

Dutch Land Governance Multi-Stakeholder Dialogue (LG MSD) – September 2014

Summary

Land use and property are in the center of political interest. To guide investments in land and land-based activities in the right direction, it is of importance that land governance is improved sustainably. This is not an easy task. Against this background the *Committee on World Food Security (CFS)* has, after extensive consultation with all stakeholders, adopted the *Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT)* in May 2012. With the creation of this set of principles and the broad support of diverse parties, the center of gravity for action now shifts from the international arena to the realization and application of the agreed policy and guidelines.

In the Netherlands, the Ministry of Foreign Affairs, companies, financial institutions, civil society organizations and knowledge institutes have repeatedly expressed the ambition that they want to contribute to the improvement of land governance. This has resulted in an initiative to organize the Dutch *Land Governance Multi-Stakeholder Dialogue (LG MSD)*. In this *Terms of Reference* the goal and method of this, for OECD countries unique initiative is described.

Participants of the LG MSD subscribe that they, together with other stakeholders and partners, want to invest time and energy to effectively contribute from the Netherlands to the improvements of land governance in countries in which the Netherlands is active. They want to promote explicit practical application and monitoring of improvement measures by the Dutch private sector, government, knowledge institutes and NGOs in line with the principles adopted in the VGGT.

Within the objectives of a multi-annual LG MSD process the committed participants shall work to the following outcomes during both the elaboration of the cases and in broader dialogue sessions:

1. Objective insight and understanding of the actual nature, extent and severity of land governance issues and their effect in real life situations on different levels in different contexts.
2. Examples of successful concretization and application of recommendations which demonstrably improve land governance in line with the VGGT principles.
3. Examples of generalizable adaptations and applications of effective cooperation between Dutch stakeholders within complex systems concerning issues as procedures or in bringing about the needed diversity in solutions and perspectives.
4. Early, executable and regular recommendations, on the base of examples, for scaling and application in Dutch businesses, social organizations, knowledge institutions and the government.

5. Examples of steps/interventions that improve effective cooperation between different stakeholders from the Netherlands and foreign partners, which effectively and structurally contribute to reducing the chance of irresponsible investments.
6. Design, test, evaluate and realize one or more early warning system(s) that in particular help investors but also other stakeholders to structurally reduce the chance on abuses and conflicts of (the planning and/or implementation of) interventions.
7. Regular input in international processes, roundtables, coalitions, congresses etc., in which the ambitions and recommendations of the Netherlands are maximally shared, discussed and picked up on areas concerning policy coherence, impact improvement and sustainability in line with the VGGT.

The formulation of the anticipated results are deliberately broad and general, because it has been decided that in this Terms of Reference no specific cases are already proposed. With this approach it is hoped that even more insights, examples, perspectives and other types of results can be achieved. It is expected that it will become more and more clear who will work on which concrete objectives in which context and with which goals in the weeks after the kick-off meeting on August 26th.

Learning about, and development and application of practical solutions that lead to better land governance are central in the multi-stakeholder process. The backbone of this process is comprised of a few periodic dialogue sessions with mainly decision makers, in which merely lessons learned, the relevancy and the possibility for generalisation, the chances for influence, alterations within organizations and/or partnerships etc. will be discussed and agreed upon. To maximize the effects of these discussions it is of great importance that representatives of organizations who could actually influence policy and regulations within own organizations and sectors participate in these sessions. These periodic dialogues will be in principal chaired by the minister for Foreign Trade and Development Cooperation. These sessions will form the high level component of the LG MSD process.

The goal of the elaboration of the cases in a form that will incite dialogue and joint learning is obtaining concrete information and recommendations about practical improvements that stakeholders individually or jointly can apply in line with the VGGT, so that their contribution to good land governance will be enhanced. To achieve this, selected cases will be analysed by so-called case teams. Members of these teams comprise staff members of organizations who know a lot about the concerning case or are particularly interested in knowing more about the case will collaborate in the case teams. It is to be expected that the frequency of case team sessions will be substantially higher than those of the high level dialogue sessions. Important findings and recommendation will be presented and discussed by the case teams in the high level dialogue sessions.

Participant of the LG MSD are free to choose if they (a) want to invest time and energy in discussing, evaluating, concluding, monitoring and applying of recommended perspectives in the high level dialogue

sessions; (b) feel more equipped to invest time and energy in one or more cases that are interesting or add value for them; or (c) that they participate in both the dialogue sessions and cases, perhaps with different representatives of their organization.

During and directly after the kick-off meeting on August 26th 2014 it has to become clear which organizations on which level will participate in the periodical high level multi-stakeholder dialogue sessions and/or will participate in one or more case teams within the LG MSD process. Organizations can indicate their interests to the secretariat of the Organizing Committee of the LG MSD at the Ministry of Foreign Affairs. During participation in the LG MSD it is expected of these organizations that they:

1. Subscribe to the common objectives of the LG MSD and actively contribute to better land governance by making common knowledge and expertise available. This can be used in the search of insight and methods to effectively and structurally apply VGGT principles within the organization and/or stakeholder groups available. Dependent on the desired commitment, this will cover a working time use of 1 to 6 on an annual basis;
2. Are prepared to constructive-critical cooperation to achieve this goal;
3. Respect the diverse interest of other participants;
4. Are prepared to explicitly mention their own interest;
5. Have the right to refrain from comments or presence if there is a potential conflict of interest;
6. Accept that all the meetings will take place under Chatham House Rule;
7. Respect that for some commercial or politically sensitive information stricter forms of confidentiality apply than under the Chatham House Rule only;
8. Retain their freedom and use to pursue the public discussion about land issues outside the context of the dialogue on a careful manner that explicitly does not detract from the objectives of the LG MSD and/or her rules.