

# Advance Unedited Version

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### **Permanent Forum on Indigenous Issues**

#### **Sixth session**

New York, 14-25 May 2007

Item 4 of the provisional agenda\*

#### **Implementation of recommendations on the six mandated areas and on MDGs**

### **Report of the Food and Agriculture Organization of the United**

#### **Nations**

#### **Summary**

In this document, FAO describes activities in some of the fields addressed by the recommendations of the Fifth Session of the UNPFII. The Report also addresses some of the activities that FAO is presently carrying out in relation to the special theme of the Sixth Session of the Forum: Territories, Lands and Natural Resources.

In section I, the report refers to a number of meetings organized or supported by FAO,

\* E/C.19/2007/1.

relevant to indigenous peoples.

In addition, information on Cultural indicators of Indigenous peoples' food and agro-ecological systems is provided. In relation to FAO activities on the rights-based approach in relation to indigenous peoples, FAO has established a special Right to Food Unit to follow up on the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security, and to work on legal and technical studies, advocacy and education material for the promotion and implementation of the Guidelines. On *Gender, Indigenous peoples and Biodiversity*, FAO has produced studies documenting Maasai traditional management of livestock, breeding and selection of animals in Tanzania. It has as well produced a study on Maasai indigenous knowledge in range management and forest plants. The Globally Important Agricultural Heritage Systems (GIAHS) project initiated in 2002 is now working in 7 countries including several indigenous communities.

Section II of the document refers to the activities that FAO is carrying out in relation to land and territories. This Section describes the way FAO is working on the recognition of traditional land rights within policies and legal frameworks, participatory delimitation of lands and territories, alternative conflict management regarding land tenure, and participatory and negotiated territorial development. It refers to the International Conference on Agrarian Reform and Rural Development (ICARRD) where a special thematic session was organised on “Indigenous peoples and their right to land, territories and resources: synergies and tensions with agrarian reform and rural development”. Finally the second section refers to the publications of FAO on special theme of the Sixth session of the Forum through the biennial *Land Reform, Land Settlement and Cooperatives*.

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## **I. FAO's activities related to the recommendations of the UNPFII Fifth Session.**

### *Indigenous peoples and Communication for Development.*

1. It has been noted that indigenous peoples often have limited access to communication and information services to support their own development goals. It is therefore crucial that ad-hoc Communication for Development policies are implemented by them so that they can participate more fully and effectively in development.

2. During the First World Congress on Communication for Development (WCCD) held in Rome in October 2006, a special session on “Indigenous peoples’ communication for Development” was organised by FAO. The session focussed on the role of communication in combating the marginalization and the isolation of indigenous peoples and the potential to foster their self-determination and development. The session was chaired by Ms Victoria Tauli-Corpuz, Chairperson of the UN Permanent Forum on Indigenous Issues. Representatives of indigenous peoples’ worldwide shared their relevant experiences, and participated in an inter-active discussion with the audience. The session was based on the results of previous activities organised by FAO in Bolivia in September 2006 in collaboration with other indigenous peoples’ organizations; the regional workshop on indigenous peoples Communication for Development in Latin America, and the subsequent International Meeting on Indigenous Peoples’ Communication for Development.

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3. The WCCD special session recommended guaranteeing the right of indigenous peoples to communication for self-determined development. The participants agreed that it is essential to promote policies, mechanisms and initiatives that guarantee and enhance the realization of the right to communication of indigenous peoples. For the purposes of the WCCD special session FAO produced 2 video programs on indigenous peoples Communication and Sustainable Livelihood experiences.

4. An important outcome of the Bolivia meetings was the establishment of a Latin America regional communication platform on Indigenous Peoples Communication and Sustainable Livelihood supported by the Secretariat of the Permanent Forum, FAO and IFAD. This platform will be an important vehicle for dialogue and participation between UN agencies and indigenous peoples in the region.

