

# Tenure Rights for Restoration and Land Degradation Neutrality

A Collaborative Effort to Advance the Implementation of  
UNCCD Land Tenure Decision 26/COP.14

 [bit.ly/GLFatUNCCD-COP15](https://bit.ly/GLFatUNCCD-COP15)

#rights4land





TMG Research is working with the governments of Benin, Kenya, Madagascar, and Malawi to advance the implementation of the UNCCD Land Tenure Decision 26/COP.14. The partnership involves analyses of the impact of activities to achieve Land Degradation Neutrality (LDN) on legitimate land tenure rights and to devise ways to secure legitimate tenure rights and achieve LDN. It benefits from support by the German Federal Ministry for Economic Development and Cooperation and GIZ.

## PURPOSE

In the context of smallholder agriculture, the long-term success of land restoration and activities to combat desertification, land degradation and drought depend on the benefits they generate for land users. Land degradation neutrality policies and programmes need to enhance food security and reduce poverty. The recognition of legitimate land tenure rights is pivotal to achieving the three interrelated goals of sustainable land use, food security, and poverty reduction.

Tenure Rights for Restoration and LDN aims to advance the implementation of UNCCD Land Tenure Decision 26/COP.14 by identifying adapted mechanisms to secure legitimate land tenure rights and to restore and sustainably use land resources. In a first step, Tenure Rights for Restoration and LDN assesses how restoration and activities to achieve land degradation neutrality affect legitimate land tenure rights. In a second step, the programme devises ways to secure legitimate land tenure rights while achieving LDN and improving livelihoods.

## BACKGROUND

Parties to the United Nations Convention to Combat Desertification adopted the Land Tenure Decision 26/COP.14 in 2019. Decision 26/COP.14 “Encourages the Parties to follow the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security principles, taking into account the principles of implementation, in the implementation of activities to combat desertification/land degradation and drought and achieve land degradation neutrality.” The Voluntary Guidelines (VGGT) include principles for the governance of tenure of land for all, in particular for vulnerable and marginalized groups. They were unanimously adopted by members of the UN Committee on World Food Security.

## CROSS-CUTTING ISSUES AND LESSONS LEARNED

The first phase of our work in Benin, Kenya, Madagascar, and Malawi highlights the following cross-cutting issues:

- **The UNCCD Land Tenure Decision 26/COP.14 addresses a critical gap between national plans to achieve land degradation neutrality and the application of the VGGT.** The adoption of the VGGT predates the adoption of SDG target 15.3. Further, within Governments, the responsibility for land rights and land degradation neutrality lies in different ministries. The UNCCD Land Tenure Decision 26/COP.14 addresses this situation to achieve an integrated approach that benefits people and restores landscapes.

- **Communities in and around the areas that form part of national land degradation neutrality plans are highly dependent on access to land and other natural resources in these areas.** National land degradation neutrality plans and a number of targets within them focus on forests and forest resources. Access to farmland or pastures in forested areas, access to fuelwood and non-timber forest products are key for household subsistence, food security, and income.
- **In the areas that form part of the first phase of our work, communities hold tenure rights for extended periods of time that are not yet officially recognised.** The definition of what constitutes legitimate land tenure rights is dependent on national contexts, the work to define the term legitimate land tenure rights in Benin, Kenya, Madagascar, and Malawi is not yet concluded. Our findings show that some household members in LDN areas hold land for up to 30 years. They use the land for subsistence purposes and as the key source of their livelihood. This land is fundamental to realize their right to adequate food, adequate housing, and, more broadly, their right to an adequate standard of living. Their land tenure rights could be considered as legitimate.
- **Existing planning and conservation instruments hold the potential to effectively safeguard tenure rights, but currently, they do not provide effective safeguards against infringements on existing tenure rights.** Most LDN targets foresee stronger protection of forest resources and restricted access to those resources by adjacent communities. In

implementing LDN measures, local level authorities often prioritize restoration at the expense of legitimate tenure rights. As a result, LDN and restoration measures run the risk of insufficiently integrating legitimate tenure rights of forest resource users. Initial results show that there are frictions between rights and policies to achieve LDN that need to be managed. LDN implementation, and consequently implementation of the Land Tenure Decision, is dependent on the implementing institutions' capacity to undertake their roles. This implementation capacity varies. Successful implementation of LDN needs to be based on good governance of existing tenure rights.

