

**International Land Coalition (ILC) contribution to the
upcoming UN Secretary-General's report on the adverse impact of climate change on the full
realization of the right to food**

Dear UN Secretary-General team,

It is with a great honour that the **International Land Coalition (ILC)** presents its contribution to the upcoming UN Secretary-General's report on the adverse impact of climate change on the full realization of the right to food.

ILC is a global alliance of civil society and intergovernmental organisations working together to put people at the centre of land governance. The shared goal of ILC's 300+ members is to realise land governance for and with people at country level, responding to the needs and protecting the rights of women, men and communities who live on and from the land with a common goal: Secure land rights, responding to the needs and protecting the rights of those who live on and from the land.

The contributions below are the result of several consultations among ILC members in the context of the UN **Food System Summit** and the **COP 27**, besides expert position papers in collaboration with ILC Secretariat.

We suggest also taking into consideration the existing frameworks provisions such as the VGGTs, the CFS Voluntary Guidelines for Food Systems and Nutrition (VGFSyN), the Declaration on the Rights of Peasants (UNDRP), the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), as well as the New Urban Agenda, besides others. It also underpins the Food Systems Summit (FSS), purposively adopting the five Action Tracks developed to support the pathway towards sustainable food systems, emphasizing that equitable and secure access to land and securing land tenure rights are critical for all aspects related to sustainable food systems.

Land Tenure and Sustainable Food Systems

Land rights provide all people with the first layer of social protection. An absence of these rights exacerbates the vulnerability of those groups who are disproportionately prone to suffer evictions, disinheritance and displacements, in particular the rural and urban poor, the most vulnerable and marginalized as well as women and girls. Protecting land rights, either in written or non-written norms will provide more assurances that small-scale production systems can continue to sustain rural income and livelihoods, and food security, while continuing to favour the preservation of ecosystems and the nature positive practices of small-scale farmers, pastoralists, indigenous people, and forest farmers, including actions to fight against climate change.

Access to safe and nutritious food has also become more complex as increasing pressures are placed on natural resources for food production. This is especially the case for vulnerable groups such as Indigenous Peoples and Local Communities (IPLC) who are the custodians of forests and biodiversity and are the first bulwarks against climate change and the emergence of epidemics and pandemics,

and which weaken food systems that are based on traditional food crop production and small, but resilient, diversified farming systems¹

Secure tenure rights also recognise the stewardship role of indigenous peoples and local communities (IPLC), pastoralists, hunter-gatherers, ranchers living in rangelands, and forest family farmers, as well as the role their territories play with regards to carbon storing, global biodiversity preservation, and bio-cultural conservation and justice. In particular, IPLC territories and sustainable practices conserve about 80% of the world's biodiversity and represent most of the world's cultural diversity². An approximate 50% of the world's total land area is held by IPLC, but they have only 10% of legal ownership over that land³; thereby, jeopardizing their contributions to more sustainable planet and food systems.

Securing their land rights would protect and strengthen systems and practices that preserve the world's rich biodiversity and bio-cultural conservation, in addition to providing nutritious food that is climate resilient and low carbon for local populations.

Recommendations and key actions that can contribute to a broader policy agenda for improving food and nutrition security and the transformation of agri-food systems⁴:

1. **Secure land rights help produce safe, affordable and nutritious food for all.**
2. **By securing land rights for growers and producers, we can build sustainable and inclusive food systems.**
3. **When communities achieve secure land tenure, they are more vested in caring for their natural environment.**
4. **By fully recognizing women's land rights, we can reduce disparities and move toward gender equality.**
5. **When communities are given rights to their land, they become more resilient against extreme climatic events.**

ILC Key Messages for COP27 and Beyond: Land Rights as a pathway out of the climate crisis

We are nowhere close to meeting the goal of limiting global warming to 1.5C. More than 3.5 billion people are vulnerable to climate change and the most vulnerable of those are likely to suffer the greatest burden.

Inequality is at the heart of the climate crisis and **tenure security** play an important role in its reduction. Tenure security should become a critical pillar of climate ongoing negotiations and policy making. Hence, the messages below specifically define why land rights matter in mitigation, adaptation and 'loss and damage' and present policy recommendations to propel actions.

¹ ILC (2020). Building back better – How securing land rights will be critical in a post-covid19 world. Rome, ILC, policy brief, May 2020, 6p.

² FAO/FILAC (2021). Forest Governance by Indigenous and Tribal Peoples. Rome, FAO/FILAC.

³ RRI/ILC/OXFAM (2016). Common Ground[]Securing land rights and safeguarding the earth. Rome, Washington, RRI/ILC/OXFAM.

⁴ Land Tenure and Sustainable Agri-Food System [Policy Paper](#). Full recommendations from page 17.