***Cultural Indicators of Indigenous peoples' food and agro-ecological system***

5. Indigenous peoples' worldwide are urgently calling for recognition of the fundamental and vital importance of culture for the viability of their traditional food and agro-ecological systems, as well as for sustainable development. Culture encompasses the shared beliefs, values, traditions, customs, knowledge and ceremonies that people transmit across generations and use to define and sustain their collective identities and relationship of indigenous peoples with each other and the world. Traditional cultural practices and food systems are positively related and mutually supportive and both are fundamental for food security and well-being. However, development interventions, as well as global trends of expansion of industrialized agriculture, monocultures, and the market economy can have negative and, in some cases,

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devastating impacts on the traditional food systems, subsistence-based economies and agro-ecological systems upon which indigenous peoples depend for survival.

6. During the regional consultation for the follow-up to the World Food Summit and World Food Summit: *five years later*, held in Guatemala, 23-25 April 2004, indigenous peoples emphasized the importance of indigenous culture for sustainable agriculture and food systems in the “Declaration of Atitlán”. Since then, FAO has been working with indigenous peoples’ organizations to identify Cultural Indicators for Sustainable Agriculture and Rural Development. In 2004 FAO supported indigenous peoples in the elaboration of a “Survey on Cultural Indicators on Sustainable Agriculture and Rural Development in Indigenous People’s Traditional Foods and Cultures”. In 2006 a technical paper “Cultural indicators of Indigenous peoples' food and agro-ecological systems” was prepared by FAO with the support of the Norwegian Government.

7. The Technical Paper provides a literature review that elaborates and validates indigenous peoples’ views about some of the most important cultural indicators of food security, food sovereignty, agro-ecological systems and sustainable development. It also reviews indicators currently in use or recently identified by other organizations to monitor these interactions, and proposes areas for which new indicators may be needed. The document provides evidence about the relationship between indigenous culture and food and agro-ecological systems. A review of the research and scientific basis for the factors, interactions and trends that indigenous peoples recognize have been provided in order to support the capacity of indigenous peoples themselves to convince others of the legitimacy of their views.

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*2nd Global Consultation on the Right to Food, Food Security and Food Sovereignty for Indigenous peoples*

8. The FAO perspective on the Right to Food, Food Security and Food Sovereignty for Indigenous peoples was presented in the 2<sup>nd</sup> Global Consultation held in Bilwi, Puerto Cabezas, Nicaragua, in September 2006. The meeting was organized by the International Indian Treaty Council and the Major Group Focal Point for Indigenous peoples, with FAO technical support and financial contributions from the Government of Norway and the Christensen Fund. The FAO-produced technical paper “Cultural indicators of Indigenous peoples' food and agro-ecological systems” was discussed during the meeting. This meeting was held immediately after the UNPFII Latin America Regional Consultation on Indicators of Well-Being, which also took place in Bilwi. The outputs of the Latin American Consultation were very relevant for feeding the discussions of the Global Consultation.

9. The meeting brought together 30 representatives of indigenous peoples from Africa, Latin America, Asia and the Pacific, North America and Europe, as well as representatives of local government (Nicaragua), and of a number of UN agencies. The participants of the Global Consultation identified a set of 11 main indicators of well-being, which they agreed to organise in five clusters:

- i. . Access to lands, territories, natural resources, sacred sites and ceremonial areas.
- ii. Abundance, scarcity and/or threats to traditional seeds, plant foods and medicines, food animals, and their associated production practices.

- iii. Use and transmission of knowledge, methods, language, ceremonies, dances, prayers, oral histories, related to traditional foods and agro-food systems, and the continued use of traditional foods in daily diet.
- iv. Capacity for adaptability, resilience, and/or restoration of traditional food use and production.
- v. Ability to exercise their rights of self-determination and free prior informed consent, and to defend their Food Sovereignty and own development.

***The rights approach in relation to Indigenous peoples in FAO***

10. In November 2004, FAO Council unanimously adopted the *Voluntary Guidelines on the Progressive Realization of the Right to Food in the Context of National Food Security*. The adoption marked that FAO is moving from the debate over the normative content of the right to food, to a more practical implementation. Operational in nature, the Guidelines are a practical tool to orient States' policies and measures, as well as an advocacy tool for all stakeholders to implement the right to food at the national level. The Guidelines cover a wide range of actions to be considered by Governments in order to create and secure an enabling environment for all, where people can feed themselves in dignity, and to establish safety nets for those who are unable to do so for reasons beyond their control.

