

The Federal Government's Contribution to the Implementation of the Voluntary Guidelines

The Federal Government considers the adoption of the Voluntary Guidelines a milestone towards good governance in the land sector and is actively involved in their implementation in many different ways.

The Federal Government promotes more **information** and **transparency** in the land sector, as the involved actors need a solid basis to be able to take far-sighted decisions. It supports the development of the **Land Matrix**², a comprehensive, international online database that provides an information basis on local contractual partners, foreign investors, requested and acquired areas, the planned use and the status of negotiations.



² <http://landportal.info/landmatrix>



The Federal Government looks back on a long-standing tradition of supporting the development of reliable and efficient state administration structures.

It makes use of its experience in the fields of **land-use policy advice**, **land-use planning** and **land registration** to support its partners in developing a land administration that is committed to sustainable land use. This also includes the **initial and further training** of decision-makers from public authorities in partner countries.

The Federal Government is committed to ensuring that **private sector investments** follow the minimum standards formulated in the Voluntary Guidelines and supports the development of **best practices** for businesses. It also promotes the implementation of **partnership-based business models** (e.g. contract farming) and supports dialogue forums that provide a platform for the **exchange of views and experiences with the private sector**.

And last, but not least, the Federal Government ensures that the financial and technical cooperation projects it finances are in line with the **Voluntary Guidelines** and only accepts private investments if their developmental benefit and their innocuousness with regard to human rights, ecological and social issues are beyond doubt.

As part of the cooperation with FAO, the Federal Government will also continue to support **FAO projects** in this field.

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Equitable and Sustainable Access to Land, Fisheries and Forests

Voluntary Guidelines on the responsible
governance of these resources

Access to Natural Resources is of Vital Importance

Secure rights to land and other natural resources and their sustainable management are of vital importance to people in rural areas.

They are a key factor for implementing the right to food. People without adequate or secure access to land, fisheries and forests are often threatened by poverty and hunger.

The recognition and protection of existing land rights and the necessity of comprehensive land-use planning have become more important and urgent due to increased investments in agriculture in emerging and developing countries.

The Voluntary Guidelines – Justice and Sustainability with Regard to Access to Land, Fisheries and Forests and Other Natural Resources

In response, 124 Member States of the United Nations Committee on World Food Security (CFS) unanimously endorsed the *Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security*¹ in Rome on 11 May 2012.

¹ www.fao.org/nr/tenure

The guidelines are intended to serve the states as a guiding principle for shaping their legislation and administration with regard to the tenure of land, forests and fisheries.

But they also address other actors such as the private sector and civil society, for example with a view to structuring investments or controlling government actions.

The adoption of the guidelines is the result of two years of intensive consultations by the states – with the active involvement of civil society, science and the private sector – and the Food and Agriculture Organization of the United Nations (FAO). The Federal Government provided considerable support to the consultations and final negotiations both politically and financially.

The Voluntary Guidelines include

- ▶ Minimum standards on the recognition, transfer and administration of property, tenure and use rights with regard to land, fisheries and forests
- ▶ Provisions for expropriations, compensation processes, agricultural reform measures and redistributive reforms of land ownership, etc.
- ▶ Process and good governance standards for land tenure, ranging from price determination and evaluation to land administration
- ▶ In this context, they precisely describe what can be done to ensure the participation of the people concerned, prevent discrimination and corruption in connection with land access and land tenure, respect traditional and informal rights of use and pay due regard to the rights of indigenous peoples.



In addition to that, the Voluntary Guidelines formulate

- ▶ Minimum standards for investments in land, forest and fisheries resources: Support is given, for example, to assess the impact of investment projects on property and use rights and on the local population's right to food.

The guidelines are the first instrument under international law developed in cooperation with a very diverse group of stakeholders that deal with politically sensitive issues regarding the access to land, fisheries and forests.

Implementation of the guidelines is entirely voluntary. But thanks to the active participation of 96 countries, more than 25 civil society organisations, the private sector and various development aid organisations in the development process and the final unanimous adoption by the CFS, these guidelines have a high degree of legitimacy. They refer to existing human rights standards and other instruments under international law.

The participating states make a de facto voluntary commitment to implement the guidelines.

