

POLICY DOCUMENT

LAND TENURE AND SUSTAINABLE AGRI-FOOD SYSTEMS

INTERNATIONAL
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Tenure

It determines access to and use of different natural resources and how they relate to one another, through both formal and informal rules and agreements. The term most commonly applies to land. Although there are many definitions of land tenure, a succinct definition from FAO is “the relationship, whether legally or customarily defined, between people, as individuals or groups, with respect to land” (FAO et al., 2020a). Secure tenure refers to tenure systems that are well defined, respected and enforceable in a formal court of law or through customary structures in a community. Any land tenure has the potential to be secure or insecure (Ibid.).

BACKGROUND

World hunger increased in 2020, propelled by the COVID-19 pandemic. The global prevalence of undernourishment (PoU), after remaining virtually unchanged from 2014 to 2019, increased from 8.4% to around 9.9% between 2019 and 2020. In terms of absolute numbers, it is estimated that between 720 and 811 million people in the world faced hunger in 2020. Based on calculations using the Food Insecurity Experience Scale (FIES), it is also estimated that nearly one in three people in the world (2.37 billion) did not have year-round access to adequate food in 2020 – an increase of almost 320 million people in just one year (FAO et al., 2021).

These numbers are a reminder of the vulnerabilities inherent in our agri-food systems. They also reveal the challenges and the intense pressures that are being placed on land when coupled with increasing demand for food due to population growth and shifting dietary preferences. Land access and use form the basis of any agri-food system. When access and tenure rights fail to comply with human rights and social, economic and environmental sustainability, agri-food systems will be compromised and this may lead to the exclusion of vulnerable groups, along with unsustainable patterns of food production and consumption.

Land rights have also been shown to provide poor people living in rural areas with a first layer of social protection (Tanner, 2016), as tenure security acts as a safety net against income shocks (Ma, 2021). Protecting the land rights of the poor, including those of women and girls, in either written or non-written forms, can therefore provide more assurances for vulnerable groups who are disproportionately likely to suffer evictions, disinheritance and displacements (Payne and Durand-Lasserve, 2012).

The evidence also shows that ensuring land rights within small-scale production systems contributes to sustainable rural incomes and livelihoods and thus

to food security, while also supporting the preservation of ecosystems and the nature-positive practices of small-scale farmers, pastoralists, Indigenous Peoples and forest farmers (Landesa, 2012).

This paper highlights too that securing land rights for the array of actors beyond the farm gate, including micro-, small and medium-sized agri-food enterprises involved in moving agri-food produce from farm to fork, needs to be considered as part of broader investment and policy environments. Continuing to promote land rights for small farmers and for the vulnerable is even more important in light of the crisis created by COVID-19, and investments made for the recovery and resilience of all actors in view of sustainable food systems.

The Global Sustainable Development Report (2019) identified the transformation of food systems as one of the key accelerators needed to achieve the 2030 Agenda for Sustainable Development (Independent Group of Scientists, 2019). In a follow-up, the UN Secretary-General convened the Food Systems Summit in September 2021 “to launch bold new actions to transform the way the world produces and consumes food, delivering progress on all 17 Sustainable Development Goals (SDGs)”.


1 Depending on assumptions made to reflect uncertainties around the assessment (FAO et al., 2021). “Prevalence of undernourishment” (PoU), is one of two indicators used by the UN in its The State of Food Insecurity and Nutrition in the World (SOFI) report (Ibid.) for measuring food insecurity, the other one being the Food Insecurity Experience Scale (FIES). This is a statistical inference process used every year to estimate the global number of people who are undernourished. As stated by FAO (2014), undernourishment can be considered “as the extreme form of food insecurity, arising when even the mere caloric supply is inadequate to cover basic needs”.

2 The cost of a healthy diet exceeds the international poverty line (established at USD 1.90 purchasing power parity (PPP) per person per day), making it unaffordable for those living in poverty.



The aims of this paper are to consolidate lessons from existing evidence that demonstrates the role of equitable access to land and tenure security³ in achieving sustainable food systems transformation and, subsequently, the importance of these rights for the overall achievement of the SDGs. As such, it helps push the importance of tenure security for sustainable agri-food systems up the policy agenda. In doing this, it identifies recommendations and key actions concerning tenure security and access to land that can potentially contribute to a broader policy agenda for improving food and nutrition security and the transformation of agri-food systems.