11. Crucial in this regard is the problem of securing access to productive resources for all, and for individuals and groups. Fighting hunger and malnutrition requires tackling the problems of discrimination and marginalization that characterize the situation of many groups that are

politically or geographically marginalized and live in relatively remote areas. In this regard, Guideline 8.1 states: “. States should respect and protect the rights of individuals with respect to resources such as land, water, forests, fisheries, and livestock without any discrimination.... Special attention may be given to groups such as pastoralists and indigenous people and their relation to natural resources.” Empowerment and participation are stressed in the Guidelines, as key elements of a rights based approach, and people’s capacity building is indicated as one way to enhance them. In the case of indigenous peoples, the hunger problem (already a critical issue *per se*) overlaps with that of discrimination. Recent developments in both the areas of indigenous issues and the right to food suggest a joint approach to the two areas, and renewed attention to themes that are becoming dominant in the human rights’ agenda.

12. In 2006 FAO established a special Right to Food Unit to follow up on the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food within the framework of National Food Security. During its first year the Unit has produced legal and technical studies, advocacy and education material for the promotion and implementation of the Guidelines and human rights based approaches to food security. In 2007 the Unit plans to issue a technical paper on the right to food and indigenous issues and an analytical study on human rights, right to food and access to natural resources. The theme of World Food Day in 2007 is "Right to Food", which will provide an opportunity to promote the concept in every country that celebrates World Food Day on 16 October.

***Gender, Indigenous peoples and Biodiversity.***

13. Gender is a core FAO Programme that cuts across all the activities of the Organization. Some of the activities related to indigenous peoples and gender involve issues relating to

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biodiversity. Together with the Netherlands Government, FAO is working on a project on gender, biodiversity and local knowledge systems to strengthen agriculture and rural development in Southern Africa. The project “Gender, Biodiversity and Local Knowledge Systems for Food Security (LinKS)” focuses on local and indigenous knowledge systems and their important role for sustainable agro-biodiversity management and food security. It is aimed at raising awareness about how rural men and women use and manage biodiversity and at promoting the importance of local knowledge at local, institutional and policy level. Training and capacity building, support to research activities, communication and advocacy to enhance sharing, and exchange of information about the value of local and indigenous knowledge, are key activity areas of the project. The project has carried out case studies that document specific constraints and opportunities for men and women farmers in local seed management, selection and breeding of animals, managing tree crops, etc. The studies show the difficulties women face in having limited access to natural resources. They also show critical linkages between rural, informal management systems of natural resources and national policies. The gender dimensions of the biodiversity and knowledge systems of the Maasai groups have been documented in:

- Livestock study: Preferences and criteria employed in selection and breeding of livestock by the Maasai in Tanzania.
- Study on change of local knowledge systems related to breeding and selection of animals of the Maasai in Tanzania.
- Study on Utilization of Indigenous Knowledge in Range Management and Forage Plants for Improving Livestock Productivity and Food Security in the Maasai and Barbaig Communities.

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## *Globally Important Agricultural Heritage Systems (GIAHS)*

14. At the World Summit on Sustainable Development (WSSD, Johannesburg, 2002), FAO presented a Partnership Initiative on conservation and adaptive management of *Globally Important Agricultural Heritage Systems (GIAHS)* with the support of Global Environment Facility (GEF) and in collaboration with UNDP, UNESCO, CBD, UNU, IFAD, IUCN, Biodiversity International and country partners. The Initiative aims for the recognition, conservation and sustainable management of such agricultural systems and their associated landscapes, biodiversity, knowledge systems and cultures. The initiative's major target beneficiaries are small scale traditional family farmers, resource poor local communities and indigenous peoples. The initiative will provide an opportunity for the international community to recognise and support the contribution of indigenous peoples to conservation of genetic resources for food and agriculture, cultural diversity, food security through their own unique agricultural practices and management systems.

