



VIII CLGE Conference of the European Surveyor “BLUE SURVEYING”

Responsible Governance of Tenure: Key Factors and Principles

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- With more than 733 million people currently living in areas of high or critical water stress, and a projected 30 percent increase in global water demand by 2050, the question of allocation of water resources has never been more important. Increasing water demand, coupled with the impacts of climate change, poses a significant challenge for all countries in the context of food security. To overcome such challenges, it is time to address water tenure and responsible water governance.
- The responsible governance of water tenure can be an important vehicle for achieving this balance. A Global Dialogue on Water Tenure can be an important step towards an agreement on voluntary guidelines defining principles for responsible governance of water tenure through an inclusive and consultative process that includes relevant stakeholders. This proposed Global dialogue is supported by technical guidelines which could assist Members in the development and implementation of policies for a responsible governance of water tenure in the context of achieving food security.

[\(<https://www.fao.org/in-action/knowat/news-and-events/news>\)](https://www.fao.org/in-action/knowat/news-and-events/news)





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- FAO and its partners have spearheaded initiatives that show that a water tenure approach offers a unique perspective to understand the complexity of water rights and allocation systems. With this knowledge, partners can build actionable and context-specific avenues to improve the governance of water tenure, and increase equity and security for water users.
- The Committee on Agriculture (COAG) is one of the Food and Agriculture Organization of the United Nations' (FAO) Governing Bodies. It provides overall policy and regulatory guidance on issues relating to agriculture, livestock, food safety, nutrition, rural development and natural resource management.
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Differences between water tenure and other types of tenure, such as land tenure?

- In practice, there are clear differences. These differences are inevitable given the particular nature of water as a natural resource. Water is a fluid and fugitive resource in contrast to land, which is fixed and immobile. This fluid and fugitive nature largely precludes the idea that water resources can be subject to private ownership. It means it is not possible to occupy water resources in the same way that land can be occupied or to physically exclude others from that occupied area.
- But is this a relevant issue?
- Not all types of land tenure relationship require physical occupation (e.g. a right of way). Also fisheries resources are just as fluid and fugitive. Water is at least a tangible resource. Property rights regimes are not confined to physical resources as the example of intellectual property, which is concerned with such matters as patents, copyright and database rights, shows. There is also a complex relationship between water users living in a river basin. Upstream users enjoy a de facto advantage over downstream users in that, in absence of any agreement or rules, they can divert and use the water before it flows downstream. There is often a relative disparity of bargaining power among water users even within the same use sector.

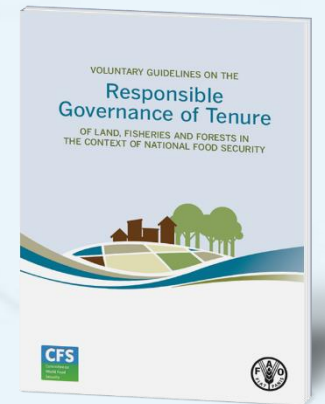
([Hodgson 2016](#); [FAO 2020](#))





Responsible Governance of Tenure

- This year, the Committee on Agriculture (COAG) was invited to recognize the importance of water tenure for the responsible governance of natural resources, and to encourage members to actively engage in a “Global Dialogue on Water Tenure”.
- To ensure an equitable distribution to all legitimate rights holders and protect natural ecosystems, it is important that existing water tenure arrangements are coherent, and all legitimate tenure rights recognized by national legislation.
- This can be based also on the principles of ***the Voluntary Guidelines on the Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (The Guidelines)***.



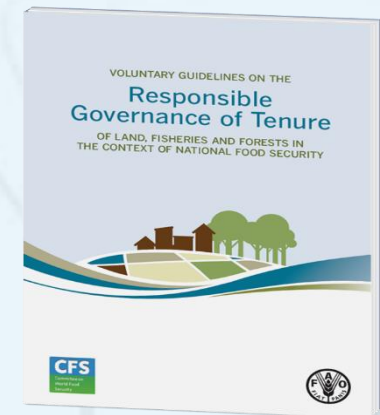


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- This negotiated text of the Guidelines includes its preface referencing to water resources too, highlighting that:

*“..responsible governance of tenure of land, fisheries and forests is inextricably linked with access to and management of other natural resources such as **water** and mineral resources.”*

- Globally relevant, appropriate and accepted text
- Dialogue between global, regional and national actors
- Awareness raising, capacity development, advocacy
- Networks and partnerships





Development of the Voluntary Guidelines: NEGOTIATING A RELEVANT TEXT

- The Guidelines were drafted through a broad global partnership including:
 - more than 1000 people from governments, CSOs, private sector, academia and international organizations,
 - from around 130 to 150 countries.
- **NEGOTIATIONS**
2011 – 2012(July, October, March)
- **ENDORSEMENT by CFS**
 - 11 May 2012





Time to REACT on main principles

R = Recognize & Respect legitimate Rights

E = Equality & non-discrimination

A = Administer efficiently & ethically

C = Consultation & participation

T = Transparency & accountability





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There is a global momentum to work on governance of tenure but the real value of the principles of the Guidelines will be determined by their contribution to changes in the lives and livelihoods of men and women around the globe, particularly the vulnerable and marginalized.





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THANK YOU!

