



MENA LAND FORUM - V

**TAKING IT TO THE NEXT LEVEL:
RELATING LOCAL ISSUES TO GLOBAL PROCESSES**

Presented by:

Middle East/ North Africa Program

**Housing and Land Rights Network
HABITAT INTERNATIONAL COALITION (HIC-HLRN)**



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MENA LAND FORUM Project Summary

Project Goal

To capacitize MENA civil society to apply existing norms and to negotiate with national and international decision makers in ongoing global policy and norm-setting processes in matters related to land and natural resource administration.

Specific Objectives

- Develop the MENA Land Forum process as a mechanism to channel human rights-based research, assessments and problem-solving advocacy;
- Empower civil society to articulate the economic, social and cultural human rights dimensions of land and natural resource management, particularly the impoverished and rural subjects of those rights;
- Create synergies among CSOs specialized in particular human rights to housing, land, water and adequate food and nutrition;
- Exchange experiences of land and natural resource struggles across MENA;
- Further develop a regional diagnosis of land and natural resource issues as the basis for a regional research and advocacy agenda;
- Map the most important role players on the international level who affect the decision making in the region, specifically influencing land laws and the political economy dimensions that affect the human rights dimensions, the present and future;
- Link participants to the global policy and norm-setting processes ongoing through 2016.

Activities

- Conduct the fifth edition of the MENA Land Forum (2014);
- Review previous Land Forum commitments and schedule further knowledge creation and advocacy;
- Refine the methodology for in-depth country assessments in three key transition countries as a model national-level land rights monitoring function, regionally formed as Social Land Watch;
- Coordinate with the different stakeholders, on national, regional and international level, to facilitate democratic participation in the deliberations about standards for land and natural resources administration;
- Hold follow-up CSO consultations with the UN Charter-based specialized organizations in order to develop ways to operationalize human rights methodology in rural and urban development processes;
- Publish and widely disseminate Forum outcomes and country assessments.

Products

- Publication and distribution of Land Forum V activities and outcomes in a separate report;
- Serialize Land Forum V activities and outcomes in *Land Times*/أحوال الأرض;

- Strategic plan for MENA engagement in ongoing global policy and norm-setting processes;
- Refined proposal for CSO mechanism for Habitat III process;
- Refined methodology for Social Land Watch country diagnostics.

Background

The current period is characterized by both tremendous contention and upheaval over foregoing models of development and governance—in particular, in the MENA region—and multiple global standard-setting and policy-formulation processes related to land and natural resource administration. These processes pose many challenges and opportunities for civil society to provide the missing links among these local, regional and global processes and engage meaningfully in the available forums and mechanisms. Civil society in the Middle East and North Africa (MENA) has been disproportionately under-represented in both the local and global processes, despite the fact that their region is most afflicted by poor land governance, scarcity of water and arable land, housing crises, external food dependency, the world's highest youth unemployment rates, and the lowest female economic participation and secure tenure rates.

The various recent crises have brought to light these deeply rooted imbalances and deficits, and national policies and international support are now realigning to address these challenges head-on. The recent uprisings across the region have demonstrated the level of popular disaffection with prevailing economic and governance models, and global reassessment is currently underway in many development fields at once, not least involving the slow process of synergizing humanitarian, development and human rights approaches. Despite the tremendous values at stake, MENA civil society remains largely unseen and unheard in these processes.

The Housing and Land Rights Network of Habitat International Coalition(HIC-HLRN) has served as a civil platform for engagement on habitat issues in such global processes since its founding at the First UN Conference on Human Settlements (Habitat I) at Vancouver, in 1976. Within its MENA regional program, operating from Cairo since 2000, HIC-HLRN launched the MENA Land Forum in 2009 to channel and develop civil society initiatives on habitat issues in the public interest within the normative framework of international human rights. Four rounds of the MENA Land Forum (2009–2013) have convened select participants from all across MENA to discuss key issues concerning land, including those related to tenure, housing, access to natural resources, food security, agricultural investment, water rights, landmines, conflict, occupation and war, as well as their inter-relatedness.

