



Workshop Agenda and Background

"Land Governance and Emerging Development Agendas: Legal Empowerment, Climate Change and Food Security"

Oslo Governance Centre, Borggata 2B, 0650 Oslo
24-25 November 2008

The Oslo Governance Centre (Democratic Governance Group, BDP) together with the Dryland Development Centre (Environment and Energy Group, BDP), the Legal Empowerment of the Poor Initiative (Poverty Group of BDP), and the TerrAfrica Multi-partner Platform have joined forces to organize a workshop entitled "Land Governance and Emerging Development Agendas: Legal Empowerment, Climate Change and Food Security", November 24-25 2008 in Oslo, Norway.

1. Background

Climate change, demand for bio-fuels and the most recent food price hikes have all contributed to increasing interest in land and land policies. Whichever policies we choose would affect the majority of people in the developing world who enjoy limited or no protection of their property rights to land, housing and the commons. Tenure security and pro poor, democratic land governance are vital to mediate between competing land claims, to protect poor land users against expropriation, to strike a balance between conservation and development, and to help the poor seize economic opportunities generated by rising global demands for food and other commodities.

UNDP acknowledges the importance of pro-poor and democratic land governance in the context of climate change mitigation / adaptation, sustainable land management, enhancing food security, legal empowerment and poverty reduction. The connections between land governance and these emerging development agendas, however, need to be clarified and contextualized more clearly in order to be taken up in development policies and interventions. UNDP acknowledges the need for a cross practice approach.

Land governance is no new terrain for UNDP. Since November 2005 UNDP has been exploring a Cross Practice Initiative (CPI) to enhance learning from the field, strengthen country-level engagement and develop inter-disciplinary approaches and tools. In a global survey in 2006 121 UNDP country offices reported over 300 land related projects across UNDP's practice areas (Energy and Environment, Democratic Governance, Poverty Reduction and Crisis Prevention and Recovery). The survey also showed growing enthusiasm to

engage more profoundly in mainstreaming governance in environmental management and enabling a conducive legal and policy environment for the effective assertion and exercise of tenure rights by the poor.

2. Goals, objectives and outputs

There is an increasing urgency to find interlinked global, national and local responses to the present climate, food and energy crises. Technical responses to these crises often assume that an accessible legal system and a functioning system of property rights are in place, while this is often not the case. Adding a legal empowerment dimension to such technical interventions can address this. Bringing together development experts, UNDP practitioners from selected country offices and BDP policy advisors, this workshop connects the latest academic insights and global policy debates to field realities. This will enable deepened understandings of how multiple crises relate to land governance and how country level engagements should be strengthened to provide a meaningful response.

The objectives of the roundtable are four:

1. Explore the role of democratic land governance in relation to urgent development issues such as climate change, food insecurity, and lack of poor people's access to property rights. This objective will be the focus of day 1 (panel discussion format).
2. Learn from countries' present engagements, and stimulate interaction between country-level representatives, policy advisors and independent experts to strengthen country level engagement. This objective will be the focus of day 2 (working group format).
3. Help OGC and DDC to prioritize activities in the domain of land governance at regional and global levels. This will be addressed in a closed UNDP meeting on day 3 of the meeting.
4. Help TerrAfrica (TA) to identify and prioritise activities and entry points for land tenure at national and regional levels as well as to support efforts towards building coalitions, knowledge management and facilitating investments for up-scaling sustainable land management in Sub-Saharan Africa. This will be addressed in a side meeting aimed at establishing the TerrAfrica and land tenure special advisory group on the second half of Day 2.

Four outputs will emerge from this roundtable:

1. UNDP synthesis paper, based on preparatory work to the roundtable, kick-off presentations to the panel discussions, and lessons learned during the event.
2. Enhanced support to country programming through a network of UNDP experts and external resource people.
3. Priority agenda for UNDP's cross programmatic work.
4. A discussion paper outlining the main land tenure issues for TerrAfrica and programme of work in response to the needs identified by the Country Offices and Key TerrAfrica partners.