15. In order to provide systematic support for the conservation and adaptive management of GIAHS, the programme strategy involves interventions at three levels. At the global level, the programme will facilitate international recognition of the concept of GIAHS and will consolidate and disseminate lessons learned and best practices from programme activities at the pilot country level. At the national level in pilot countries, the programme will ensure mainstreaming of the GIAHS concept in national sectoral and inter-sectoral plans and policies. At the site-level in pilot countries, the programme will address dynamic conservation and adaptive management at the community level. It is expected that the programme will also contribute to key global sustainable development agenda through (i) enhancing the benefits

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derived by local populations and indigenous peoples from the management, conservation and sustainable use of agricultural biodiversity and natural resources; (ii) adding economic value and sharing derived benefits from these systems; and (iii) enhancing food security and alleviating poverty in accordance with the Millennium Development Goals (MDGs), the World Food Summit Plan of Action and the National Poverty Reduction Strategies (PRSPs). During programme development phases (2002-2006), five GIAHS have been established in 7 countries: Chiloe agriculture, in Chile; Rice-fish agriculture, in China; Andean agriculture, in Peru; Ifugao rice terraces, in the Philippines; and Oases of the Maghreb in Algeria, Morocco and Tunisia. In 2007 the full scale GIAHS programme will be implemented in the pilot systems and activities will be carried out with Huilliche and Mestizo communities in Chiloe Island, with Aymara and Quechua communities in the Peruvian Andes, with the various ethnic groups of Ifugaos in the Philippines, with Berbers in Algeria, Morocco and Tunisia, and with the traditional Han community in China.

## **II. FAO contribution to the UNPFII Sixth Session: Special Theme Territories, Land and Natural Resources**

### ***FAO Land Tenure Work on Indigenous peoples Issues: Recognition of traditional land rights within policies and legal frameworks***

16. The integration and recognition of customary land rights within land tenure legal frameworks and policies has been a feature of FAO work, especially in Africa. Mozambique has been an important experience where FAO technically supported the participatory formulation process of the Land Law and Land Policy, recognising communities' customary rights to access and

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management of the land. The Land Law 19/97 of Mozambique embraces a rights-based approach for the recognition of both the communities' customary land rights and those of people who have been occupying and using the land in good faith for more than 10 years. While the State maintains its role as the owner of all of the territory of Mozambique, both types of land users are recognised in their right to occupy and use the land through the DUAT (direito de uso e aproveitamento da terra). All forms of tenure grant the holder exclusive rights over the land, and right holders have a full legal status. Existing customary and good faith settlers have permanent rights, whereas newly acquired rights are granted for a maximum period of 50 years, renewable for another 50 years.

### ***Participatory Land Delimitation***

17. FAO has formulated an approach to facilitate the delimitation of land in a participatory and negotiated manner on the basis of the experience in Mozambique. The requirement to issue land rights certificates in a territory where community and other land parcel boundaries have not been surveyed or delimited physically, presents challenges for the reconciliation of conflicting land claims where, for example, claims of land settlers and communities may overlap either wholly or partially. The approach follows normal participatory adjudication procedures, including negotiation, mapping and agreement of boundaries and natural resources ownership of indigenous peoples with all parties in an appropriate way to enable the data to be recorded in the national cadastre/registration system.

### ***Land Tenure Alternative Conflicts Management***

18. FAO has a long standing interest in addressing the causes and the management of land tenure conflicts. In 2006, FAO, in collaboration with the Livelihoods Support Project funded by DFID

and the International Land Coalition, published the Manual on Land Tenure Alternative Conflict Management. The Manual is targeted at land tenure conflict practitioners. It analyses the main characteristics of land tenure conflict, the context in which the conflict takes place, the stakeholders taking part in the conflict, and the balance of their power relations. It provides users with resources to identify the processes and evolution of a conflict and the different options for its management and eventual resolution. The Manual deals with conflicts that arise over: inherited land tenure rights; boundaries between neighbouring families or communities; disagreements between pastoralists and farmers over access to land and water in a specific territory; disagreements between a community and a government agency over access to state land; overlapping customary and legal frameworks in the recognition of land rights. The Manual includes exercises with a regional perspective elaborated and refined on the basis of an FAO facilitated Distant Pilot Training Course organised by FAO and the International Land Coalition in 2005.