The ongoing policy forums and reviews currently include the post-2015 Sustainable Development Goal formulation and monitoring, Global Land Tenure Initiative, development and implementation of the Voluntary Guidelines on Responsible Governance of Tenure of Land, Forests and Fisheries (VGGT), World Bank safeguards policy review (2013–15), the UN Human Rights Council's Advisory Committee study on “Human Rights and Local Government” (2014–15), FAO’s Committee on Food Security (CFS) Agenda for Action on Food Insecurity in Protracted Crises and other CFS agenda items, preparations for Habitat III (2016), among others.

HIC-HLRN seeks to organize the next round of the Land Forum (V) will progress beyond the previous conference format, preparing participants to engage effectively in research and advocacy related to land and natural resource management in these global policy forums and processes, as well as make problem-solving contributions at home.

However under-utilized, these forums and processes are crucially important to CSOs in the MENA region, because they are:

1. Mandated to be rule based in human rights norms and progressive standards consistent with the tripartite purposes of UN as enshrined in the UN Charter;
2. Influential in guiding national-level policies, programs and projects consistent with these norms and standards;
3. Reflect cumulative best practices and
4. Involve various mechanisms for CSO participation in deliberations and monitoring outcomes that are not available at the national level.

The participation of MENA civil society is crucial to these global processes also since it provides unique input and perspectives that otherwise might be lost in a consultation processes that exclude them. Notably, it was MENA civil society that introduced the specific context of conflict, occupation and war as subjects of global standard setting on food security and the social determinants of health.

Land Forum V

With the background of its previous four sessions, the MENA Land Forum and its participants largely discharged its initial function of amply airing and diagnosing the land and natural resource management issues across the region. This regional diagnosis is compiled in the 2014 publication [الارض ومن عليها](#) [*The Land and Its People*: Arabic].

This foregoing Land Forum process has enabled HIC-HLRN and participants to determine the priorities and refine the methodology for country assessments within the framework of human rights and other applicable international law norms. This has enabled participants and HIC-HLRN to address, define and articulate several terms and concepts that previously were not part of the region's CSO vernacular on the subjects of human rights or development.¹

HIC-HLRN proposes that the fifth round of the Land Forum apply the concepts and norms that have the subject of previous rounds and HIC-HLRN training and knowledge products to the current global processes, with specific focus on how to access these processes. Through a call for papers, HIC-HLRN will select respondent Members and non-Members to present local cases as they relate to one or more of these processes.:

- Committee on World Food Security
 - Agenda for Action for addressing Food Insecurity in Protracted Crises
 - Responsible Agricultural Investment (RAI)
- Human rights and local government

¹ Such as Adverse possession, Alternative planning, Extraterritorial obligations, Food security, Food sovereignty, Forced eviction, Free Prior and Informed Consent (FPIC), Green economy, Indigenous people, Land grabbing, Protracted crisis, Reparations, Resilience, Right to the city, Security of tenure, Slum, Social function of property, Social production of habitat, Transitional justice.

- Third United Nations Conference on Housing and Sustainable Urban Development (Habitat III)
- Post-2015 Sustainable Development Goals
- Voluntary Guidelines on Responsible Governance of Tenure of Land, Forests and Fisheries
- Voluntary Guidelines for Securing Sustainable Small-scale Fisheries
- Developing a General Comment for States party to the International Covenant on Economic, Social and Cultural Rights on the human rights to land/human rights dimensions of land
- Others

HIC-HLRN will conduct this Land Forum as a workshop designed to link country case studies to one or more of the ongoing global processes. In the call for papers, HIC-HLRN has asked prospective participants to their contributions along a simple four-part outline, answering the questions:

1. Describe the issue/case,
2. Define the human rights norms and values at stake,
3. Identify local strategies to pose solutions,
4. Relate the case to one or more of the global policy-formulation and norm-setting processes.