Policy Recommendations

The efforts to bring land rights into adaptation, mitigation and ‘loss & damage’ discussions should be narrated and considered against the backdrop of persisting and systemic challenges that undermine tenure security for many of the world’s most marginalized and vulnerable communities. These include:

Secure IPs and LCs tenure and land rights and the rights to resources located within. Include IPs and LCs in decision-making.

- » Governments should enact **laws** to protect and strengthen the rights of IPs and LCs, women, pastoralists, small-scale family farmers, fisherfolks and forest keepers. Laws and practices that undermine IP’s and LC’s land rights should be identified, reviewed, repealed and replaced. Customary land rights need to be recognized. Allocating adequate budgetary allocations is fundamental in meeting the outcome of the progressive laws.
- » Governments need to recognize the invaluable **traditional knowledge** that Indigenous Peoples, pastoralists and other local communities have with respect to their local ecosystem and its contribution to climate change mitigation and adaptation. The preservation of such knowledge, culture and practices is inextricably linked to tenure security as well as rights to resources located within their lands and territories.
- » Rural land needs to be titled. While **titling** is not a guarantee of tenure security, formalisation of rural land tenure should be part of a policy priority for governments including support for commons and customary land systems. Such measures should also be responsive to the existing socio economic disparities in a society, preventing further marginalisation of certain segments. .
- » Governments should invest in newer people-centred **technologies** to better administer secure land tenure with fit-for-purpose and transparent approaches, including computerised land information systems and open data systems.
- » Governments need to stop **illegal operations**, remove illegal occupants, and hold perpetrators accountable for their actions within IPs’, LCs’ and rural community land.
- » Governments need to embrace social justice and convivial conservation principles in their conservation practices and in mitigation measures. **The Voluntary Guidelines on the Responsible Governance of Tenure (VGGTs)** and other relevant human rights norms provide a clear guiding path for state parties in prioritising a people centred land governance

Make land tenure a central component of national climate change strategies and plans:

- » Tenure security needs to be implemented in National Determined Contributions (NDCs), National Adaptation Plans (NAPs) and related National Action Plans on Climate Change. Given that securing land tenure is a low-cost investment, it is a cost-effective carbon mitigation and adaptation strategy when compared with other carbon capture and storage approaches. Land tenure assessment should be conducted in the preparation of NDCs and NAPs to adequately integrate complexities of local land tenure situations and to safeguard the needs and interests of all stakeholders, in particular the more marginalised groups, women and youth.
- » Tenure considerations are also crucial to the equitable distribution of benefits and the management of transaction costs in adaptation and mitigation efforts.

» Measures should be taken to ensure that land-based mitigation efforts prevent green grabbing and concentration of control over land, thereby increasing land conflict and inequality and loss of access to land by Indigenous Peoples and local communities. People should be at the centre in netzero/carbon offsetting schemes beyond profit making market oriented approaches.

Provide meaningful citizen participation rights:

» National laws affecting climate change should provide strong citizen participation rights, ideally requiring **consent** for all decisions affecting them. Government officials should be trained to facilitate effective consultations. Consultation procedures should require specific efforts to obtain input from women, youth and other relevant nonmainstream groups as relevant. Overall laws on **Free, Prior and Informed Consent**, and procedures for IPs and LCs need to be developed and implemented.

» Governments should **include IPs and LCs** into the **design and implementation of their NDCs** and NAPs and other climate related national policy-making processes, also to ensure their integration of local practice and technologies, given their rich understanding of local ecosystems.

Protect land and environmental defenders:

» The increasing threat to land and environmental defenders (LED) hinders their ability both individually and collectively to fight against climate change. The increasing surveillance, stigmatization, harassment, criminalization, threats, arrests and detention of LED over the years have increased across the globe. Governments need to acknowledge the vital contribution by LEDs to sustain mitigation measures and their role in contributing to effective community participation in adaptation measures and establish an enabling environment that strengthens safeguards to protect them and reduces risks.

Integrate land tenure rights into ‘loss & damage’ discussion:

» To reduce the impact from “loss and damage” and to build resilience, create separate **‘loss and damage’ funding facility**. This is non-negotiable in order to protect the Global South from more devastating impact of climate change.

» Land rights of IPs and LCs, women, pastoralists and small-scale farmers should be an essential component in assessing ‘loss & damage’. This includes both tangible and intangible short-, medium- and long-term ‘loss and damage’ of peoples and communities who live on and from the land. Assessment of ‘loss and damage’ should always be bottom up approaches and people should be at the centre of it.

» ‘Loss and damage’ should accommodate climate change induced migration and displacement due to land loss.

Climate Finance

» People at the grassroots should be the key focus of climate finance disbursement. Hence, disbursement mechanisms should enable systems for local communities to directly receive, and have access to finances. » Climate finance disbursement should not create inequalities by paving the way for conflicts among communities. Community consultations, transparency in financial disbursement processes and accountability for the disbursed finances matter in this regard.