3. Programme

MONDAY 24 NOV: LAND GOVERNANCE AND EMERGING INTERNATIONAL AGENDAS		
09.00-09.15	Welcoming remarks	- <i>Bjoern Foerde</i> (Director OGC)
09.15-09.30	Organization and Objectives of the event	Presenters: - <i>Eric Patrick</i> (Policy Specialist, UNDP-DDC) - <i>Noha El-Mikawy</i> (Policy Advisor, UNDP OGC)
09.30-09.45	Introduction of organizers: - Oslo Governance Centre, - Dryland Development Centre - Legal Empowerment of the Poor Project - TerrAfrica Partnership	Presenters: - <i>Eric Patrick</i> (DDC) - <i>Noha El-Mikawy</i> (OGC) - <i>Maike de Langen</i> (Policy Specialist, UNDP-Poverty Group) - <i>Veronica Muthui</i> (Regional technical advisor, UNDP-EEG)
09.45-10.00	OGC/DDC background paper	Presenter: - <i>Ruben de Koning</i> (Associate Expert OGC)
10.00-10.15	Break	
10.15-11.45	Panel Discussion 1: <i>'Tenure, rights and governance in climate change adaptation and mitigation'</i>	Kick Off Presentations: - <i>Ruth Meinzen-Dick</i> (International Food Policy Research Institute, IFPRI/ Coordinator, Collective Action and Property Rights Initiative, CAPRI) - <i>Karen O'brien</i> (Oslo University/ Chair, Global Environmental Change and Human Security Project, GECHS). Initial reactions and views: - <i>Veronica Muthui</i> (UNDP-EEG) - <i>Lars Løvold</i> (Director, Rainforest Foundation Norway) (Asked) - <i>Asbjørn Løvbraek</i> (Senior Advisor, Norwegian Agency for Development Cooperation, NORAD) Open Discussion
11.15-12.00	Break	
12.00-13.30	Panel Discussion 2: <i>'Secure access to land for food security'</i>	Kick Off Presentations: - <i>Elizabeth Migongo-Bake</i> (Programme Officer Land & Biodiversity, UNEP) - <i>Joan Kagwanja</i> (Economic Affairs Officer, UN Economic Commission for Africa) - <i>Michael Taylor</i> (Programme Manager Land Policy and Africa, International Land Coalition, ILC) - <i>Martin Bwalya</i> (Lead Specialist)

		<p>Sustainable Land and Water Management, New Partnership for Africa's Development, NEPAD)</p> <p>Initial reactions and views:</p> <ul style="list-style-type: none"> - <i>Stein Bie</i> (Chair, Governing Board, International Crop Research Institute for the Semi-Arid Tropics ICRISAT) - <i>Emma Sitambuli</i> (Food Security Advisor, UNDP Namibia) <p>Open Discussion</p>
13.30-14.30	Lunch	
14.30-16.00	<p>Panel Discussion 3:</p> <p><i>'Land rights for Legal Empowerment of the Poor'</i></p>	<p>Kick Off Presentations:</p> <ul style="list-style-type: none"> - <i>Adriana Ruiz-Restrepo</i> (Consultant in public law and civil society/ Commission for Legal empowerment of the Poor) - <i>Karol Boudreaux</i> (Senior Research Fellow, George Mason University/ Commission for Legal Empowerment of the Poor) <p>Initial reactions and views:</p> <ul style="list-style-type: none"> - <i>Maaïke de Langen</i> (Policy Specialist, UNDP-Poverty Group) - <i>Carol Rakodi</i> (Professor of International Urban Development, University of Birmingham) - <i>Joseph Kaiza</i> (Programme Officer, UNDP Tanzania) - <i>Elin Enge</i> (Norwegian Peoples Aid) <p>Open Discussion</p>
16.00-16.15	Break	
16.15-17.00	<p>Wrap-up</p> <ul style="list-style-type: none"> - Integrate the different panel discussions: commonalities, contradictions and implications for development policy. - Highlight OGC governance assessment tools and pro-poor land governance framework to addressing emerging agendas. 	<p>Presenters:</p> <ul style="list-style-type: none"> - <i>Noha El-Mikawy</i> (UNDP-OGC) - <i>Saturnino Borrás</i> (Research Chair in International Development Studies, St. Mary's University Halifax)

TUESDAY 25 NOV: COUNTRY LEVEL PROGRAMMING FOR PRO POOR AND DEMOCRATIC LAND GOVERNANCE		
09.00-09.15	Opening: Re-cap of Day One	<i>Eric Patrick (UNDP-DDC)</i>
09.30-13.30	<p>Break-out working groups: Methodology: 'peer assist groups' which allow groups of peers to:</p> <ul style="list-style-type: none"> - Get feedback on a problem, project or on-going/planned activity - Draw lessons from the participants' knowledge and experience - Consolidate concrete inputs in the problem, project or activity under discussion 	<p>Country officers self-select between:</p> <p>Group 1: <i>Legal Empowerment of the Poor</i></p> <p>Group 2: <i>Rural poverty, food security, and conflict</i></p> <p>Group 3: <i>Conservation and climate change adaptation/mitigation</i></p>
13.30-14.30	Lunch	
14.30-16.30	<p>Continued working groups Methodology: Reflection & Abstraction to:</p> <ul style="list-style-type: none"> - Identify common challenges & possible solutions based on country work - Identify common opportunities for pro poor and democratic governance activities - Relate field experience to first day discussion about emerging global agendas 	Country officers from Pakistan, Tanzania (1), Albania, Egypt Ethiopia (1), Peru, China, Indonesia
14.00-16.30	<p>Parallel Meeting TerrAfrica: Special Advisory Group on land tenure within the TA initiative (separate agenda).</p>	UNDP/DDC, NEPAD, UNECA, UNEP + country officers from Mali, Tanzania (2), Namibia, Eritrea, Ethiopia (2), Sudan
16.30-16.45	Break	
16.45-17.45	<p>Plenary feedback from working groups Reporters from each group report back in plenary</p> <p>Plenary wrap up of day 1+2</p>	<p>To be determined</p> <p>Eric Patrick (DDC) and Noha El-Mikawy (OGC)</p>
17.45-18.00	Close	Bjoern Foerde (OGC)
18.00-	Reception	

4. Methodology

Day One

Open communication is crucial to fully utilize the diversity of participants. We will try as much as possible to create an *open space* setting in which (1) all of the issues that are most important to the participants will be raised and addressed and (2) most important ideas, discussion, data, recommendations, conclusions, questions, and plans for immediate action will be documented, and made available within days after the event.