Peer discussion of the cases will follow the same structure, culminating in a prospectus for raising the issue and its inherent values in one or more of the global processes. The exercise also will seek to build regional solidarity among participants that is grounded in the common human rights principles.

HIC-HLRN will advise and guide the presenter leading up to the Land Forum to clarify any methodological questions and make sure that each presenter has the necessary information and documentary references related to the global processes. (An illustrative list of references for each global process is found in the Annex to this concept paper.)

The Land Forum V will culminate with an evaluation of each of the cases presented within the respective normative framework. The recommendations from the Land Forum discussion will be incorporated into report will form part of the CSO input to each of the global processes, and shared with the HIC-HLRN network through the region and beyond. The participants will be eligible to participate in the civil society forums and mechanisms related to these processes under forthcoming activities of HIC and HLRN.

Logistics:

The forum will be held over three days, for 12–15 participants. Tunis, Tunisia was chosen as the location for the forum because it is the best option in the region when factoring in accessibility (visas), security, and cost, as well as strong HIC-HLRN membership for planning support. HIC-HLRN also has partnered with FAO in this activity to help build its own CSO constituency, building on the proven accomplishments of FAO Tunisia.

ANNEX I
PROVISIONAL PROGRAM FOR LAND FORUM V

HIC-HLRN MENA Regional Land Forum 5–7 December 2014				
Day 1: Wednesday, 5 December 2014				
 :30 Registration 0:30 Welcome to the MENA Land Forum V: Joseph Schechla (HIC-HLRN International Coordinator); FAO Representative HIC-MENA LF past, and looking forward Moderator: Rabie Wahba (Egypt)				
10:30–10:45	Rabie Wahba	Land and It's People: A glimpse at the history of land governance issues		
11:45–11:00		Affecting the future: MENA stakeholders acting locally and globally		
11:00–11:15	Joseph Schechla	Convergence of human rights and development criteria pertaining to land		
11:15–11:45		<i>Discussion</i>		
11:45–12:00		<i>Break</i>		
FAO Regional Programs/Space for FAO				
12:00–13:30	<i>This space for FAO to present briefly on regional initiatives/priorities, etc.</i>			
13:30–14:30	<i>Lunch</i>			
CFS and Global Processes				
Moderator: Emily Mattheisen and Arab Network for Food Sovereignty (ANFS) representative				
14:30–14:45	Emily Mattheisen	FAO Process: Civil Society Mechanism		
14:45–15:00	ANFS representative	Food Insecurity and Protracted Crises		
15:00–15:15	TBD	Responsible Agricultural Investment (RAI)		
15:15–15:30	TBD	Post-2015 Sustainable Development Goals		
:30–15:4515		<i>Discussion</i>		
15:45–16:00		<i>Break</i>		
Grassroots organizing in MENA				
Moderator:				
16:00–17:30	Abdulmawla Ismail, Egypt	Networking for grassroots and small-scale farmers		
	Muhsin Abu Ramadan, Palestine	The Arab Coalition of Farmers		
	TBD	Gender: organizing re women's issues		
		<i>Discussion</i>		
Day 2: Saturday, 6 December 2014				
International Dimensions: Lessons from the Social Movements				
09:00–11:00	Open forum for each participant to share a case study for their region, relating to existing global norms and ongoing processes, with a focus on: issues involved, values at stake, alternative solutions and advocacy strategies			
11:00–11:15	<i>Break</i>			
11:15 –13:00	Open forum for each participant to share a case study for their region, relating to existing global norms and ongoing processes, with a focus on: issues involved, values at stake, alternative solutions and advocacy strategies			
13:00–14:00	<i>Lunch</i>			