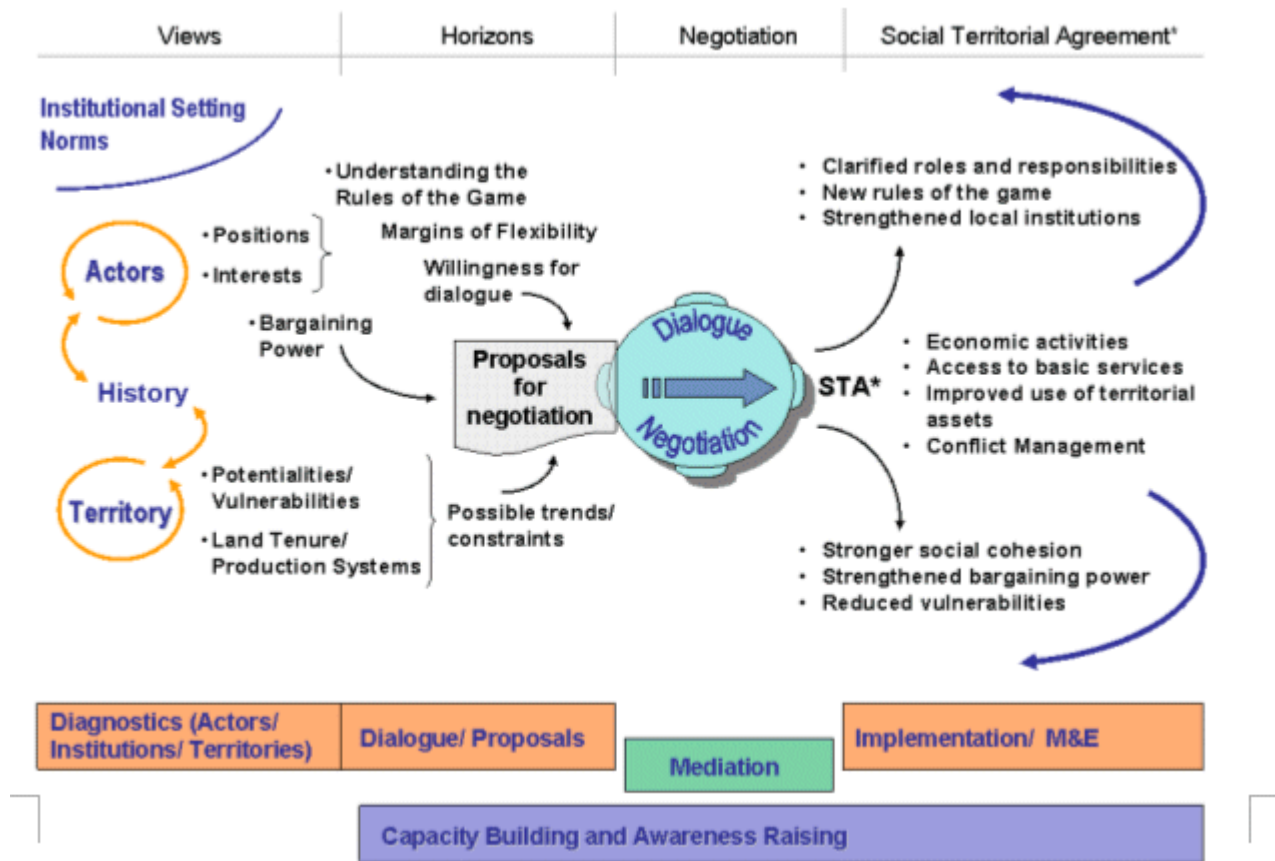
### ***Participatory and Negotiated Territorial Development***

19. The participatory experiences in both land delimitation and conflict management have led to the development within FAO of a development planning methodology that is open and participatory as the basis for defining community-based territorial plans. These provide an approach to management and prevention of problems arising from local competition, including competition over land and natural resources. The methodology allows for a negotiated aggregation of local demands and provides inputs for an adaptation/redefinition of national and local plans to meet such demands. The main purpose of the process is to strengthen the dialogue and mutual trust among the various actors and between the actors and the institutions.