- **Women have fewer options than men to access farmlands outside the forest areas that are part of national LDN plans.** Activities aimed at securing legitimate land tenure rights should therefore prioritize women. This applies to their access to land within the household as well as to securing their land in relation to other actors.
- **The enforcement of LDN measures targeting forest conservation or afforestation efforts needs to build on and strengthen co-management mechanisms that address the livelihood needs of local communities.** Co-management mechanisms hold the potential to integrate restoration objectives and securing legitimate land tenure rights. They can only unfold this potential, if communities and their representative organizations can meaningfully participate in the decisions of local level co-management institutions.

## WAY FORWARD

For climate change mitigation and adaptation purposes the restoration of landscapes and ecosystems will become ever more important. To provide incentives for communities to become agents of restoration and to safeguard their legitimate land tenure rights, it is key that land tenure issues are proactively addressed in restoration programmes. This is true irrespective of whether the primary target is biodiversity conservation, climate change mitigation and adaptation, or to achieve land degradation neutrality. The partners of Tenure Rights for Restoration are committed to support the recognition of legitimate land tenure rights to achieve restoration objectives, food security, and poverty reduction. To facilitate learning for better restoration outcomes, we believe that it is essential to have a continued exchange on this matter in the run up to UNFCCC COP 27. We will inform Parties to the UNCCD at UNCCD COP 16 on the further progress of this programme.

For more information on this session click [here](#)

### Contact

Jes Weigelt, Head of Programmes, TMG Research ([jes.weigelt@tmg-thinktank.com](mailto:jes.weigelt@tmg-thinktank.com)); Kader Baba, Research Associate (Benin and Madagascar work programmes) ([kader.baba@tmg-thinktank.com](mailto:kader.baba@tmg-thinktank.com)); Washe Kazungu, Research Associate (Kenya and Malawi work programmes) ([brian.kazungu@tmg-thinktank.com](mailto:brian.kazungu@tmg-thinktank.com))



JOIN US

▶ [bit.ly/GLFatUNCCD-COP15](https://bit.ly/GLFatUNCCD-COP15)

©Ake Mamo

## Global Landscapes Forum

The Global Landscapes Forum (GLF) is the world's largest knowledge-led platform on integrated land use, dedicated to achieving the Sustainable Development Goals and Paris Climate Agreement. The Forum takes a holistic approach to create sustainable landscapes that are productive, prosperous, equitable and resilient and considers five cohesive themes of food and livelihood initiatives, landscape restoration, rights, finance and measuring progress. It is led by the Center for International Forestry Research (CIFOR), in collaboration with its co-founders UN Environment and the World Bank and Charter Members.

**Charter Members:** CIAT, CIFOR, CIRAD, Climate Focus, Conservation International, Crop Trust, EcoAgriculture Partners, EFI, Evergreen Agriculture, FAO, FSC, GEF, GIZ, ICIMOD, IFOAM - Organics International, ILRI, INBAR, IPMG, IUFRO, Rainforest Alliance, Rare, RRI, SAN, TMG-Think Tank for Sustainability, UNCCD, UN Environment Programme, Wageningen Centre for Development Innovation, part of Wageningen Research, WFO, World Agroforestry, World Bank Group, WRI, WWF International, Youth in Landscapes Initiative

## TMG Think Tank for Sustainability

The global community has made major strides in setting goals to limit global warming, and achieve sustainable development for all. However, action on these goals is insufficient and questions remain on how to achieve them. Together with our global and local partners, we conduct action-oriented research and initiate social innovations to deliver on these goals. Thereby we contribute to change processes that strengthen governance for sustainability. TMG Research gGmbH is an international not-for-profit think tank headquartered in Berlin, Germany, with an African regional office in Nairobi, Kenya.

## Funding partners