Brainstorming: MENA regional agenda and engagements—moderated by Rabie Wahba		
14:00–16:30	<i>Moderated Discussion</i>	
16:30–16:45	<i>Break</i>	
16:45–18:30	Tools and Methods: Human Rights-based approaches (includes VGGT intro)	
	Miriam Jaajaa, ANFS(Jordan) and Joseph Schechla, HIC-HLRN (Egypt)	Presentation of VGGT process and content
Day 3: Sunday, 7 December 2014		
VGGT		
9:00–10:45	“Training” on the VGGT in various contexts, using the civil society handbook. Will explain the VGGT role and uses in other processes, especially the World Bank safeguards review, Habitat III	
10:45–11:00	<i>Break</i>	
11:00–13:00	VGGT + continued, with Bank Information Center representative	
13:00–14:30	<i>Lunch</i>	
14:30–16:00	Visioning MENA research/capacity-building/advocacy agenda: Moderated by HIC-HLRN officer and another social movement representative	
16:00–16:30	Closing Remarks: Joseph Schechla, Rabie Wahba and FAO representative	

ANNEX II

Illustrative list of references for framing the Country Cases

Global Human Rights Standards

Advisory Committee study on human rights and local Government (written statement* submitted by the Habitat International Coalition), [A/HRC/23/NGO/85](#), 24 May 2013; Preliminary report of the Advisory Committee, [A/HRC/AC/13/L.4](#), 14 August 2014 [Arabic: [Bringing Human Rights Home: How State and Local Governments Can Use Human Rights to Advance Local Policy](#), Columbia Law School, Human Rights Institute, December 2012]; [African Charter on Values and Principles of Public Service and Administration](#), African Union, 31 January 2011 [[Arabic](#)]; [Local Government and Human Rights: Doing Good Service](#), International Council on Human Rights Policy, 2005; [Global Charter on the Right to the City](#) (2006) [[Arabic](#)]; [Global Charter-Agenda on Human Rights in the City](#) (2011).

Third United Nations Conference on Housing and Sustainable Urban Development (Habitat III)

[Istanbul Declaration and Programme of Action](#) (1996) [[Arabic](#)]; [Millennium Declaration for the Cities](#) (2001) [[Arabic](#)]; “Coordinated implementation of the Habitat II Agenda: Report of the Secretary General,” [E/2012/65](#), 4 May 2012 [[Arabic](#)]; UN-Habitat, “[Guidelines and Format for the Preparation of National Reports: On Six Key Topics, Thirty Issues and Twelve Indicators](#)” [[Arabic](#)] and subsequent corrected versions.

Post-2015 Sustainable Development Goals

[The Millennium Development Goals Report, 2013](#); [Report Outcomes Experts’ Workshop on Sustainable Cities Experts’ Workshop on Sustainable Cities](#), 5–6 December 2013.

CFS Agenda for Action for addressing Food Insecurity in Protracted Crises

[Voluntary Guidelines to support the progressive realization of the right to adequate food in the context of national food security](#) (2004); Draft [Framework for Action for Addressing Food Security and Nutrition in Protracted Crises](#) (1 August 2014); E-discussion outcome reports.

CFS Voluntary Guidelines on Responsible Governance of Tenure of Land, Forests and Fisheries

[Voluntary Guidelines to support the progressive realization of the right to adequate food in the context of national food security](#) (2004) FAO [Voluntary Guidelines on Responsible Governance of Tenure of Land, Forests and Fisheries](#) (2011) [[Arabic](#)]; [Civil Society Submission + Annex](#).