All participants are encouraged to *think outside the box*, leaving room for free analysis, going beyond formal/institutional positions. The objectives of discussion are to (1) demystify the novelty of emerging agendas (2) enhance their connection to ongoing work and (3) identify new windows of opportunity.

Panel discussions during the first days are held in plenary and follow a scheduled agenda, with two or three kick off presentations, of 15 minutes each. These will be provocative and stimulate debate about (mis)understandings, thematic linkages, policy responses and the role of institutions.

Initial Reactions & Views: In response to the kick off presentations, some voices in the audience will be assigned the role of giving initial reactions and views that substantiate kick off presentations, provide evidence to the contrary or add new dimensions deemed important for the debate and for programming. These initial reactions and views will alternate with participants' questions and comments from the floor. Kick-off presentations will be shared with those assigned the role of initial reactions and views beforehand.

Day Two

The second day picks up where the first day ended, in that it allows participants to present country realities and current and planned activities in parallel working sessions. There will be three self-selecting working groups: (1) Legal Empowerment of the Poor agenda. (2) Rural poverty, food security, and conflict or (3) Conservation and climate change adaptation/mitigation.

Country officers play a central role in working groups which function as "peer assist groups". Peer Assist is a process which brings together a small group of individuals to share their experiences, insights and knowledge to help one person, the country officer, to consider a problem, project or activity that he or she is grappling with. A *facilitator* helps to run the discussion and document progress on a large flip board.

Rather than giving an all-encompassing presentation, country officers are encouraged to present their work in no more than 5 slides (or no slides at all), and 10 minutes. A useful tool is to present the project or programme *intervention logic* is to use a fruit tree where,

- roots represent the underlying theory of cause and effect based on evidence, educated guesses, or beliefs
- the trunk represents the means for a project to achieve a certain output, e.g. the resources, staff, networks, and tools needed to deliver programs, services, regulatory schemes, or activities
- fruits represent the outcomes as experienced by something or someone outside project, such as increased food production or reduced CO2 emissions

- sun and rain represent opportunities in the national and global environment, such as increased carbon finance, democratisation and trade liberalisation
- storms and droughts representing threats in the national and global environment, such as the financial crisis, conflict, and natural disaster.

In this presentation country officers can choose to share specific challenges or tell the story of identified and well used opportunities. Participants respond to these from their experience, and voice their ideas about the intervention logic.

After several peer assists the different working groups will together reflect on common issues, challenges, opportunities and lessons following a template. This template is presented by one *reporter* in plenary and will be consolidated in the overall workshop report.

5. Introduction to workshop partners

a) The Oslo Governance Centre (OGC) of UNDP was established in 2002. OGC is part of the Democratic Governance Group in UNDP's Bureau of Development Policy. It works closely with other parts of UNDP as well and with other UN agencies. The overarching purpose of the work of the Oslo Governance Centre is to position UNDP as a champion of democratic governance, both as an end in itself, and as a means to achieve the Millennium Development Goals. (<http://www.undp.org/oslocentre/>)

b) The Drylands Development Centre (DDC) of UNDP, formerly the Office to Combat Desertification and Drought (UNSO) originated in 1973 as the United Nations Sudano-Sahelian Office. It is part of the Energy and Environment Group in UNDP's Bureau of Development Policy DDC is a centre of excellence dedicated to working with people to fight poverty in the drylands of the world. The Centre helps to influence policies and bring about lasting changes (<http://www.undp.org/drylands/>)

c) UNDP' Legal Empowerment Initiative was launched in 2007 by UNDP's Bureau of Development Policy. It supports countries to develop an effective, inclusive rule of law that provides access to justice for everyone along with the basic rights individuals need to run their business, live securely in their homes, and earn a decent wage. The Legal Empowerment Team in BDP can provide UNDP country offices: a Community of Practice; support to programming and advocacy; access to global partnerships; and support to resource mobilization. For further information look at: <http://www.undp.org/legalempowerment/legal-empowerment-initiatives.pdf> or join the Legal Empowerment workspace at: <http://ws.undp.sk/legalempowerment> through maaike.delangen@undp.org

d) TerrAfrica is a partnership that aims to address land degradation by scaling up harmonized support for effective and efficient country-driven Sustainable Land Management (SLM) practices in Sub-Saharan African countries. Partners include African governments, NEPAD, regional and sub-regional organizations, the UNCCD Secretariat, the UNCCD Global Mechanism (GM), the World Bank, GEF, IFAD, FAO, UNDP, UNEP, AfDB as well as multilateral organizations including the European Commission, bilateral donors, civil society and scientific organizations including FARA and CGIAR centers (<http://www.terrafrica.org/default.asp?pid=6121789>)