The paper leverages insights from broader frameworks such as the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGTs), the Committee on World Food Security (CFS) Voluntary Guidelines on Food Systems and Nutrition (VGFSyN), the CFS Principles for Responsible Investment in Agriculture and Food Systems (RAI), the United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas (UNDROP), the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and the New Urban Agenda, among others.

 3 Access to land refers to the ability to use land, to control resources and benefits from land, and to transfer the rights to land. Access to land is governed through land tenure systems, whether legally or customarily defined, among people, as individuals, households or groups (ILC, 2020a). Unless otherwise stated, this policy paper uses “tenure security” as shorthand to encompass both access to land and security of tenure. Land governance involves the processes, policies and institutions through which land, land rights and other natural resources related to land are managed. This includes decisions on access to land, land rights, land use and land development (FAO, 2021).

TENURE SECURITY ENSURES SAFE AND NUTRITIOUS FOOD FOR ALL

BY FACILITATING PRODUCTION AND ENABLING FOOD ACCESS, AVAILABILITY AND AFFORDABILITY

Despite the weak security of tenure and non-favourable policy environment that often characterise small-scale production systems, it is estimated that smallholder farmers, i.e. those with land holdings of less than two hectares, still produce roughly 35% of the world's food, while operating only around 12% of all agricultural land (Lowder et al., 2021).

Yet it is on such small-scale farmers that extreme poverty takes the heaviest toll. Globally, roughly 80% of people in extreme poverty live in rural areas, where poverty rates are three times higher than in urban areas (Castañeda et al., 2016). Poverty rates and persistently high levels of income inequality mean that a healthy diet is out of reach for around three billion people around the world (FAO et al., 2021). It is important to note that as agriculture remains the main source of income for many rural households in the developing world, unequal access to land and insecurity of tenure are often among the root causes of rural poverty and inequality (Losch et al., 2012).

There is a broad consensus that ending hunger and all forms of malnutrition requires an increase in sustainable production and greater access to and greater availability and affordability of nutritious food.

Tenure security for small-scale producers is vital for ensuring safe and nutritious food for all. There are multiple connections between food production and tenure security.

Without security of tenure, long-term investments by small-scale farmers, rural agri-entrepreneurs, the rural poor and other vulnerable groups farming or running a small agribusiness on agricultural or rural land will continue to be hampered.

Tenure security can lead to increased investment, as it is generally a condition for accessing financial services or for making autonomous decisions regarding household resources, including what food to produce and how (Chakrabarti, 2020). Secure land and water tenure can, for instance, encourage investments in irrigation systems for improved food productivity and/or the cultivation of high-value crops to generate income. Land tenure and land rights are also closely interconnected with issues related to water tenure, rights and related services that are also intrinsic to productivity and access to safe and nutritious food (FAO, 2020a; FAO, 2020c). In this context, the right to food requires that states refrain from taking measures that may deprive individuals of access to productive resources, including land and natural resources, on which they depend for food production for household consumption (De Schutter, 2010; Borras et al., 2015; McMichael, 2015).

The role of tenure security in terms of access to safe and nutritious food is also strongly related to gender issues. Not only are women generally responsible for home consumption; they are also often the most engaged in food-related agricultural production. Tenure security for women is thus of utmost importance. Tenure security and control of land also have important positive effects on women's empowerment, from financial, economic

The increasing pressures that are being placed on natural resources pose severe challenges for food production, particularly in the case of more marginalised groups such as Indigenous Peoples and local communities (IPLCs) (RRI, 2020; Swiderska et al., 2020; UNDESA, 2021). As the custodians of forests and biodiversity, these groups are the first bulwarks against climate change and the emergence of new diseases and pandemics.

Compromising their rights to land tenure weakens traditional agri-food systems that are based on small, diversified and resilient cropping practices (ILC, 2020b).

Secondly, ensuring safe and nutritious food for all depends also on access to food and the availability and affordability of food. Poverty is the main obstacle to sustainable food access and consumption in both urban and rural settings. Placing tenure security at the centre of poverty eradication strategies has been shown to reduce the risk of eviction for the most vulnerable people and to improve equality of access to land (Payne and Durand-Lasserve, 2012). Such strategies facilitate access by the poor to productive assets such as land and natural resources, and they also result in higher and more stable incomes and means to acquire and access sufficient safe and nutritious food. Tenure security is also critical in ensuring the continued role of urban and peri-urban agriculture in food and nutrition security for those living in poverty, particularly in the face of increasing pressures from rapid urban development. As food policy-related processes evolve to include the complexity of urban and peri-urban settings and planning, including the role of "informal" urban food

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