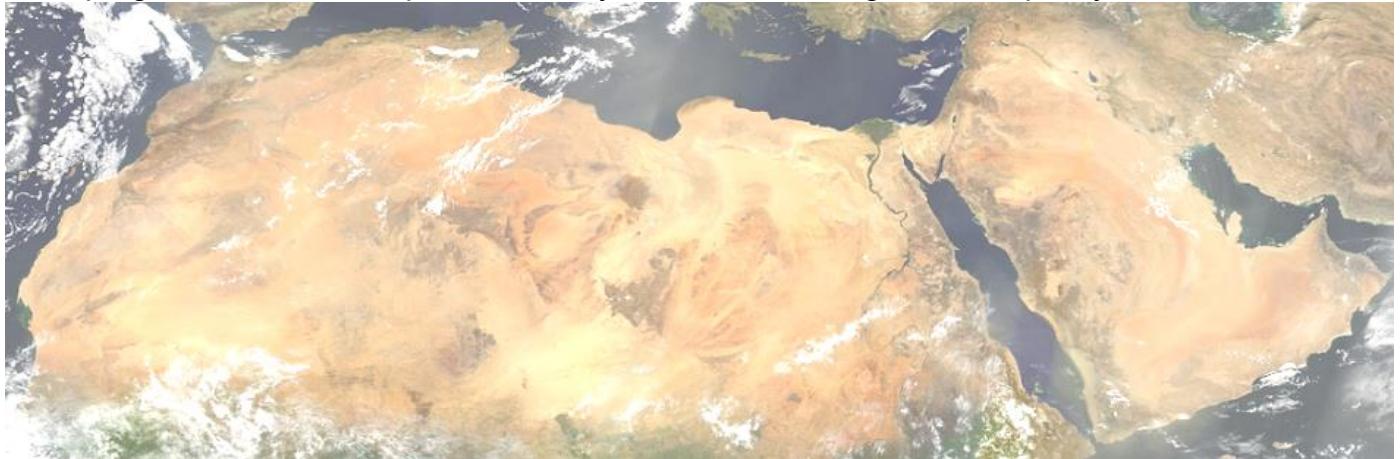
Others

[Global Land Tools Network](#) (GLTN) processes; e.g., [Global Land Indicators Initiative](#), [Social Tenure Domain Model](#), etc.; UN Special Rapporteur Raquel Rolnik, *Guiding Principles on Security of Tenure for the Urban Poor*, [A/HRC/25/54](#), 30 December 2013 [[Arabic](#)].

ANNEX III

HIC-HLRN Middle East/North Africa Program

The Middle East/North Africa regional program of Habitat International Coalition's Housing and Land Rights Network addresses the need for civil society participation in public affairs by applying the criteria of human rights and corresponding state obligations as a defining framework for civil discourse. The ultimate objective of this program is to develop civil society actors' knowledge and capacity to address



complex policy issues related to the most-vital public resources with a degree of competence that enables direct engagement with decision makers at all levels.

HLRN's MENA program integrates diverse efforts and approaches to uphold housing and land rights, ranging from popular and legal initiatives to posing alternatives to the privatization of public and environmental goods and services, which affects housing and land rights. The program activities promote adequate housing, land and water management as public goods; land as related to food sovereignty; as well as all relevant traditional methods, moral principles and other culturally specific devices for guiding equitable land and natural resource management.

MENA is exceptionally suited to this discussion, with its conspicuous features of foreign occupation, displacement and confiscation of land and water that are bases for livelihoods. The land and scarce water dimension of self-determination of the indigenous peoples in the region, and people's sovereignty, in general, is central.

HLRN's MENA Program promotes the development of economic, social and cultural rights (ESCR) culture in the region and builds capacity by providing training, appropriate methodologies for housing rights monitoring and legal defense, access to international forums, and opportunities for cooperation with the UN human rights system. Thus, the MENA Program contributes to the region's discourse on ESCR and globalization, and organizes regional and inter-regional exchanges of expertise. Thus, HLRN seeks to help create the context for MENA communities and housing and land rights defenders to develop practical skills, to work cooperatively and develop solidarity regionally and with social movements elsewhere. HIC-MENA's website also provides self-service databases and archives with unique Arabic-language resources on housing and economic/social/cultural rights .

For more information on the MENA Program and HIC-HLRN membership, go to:
www.hic-mena.org.