

COMMITMENT 1



LEARN, SHARE AND BE INSPIRED

LEARNING FROM ILC DATABASE OF GOOD PRACTICES

SECURE TENURE RIGHTS

INTERNATIONAL
LAND
COALITION

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SECURE TENURE RIGHTS

ILC's **Commitment 1** seeks to respect, protect and strengthen the land rights of women and men living in poverty, ensuring that no one is deprived of the use and control of the land on which their well-being and human dignity depend. **ILC's Database of Good Practices** provides concrete examples and guidance to Coalition members and partners on how to achieve this commitment.

What processes, tools, and methods have ILC members successfully used to overcome some of the challenges they face in respecting, protecting and strengthening the land rights of women and men living in poverty? Learn about:

ESTABLISHMENT AND STRENGTHENING OF LOCAL INSTITUTIONS

How ILC members and partners have conducted capacity building workshops to strengthen female leaders' capacity to design and manage environmental projects, and established farming cooperatives.

ADVOCACY AND CAMPAIGNING

How ILC members and partners have organised non-violent protests to lobby the government to protect former farm workers' land rights.

LEGAL ASSISTANCE, LEGAL EMPOWERMENT AND ACCESS TO JUSTICE

How ILC members and partners have used paralegal programmes and sustained legal action to secure the land rights of women and men who depend on land for their well-being.

LAND CONFLICT RESOLUTION

How ILC members resolved land conflict through negotiation and dialogue

MAPPING AND LAND REGISTRATION

How ILC members have created participatory 3D and forest land maps to depict and protect their land.

PROJECT DESIGN AND IMPLEMENTATION

How ILC members have strengthened land rights by providing irrigation systems.

ESTABLISHMENT AND STRENGTHENING OF LOCAL INSTITUTIONS

▶ **Establishing a farming cooperative** to administer land received as part of a land redistribution programme can secure land rights of former farm workers whose livelihoods and sustenance depend on the land. In the Philippines, **PAKISAMA, (C0051)** a national confederation of farmer and fisherfolk organisations, worked with other NGOs to identify former farm workers who would benefit from the national land redistribution programme. With the identified beneficiaries, PAKISAMA and partners established the Pecuaría Development Cooperative that would administer the land for the benefit of the community. In partnership with the Department of Agrarian Reform and the Philippine Partnership for the Development of Human Resources in Rural Areas, the Cooperative divided the farm into plots for each household, a training centre, a school, communal areas and five specialised production units, where the farmers practiced organic farming. The cooperative also assisted the farmers with credit, developing irrigation infrastructure, and creating and accessing markets for their different farm products. As a result of the work of the cooperative, in 2011, the 426 resettled farmers traded 14.2 metric tons of rice worth approximately USD 302,000, and 486 metric tons in 2012.

▶ **Capacity-building programmes** are essential for strengthening institutions' capacity to adequately address community challenges. In **Peru, SER (C0129)** worked with the community assembly to change the community to allow women to participate in land governance. They first engaged in a community awareness-raising programme that targeted both men and women from these communities, and used videos and socio-drama techniques to reflect on the importance of including women in land governance. After successfully incorporating women into the governance structures, SER engaged women from thirty peasant communities in capacity building, using drawings and information leaflets on land governance and community management tools. As a result, nine hundred and twenty nine women from thirty communities in the Andean regions are now community leaders, and participate in community assemblies, with a voice and a vote. Twenty women are part of community management boards and participate in decision-making processes. Four women's organisations at district level have managed environmental rehabilitation programmes in the Ayacucho and Puno, and seven women submitted a solid waste management project proposal to their municipality.

ADVOCACY AND CAMPAIGNING

► **Non-violent protests** are a tool for advocacy against unlawful dispossession of land by the government. Over the course of twenty years, **PAKISAMA (C0050)** used a combination of non-violent campaign tools to secure former farm workers' land rights. In 1990, the government of the **Philippines** recognised the land rights of former farm workers, granting them title to land they previously lost under colonial rule about 40 years prior. However, the government later withdrew their recognition, dispossessing the community of their land. PAKISAMA worked with the dispossessed former farm workers to launch a campaign against the government. Using a combination of hunger strikes, camp-outs, land occupation and highway protests as campaign tools, the former farm workers managed to gain the attention of the government. Most notably, PAKISAMA and the former farm workers launched the "Walk for Land, Walk for Justice" march campaign, covering 1,700km, with 3,000 supporters mobilised along the route and 800 from religious congregations. With mediation by the church, the farm workers and the cooperation that owned the land entered into negotiations and agreed that the farmers would receive title and settle on 50 hectares on the property. The government also approved an extension on the land redistribution project, and purchased land from large private holders to redistribute it to landless farmers. As a result, the former farm workers received a total of 213 hectares of land, which they turned into small-scale farming projects, a production loan of 2 million Peso and technological assistance from Xavier University.



LEGAL ASSISTANCE, LEGAL EMPOWERMENT AND ACCESS TO JUSTICE

▶ A local women's **paralegal programme** is essential for protecting the rights of widows to inherit land upon the demise of their spouses. In **Togo, WiLDAF (C0047)** and its partners trained paralegals to offer legal assistance to women, including assisting them to enforce their land rights and acting as mediators in matters relating to marriage, inheritance and children. Paralegals also act as liaisons between community women who cannot attend court and the state's legal counsel. Most importantly, they act as mediators between traditional leaders, widows, landowners, heads of households and families in law when there is a land dispute. WiLDAF used training of paralegals together with mobile legal clinics, and community workshops to strengthen legal literacy. As a result of WiLDAF's paralegal programme, 630 paralegals have been trained, and they have set up 33 networks and legal assistance centres across the country. The paralegals have been instrumental in resolving land issues and have assisted widows to regain access to and ownership of land they jointly owned with their husbands.

