

## Experiences and good practices in the use and application of the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security

This document presents, in original language, the inputs provided following the call for submissions to inform the global thematic event at the CFS 43<sup>rd</sup> session in October 2016. The following document provides an overview of those inputs: [CFS 2016/43/8- Experiences and Good Practices in the Use and Application of the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security \(VGGT\) - Summary and Key Elements](#)

### S35. GUATEMALA: The VGGT and the New Comprehensive Land Policy: Rights to Land for the Integral Rural Development

<b>Country(ies)/ Region(s)/ Organization/ Entity</b>	<b>Guatemala</b>  <b>Secretaría de Asuntos Agrarios, Fondo de Tierras</b>
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<b>Brief description of the successful experience (including location, geographical coverage, main actors, main activities, timeframe)</b>	<p>La población rural de Guatemala representa el 51.52% de su población total, con una pobreza total de 53.7%<sup>12</sup>. Es el quinto país más desigual de América Latina, con un índice de Gini del 084, lo cual se evidencia en último Censo Agropecuario realizado en el 2003. El 98.14% de la población posee el 43.41% de la tierra mientras que el 1.86% de la población posee el 56.59% de la tierra. En el 2013 la Secretaría de Asuntos Agrarios tenía registrados 1,300 conflictos por disputa de tenencia de la tierra.</p> <p>To address land conflicts and more broadly, the land tenure situation and the subsequent impact on poverty and food security and nutrition, the Government of Guatemala invited FAO in 2013 to help improve the policy framework regarding land governance to promote stability, promote investments and growth in agriculturebut especially rural development. This was considered the first step to improve food security and nutrition in rural areas, particularly in indigenous communities. This initiative involved three main steps: First, <i>information dissemination</i> on the Voluntary Guidelines among the key stakeholders so that they understood their value and relevance to address land issues and improve the overall land policy framework. This involved engaging organizations of indigenous communities and small farmers, large landowners, other</p>

<sup>12</sup> ENCOVI 2011. INE.

	<p>development partners working on land issues (including both other UN agencies and international cooperation organizations).</p> <p>Secondly, <i>capacity building</i> through training of key staff of institutions dealing with land policy, and some of them were in positions to influence the policy-making process. These included both government and non-government organizations. And thirdly, <i>policy review and advice</i> which involved assisting the Secretaría de Asuntos Agrarios and the Gabinete de Desarrollo Rural in policy review and formulation. To facilitate the acceptance/adoption of this new policy, the various stakeholders in agriculture (that is, government agencies, indigenous communities, farmer organizations and representatives of large land owners) were invited to participate in the discussion.</p> <p>As a result, a new comprehensive agrarian policy was produced which included main concepts and principles of the Voluntary Guidelines. This new land policy sought to address land conflicts and improve tenure security in a comprehensive manner, particularly concerning customary rights and access to land by women. Further, this new policy sought to facilitate access to productive assets (such as credit and rural extension) by small farmers and indigenous communities so that they could improve their livelihoods, food security and nutrition.</p> <p>La sociedad civil también ha jugado un rol fundamental para divulgar y aumentar el uso de las DVGT. En el marco de un proceso global se realizó en el país un proceso de formación para 296 integrantes de 8 organizaciones de sociedad civil y organizaciones comunitarias, proceso que utilizó el Manual Popular, los participantes caracterizaron casos y estudiaron la forma que las DVGT puede apoyar el abordaje del mismo.</p> <p>Otra iniciativa que está en desarrollo es el apoyo al reconocimiento y gobernanza de tierras comunales. En Guatemala las tierras comunales representan cerca del 15% del territorio nacional, con una gran concentración en áreas habitadas por pueblos indígenas y por comunidades campesinas en zonas forestales (CONAP 2009). La falta de claridad en cuanto a delimitación física y tenencia de las tierras comunales representa una limitación para poder acceder a servicios, programas de incentivos y otras oportunidades de desarrollo. La iniciativa está orientada a informar y documentar experiencias relevantes en tema de registro y reconocimiento de tierras comunales, con fines de acceso y uso sustentable de recursos naturales.</p>
<b>Location</b>	Guatemala City
<b>Geographical coverage</b>	The whole country as the new Comprehensive agrarian policy applies to the entire country
<b>Main actors</b>	- The Secretariat for Agrarian Affairs and the Rural Development Office.