Decentralized institutions (whether local or municipal ) represent the main entry point in a

collaborative attempt to influence social, cultural and political change and to improve the design of, and coordination between interventions at the different decision levels (from civil society and organizations related to the state and its decentralized bodies). Each case should be analysed from the points of view of the actors regarding current issues and problematic trends, causes of tensions or conflicts, and local opportunities and potentials that need to be developed (human, social, environmental, productive, etc.). The general approach to territorial planning adopted with this methodology - which embraces the complexity and totality of the territory – cannot overlook the need for these concepts, to be oriented towards offering practical solutions for sustainable rural development to FAO member countries.

20. The following table gives an idea of the process and the products:



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## *Indigenous peoples and the International Conference on Agrarian Reform and Rural Development (ICARRD)*

21. FAO's Strategic Framework defines a strategy which accords high priority to providing more equitable access to land and other natural resources. The Organization is convinced of the importance of the commitment towards agrarian reform and rural development in the development agenda. Progress in these areas is fundamental if the goal is to be achieved of reducing by half the number of poor and hungry people by 2015, as set out by the UN Millennium Development Goals (MDGs).

22. FAO and the Government of Brazil organized ICARRD in Porto Alegre, Brazil, 7-10 March 2006. The meeting was an important opportunity for the participants; governments, civil society organizations, private sector, and UN and intergovernmental development agencies, to renew this commitment. and to review different experiences of agrarian reform and rural development around the world by analyzing impacts, processes, mechanisms and the actors involved, in order to develop proposals for future action. Five themes were discussed during the meeting:

- i. policies and practices for securing and improving access to land and promoting agrarian reform;
- ii. building local capacities to improve access to land, water, agricultural inputs and agrarian services to promote rural development and a sustainable management of natural resources;
- iii. new opportunities to strengthen rural producers and communities;
- iv. agrarian reform, social justice and sustainable development, and
- v. food sovereignty and access to resources.

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23. The conference was joined by several indigenous peoples groups. Together with six other constituencies of civil society, indigenous peoples were represented in a panel session on agrarian reform and food sovereignty “on equal footing” with government representatives. An indigenous person was selected by the parallel Civil Society Forum “Land, Territory and Dignity” to present in the plenary the Forum’s results and declaration. The Secretariat of the UNPFII organized a special thematic session during the ICARRD: “Indigenous peoples and their right to land, territories and resources: Synergies and Tensions with Agrarian Reform and Rural Development”. The session discussions, which focused on the challenges in promoting and reaching the Millennium Development Goals through agrarian reform and rural development within the indigenous peoples’ perspective, provided important inputs for the final declaration of the ICARRD.

24. As indicated in the ICARRD declaration, indigenous peoples’ organizations as well as other civil society organizations and UN organizations dealing with food sovereignty, food security, agrarian reform and rural development, will continue to participate in the process of implementation of the ICARRD Principles.

## ***Land Reform, Land Settlement and Cooperatives***

25. FAO’s Land Tenure and Management Unit (formerly the Land Tenure Service) publishes a biennial journal: *Land Reform Land Settlement and Cooperatives*. The 2004/1 edition of the journal focuses on indigenous peoples and land rights. The publication provides an overview of indigenous peoples and their land rights, analysed by geographical region, together with examples of how indigenous land rights are dealt with in specific countries, including Ecuador

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and Peru in Latin America, Zimbabwe in Africa, New Zealand in the Pacific and the Lao People's Democratic Republic in Asia.