▶ **Sustained legal action** can be used to compel the government to recognise, protect and secure the land rights of indigenous peoples. In Kenya the conservation and environmental laws and policies, prohibited people from living and hunting in the forest, effectively barring the Ogiek community from obtaining title for their forest land. Despite a 17 year legal battle in the High Court of **Kenya**, the Ogiek Community failed to get relief for violations of their land rights. With the assistance of **OPDP (C0124)**, the Ogiek community sought relief in the African Court on Human and Peoples' Rights from violation of their rights to land, human dignity, worship, education, property, and association. Throughout this period, OPDP held regular awareness forums with Ogiek elders, women, and youth to inform them of the case's progress and the role they had to play in the process. The African Court found that the Kenyan government had violated the rights of the seven Ogiek communities relating to property, natural resources, culture, religion, and development. It awarded compensation and reparations to the community for losses incurred, and gave the government six months to report back on progress made in remedying these violations, thus averting an imminent and unlawful eviction.

LAND CONFLICT RESOLUTION

▶ **Negotiation and dialogue** is essential for intra-community land conflict resolution and can lead to fair recognition of customary land rights. In Argentina, **FUNDAPAZ (C0068)** facilitated dialogue between indigenous communities and Criollo peasants who had conflict over land. The Criollo settlers encroached on the land of the indigenous communities, resulting in dispute over ownership and use of the land, thus affecting the traditional hunting and pastoral practices of the local indigenous community. The ranchers divided the vast expanse into plots and erected barbed wire fences that were incompatible with the hunting, herding and foraging practices of the communities that inhabited the area for centuries before their arrival. FUNDAPAZ used participatory and democratic processes to engage the ranchers and the indigenous communities on options to retain ownership over a part of the land, putting an end to the conflict. As a result of the dialogue, 400,000 hectares of land were titled as communal property of the indigenous community, whereas the ranchers were awarded 243,000 hectares to divide into lots.

MAPPING AND LAND REGISTRATION

▶ **Participatory 3D mapping and modelling** can assist indigenous peoples to claim their ancestral domains. In the Mindanao region, **Philippines**, the Moro indigenous peoples suffered socio-economic marginalisation as a result of loss of their land to Christian settler communities. The settler communities dispossessed the Moro community of their ancestral domains which include forests, rivers, agricultural and coastal areas, where they have acted as stewards since time immemorial. With the assistance of **PAFID (C0003)**, the Moro community sought to enforce their land rights. They worked together to delineate and geo-reference their land, and produce 3D maps of their land, resources and other environmental features. They used local knowledge and geographical data to depict their resources on a scaled 3D cardboard model of their territory, such that the data can be extracted, digitised and incorporated into a Geographic Information System (GIS). As a result of PAFID's work in Mindanao, more than 200 communities have filed official claims and 156 ancestral domain titles covering 4,306,446 hectares have been awarded, validated and approved by the National Commission on Indigenous Peoples, and 37 certificates of ancestral domain titles have been registered with the Land Registration Authority.

▶ **Participatory forest land mapping** can empower indigenous peoples to claim access to natural resources and influence systematic spatial planning in their villages. In **Indonesia**, **JKPP (C0002)** worked with the indigenous community to depict on a scaled map, what they collectively perceived as their territory, including all the salient physical, natural, and socio-cultural features of the forest territory. The forest maps were then used as a basis for formulating socio-economic and spatial plans at sub-district and district level. The participatory process used by JKPP is tradition and culture sensitive, thus ensuring that the values and priorities of the community are reflected in the spatial plans. As a result, 11 villages formulated spatial plans that include analyses of the relationship and interdependency between the villages' socio-economic development, infrastructure use, land use and access to natural resources. The consolidated plans were approved by the community assemblies, and were publicly launched in the District and Sub-Districts.

PROJECT DESIGN AND IMPLEMENTATION

▶ Setting up an **irrigation scheme** in a region where returning refugees and previously displaced families live can contribute to securing land rights. In **Senegal's** Matam region, where returning refugees live, the community was facing a dramatic decline in rainfall and changes in the flood pattern of the Senegal River, increasing economic insecurity and poverty for families living in the area. Under the "one household, one hectare" banner, **IFAD's (C0121)** irrigation project, *Projet de développement agricole de Matam (PRODAM)* aimed to provide secure and irrigated land to returning refugees. In order to guarantee land access in irrigated areas, IFAD facilitated the redistribution of land amongst all the families living in each village. Each household received one irrigated plot of up to one hectare, with the actual size calculated on the basis of the household's operating capacity. After conducting a feasibility assessment, and with the consent of the community leaders, families were grouped for allocation of land in irrigated areas. The local farmers were trained on the operation and maintenance of water supply infrastructure according to the community's rules for use of the irrigation systems. As a result of the project, 7,000 returnees have gained access to irrigated land.

The ILC **Database of Good Practices** is organised around the **10 commitments for people-centred land governance**. The case studies in the Database provide concrete examples and guidance to the members and partners of ILC on how to achieve each of these commitments.