	<ul style="list-style-type: none"> <li>- The Land Fund</li> <li>- Land Registry</li> <li>- Indigenous community organizations</li> <li>- Civil society organizations</li> <li>- Academia</li> <li>- Chamber of Agriculture.</li> </ul>
<b>Main activities</b>	<ul style="list-style-type: none"> <li>- Multi-stakeholder workshops were held which provided a platform for policy dialogue and exchange.</li> <li>- Bilateral meetings with key stakeholders such as representatives of indigenous communities and the large land owners.</li> <li>- Teamwork by staff from Fondo de Tierras, Secretaría de Asuntos Agrarios and FAO.</li> </ul>
<b>Timeframe</b>	September 2013 – October 2014
<b>Results obtained</b>	<p>In October 2014, the Government introduced the new land policy (Agraria / Acuerdo Gubernativo 372-2014”). This policy is part of the eleven policies of the Rural Development (“Politica Nacional de Desarrollo Rural Integral – PNDRI”) aimed at promoting sustainable development through access to land, land tenure security, land conflict resolution and access to other productive assets that strengthen family farming and contribute to economic growth in agriculture. The new policy was the product of a collaborative effort by the Secretaría de Asuntos Agrarios and the Land Fund, with support from FAO. The policy reflected the main concepts and approaches of the VGGT in a number of ways. It recognized and strengthened indigenous communal systems of land tenure and management, including land law and jurisdiction. It also recognized and promoted women’s rights to land and sought to promote the rural economy and contribute to the competitiveness of rural areas and their full integration into the national economy.</p>
<b>Key catalysts and factors that influenced the results</b>	<ul style="list-style-type: none"> <li>- Key to this initiative was the government decision to address/review the land policy which resulted in its request for FAO assistance.</li> <li>- The establishment of a multi-stakeholder platform for policy dialogue regarding the agricultural sector was central to the design of the new policy. These stakeholders include the government, farmers and indigenous organizations, and representatives of the big farm exporters (Cámara del Agro de Guatemala).</li> <li>- The role of FAO as a facilitator of the policy dialogue was critical since the Organization has been a credible, reliable partner. The technical assistance provided by FAO was key in terms of reaching out to the various parties and stakeholders, identifying common ground among them and facilitating the policy review process.</li> </ul>

<p><b>Constraints and challenges that were faced</b></p>	<p>There is a new government in place and it is not clear yet whether there will be continuity in terms of policies concerning governance of tenure, agriculture and food security. In this respect, it remains to be seen if the new Comprehensive agrarian policy enacted by the previous government will be fully implemented by the new government.</p>
<p><b>Good practices that helped to make the experience successful</b></p>	<p>Good practices or lessons learned include the following:</p> <ul style="list-style-type: none"> <li>- Political will was a determining factor to promote the type of legal, institutional and administrative arrangements that would ensure responsible and effective governance of tenure. This included the establishment of multi-stakeholder platforms for policy dialogue that would inform the policy making process.</li> <li>- External development assistance (in this case, by FAO) was critical to tap into the political will and national interest in policy review and change. To some extent, this assistance was sort of a galvanizing factor that helped bring together the main actors and stakeholders.</li> <li>- Such assistance may also prove critical for the follow up phase, to ensure that the new policy is also implemented in a way that achieves its intended objectives.</li> </ul>
<p><b>Quantitative aspects where available- estimate of the number of people, households and communities that have been positively affected by the successful experience</b></p>	<p>This information is not available yet as the Comprehensive agrarian Policy is yet to be fully implemented. FAO provided technical assistance to SAA for the design of the implementation plan.</p>
<p><b>Link to additional information</b></p>	<p><a href="https://www.youtube.com/watch?v=3hUPB_NU80A">https://www.youtube.com/watch?v=3hUPB_NU80A</a></p>