governance issues (in this case between Africa and the NENA region)	International and regional organizations (e.g. IFAD, FAO, GLTN)	
3. Assessment of modes of fisheries tenure and access to fisheries resources, conflict mapping in NENA and dissemination of knowledge and best practices	FAO	

- **Main takeaway messages**
  o To contribute towards achieving the SDGs, it is crucial to create natural resources governance and tenure systems that secure access and gives incentives for their management to the millions of smallholder farmers, fishers and pastoralists depending on these resources for food production throughout the NENA region.

- Holistic frameworks for resources governance and management needs to take into account trade-offs in achieving the SDGs between different resources users. E.g. intensified farming polluting water resources with sediments and agrochemicals may hamper fishing grounds in lakes and coastal waters. Expansion in crop farming may hamper the mobility of pastoralist communities. Broader landscape approaches to governance of tenure are needed involving all resources users including in particular the more vulnerable groups in order to secure their continued access to resources.
- Well thought through and holistic tenure governance based on dual systems, integrating native or traditional governance in government frameworks, offers the option to secure access and tenure for vulnerable groups.
- Strong intercommunity governance of NR showcase the interdependency of the tenure to the different resources, identify issues needed to be solved at a higher level and can as such be a push factor for improved integrated government frameworks at different administrative levels. This push dynamic can be facilitated by creating platforms (NR fora) where the communities, local governments and the various sector ministries concerned in state governments can discuss the concrete issues encountered by the communities and seek solutions at the adequate government level.
- Even in a fragile context, with pressure from people displaced by climate events and violent conflicts (characteristic for part of the NENA region), it is possible to establish intercommunity NR conflict resolution mechanisms that are able to foster peaceful co-existence. However, because of the dynamic and fragile context, these mechanisms need to be backed-up by government framework and a minimum of resources to be sustainable in the long term.

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