



# Promoting Water Tenure for Food Security, Climate Resilience and Equity

Workshop Report

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On behalf of



adelphi 

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## List of Abbreviations

BMEL	Federal Ministry of Food and Agriculture
BMZ	Federal Ministry for Economic Cooperation and Development
CFS	Committee on World Food Security
ELI	Environmental Law Institute
FAO	Food and Agriculture Organization of the United Nations
GIZ	The German Corporation for International Cooperation
IDOS	German Institute of Development and Sustainability
IWRM	Integrated Water Resource Management
KnoWat	Knowing Water Better
VGGT	Responsible Governance of Tenure of Land, Fisheries and Forests

## 1 Introduction

The workshop “Promoting Water Tenure for Food Security, Climate Resilience, and Equity” was implemented by FAO and adelphi on June 28<sup>th</sup> and 29<sup>th</sup> in Berlin, Germany with the support of The Federal Ministry of Food and Agriculture (BMEL), The German Institute of Development and Sustainability (IDOS), and The German Corporation for International Cooperation (GIZ) on behalf of the Federal Ministry for Economic Cooperation and Development (BMZ). The **objectives of the workshop were to increase knowledge and awareness about the role that water tenure plays in managing water resources and in its impacts on people’s food security and livelihoods**. The workshop focused on three topics: 1) Water tenure and food security; 2) Water tenure and social inclusion; 3) Water tenure to increase climate resilience and mitigate conflicts.

Water tenure can be defined as “the relationship, whether legally or customarily defined, between people, as individuals or groups, with respect to water resources” (Hodgson 2016; FAO 2020). The advantage of water tenure is that it considers all types of water uses, including those that are not formally recognized by law. A key challenge to sustain and improve water and food security for rural populations, particularly in areas affected by water scarcity, is **how customary arrangements for accessing and using water resources can be recognized as legitimate use rights and included in broader water governance frameworks** to empower often marginalized communities. Secure water tenure is also a prerequisite for investments in efficient operation of water infrastructure. Therefore, it is important to put the topic of water tenure on to political agendas and acknowledge it as a crucial element of inclusive and sustainable development.

The workshop built on results of the FAO project, “**Knowing Water Better - towards fairer and more sustainable access to natural resources**” (KnoWat). The goal of the project is to strengthen water governance processes in Rwanda, Senegal and Sri Lanka through building capacity in water accounting, and developing and testing a methodology for the assessment of water tenure. As part of its mandate, the project aims to contribute to the global discourse and advance the understanding of water tenure in the development sector with the ultimate goal of increasing food security by safeguarding water rights. The workshop concept was developed in discussions with GIZ projects on the potential uses of the water tenure concept for development work.

In 2012, the **Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests (VGGT)** were endorsed by the Committee on World Food Security, marking an international consensus to prioritize land tenure rights for the rural poor who are heavily dependent upon equitable access to resources for their food security and livelihoods (FAO, 2022). The conceptualization of water tenure rights was not included because the issue of water tenure is inherently (more) complicated, due to the fluidity of water resources and complications in water rights and governance. In particular, transboundary water governance and the alignment of water tenure approaches are a challenge. Additionally, there is still no clear definition of water tenure between all actors and stakeholders, leading to challenges in applying the concept for non-social scientists. In this context, the present workshop along the broader KnoWat project, aimed at creating greater awareness of the need for secure water tenure for sustainable development, especially for marginalized groups amongst practitioners and policy-makers.



## 2 Background

At the opening of the hybrid workshop, Benjamin Kiersch, Project Coordinator at FAO for the KnoWat project, welcomed the participants to the event and outlined the journey of the KnoWat project. The introductory remarks by Wolfgang Zornbach of BMEL and Matthias Toll of BMZ stressed the importance of intersectoral work in addressing the challenges of water scarcity, climate resilience, and food security, and how these issues are linked to peace, equity, and global security. Food and water, they highlighted, needed to be thought of together, especially in times with food shortages looming. Provision of safe water is crucial for many SDGs. Jippe Hoogeveen, Chief Technical Advisor at FAO, charted the history and need for water tenure as a key component of good governance and securing sustainable access to water, particularly in rural areas. In striving for water for sustainable food and agriculture, water tenure strengthens water accounting and highlights the importance of accurately quantifying resources.

Ines Dombrowsky from IDOS reiterated the need for water tenure in achieving food security and other global priorities, as equitable shares among sectors will be vital, not only in achieving SDG 6, but also 2, 7, 13, and 15. She emphasized how the interrelation of formal and informal water allocation, in addition to climate change, would impact not only food security, but also exacerbate inequality. She expressed hope that water tenure can contribute to balancing different water needs from different sectors and to achieving the SDGs. The concept also enables the integration of formal and informal relationships into IWRM frameworks.

Following the welcoming remarks, the introductory presentation by Stephen Hodgson, International Environmental Lawyer and FAO Senior legal consultant, introduced the concept of water tenure. Tenure arrangements govern who can access and use resources for what purpose and describe the relationships with water bodies/ resources. Hodgson sees many **benefits in the water tenure approach**. Water tenure is a **social and a legal construct** that allows for a multidisciplinary, bottom-up approach to water resources. Here, water tenure arrangements derive from customary/ local law or traditional water tenure arrangements. Other arrangements of water tenure stem from religious law, informal arrangements, assumed water tenure or unrecognized and legally impossible water tenure. It is these water tenure arrangements, which are not derived from formal law, that the concept captures and accounts for. He continued by introducing different types of formal and informal water tenure arrangements. Formal water laws for instance include short term regulatory permits and modern water law-controlled permits that also secure the investment of companies. Informal water tenure uses may be simply illegal or tolerated by the water administration (for example, in some jurisdictions in India, water users pump from irrigation canals, which is illegal and yet widespread). Water tenure allows us to see the whole picture holistically by considering all types of water uses. The multidisciplinary perspective also opens up the discussion for other important socio-ecological issues related, for instance, to informal settlements.

This presentation was followed by Benjamin Kiersch who introduced the KnoWat project. He pointed out that many existing concepts of tenure could be applied to water tenure as well. Hence, the KnoWat project takes other tenure concepts into account and, on the basis of the WaPOR (the FAO portal to monitor water productivity), combines all up to date research for a comprehensive water resource assessment, including water accounting, productivity assessment, governance, and tenure assessment. Kiersch expressed hope that FAO's unique focus will give it a mandate to continue to address the issue of water tenure in the future.

In the follow-up Q&A session, it emerged that the definition and application of the concept of water tenure still needed some clarification. Among others, the issue was raised whether water quality aspects should be included in the water tenure concept. While wastewater discharge is so far not considered a water tenure issue, the **deterioration of water quality** is a problem that is highly relevant to water tenure. Incorporating the analysis of environmental flows is important for the evaluation of holistic water use rights. To this end, and taking into account aspects of justice, the involvement of local communities, their knowledge and tools in the development and implementation of data collection and monitoring systems, is important. Conditions for **participation of most vulnerable people** have to be created. Hope was expressed that water tenure could be taken up by the Committee on World Food Security (CFS). Efforts from FAO are realized to convince member states of the importance of the topic. There have been requests from member countries to include it in the agenda of this year's session of FAO's Committee of Agriculture.

## 3 Water Tenure and Climate Resilience

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### Presentations and discussion

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Climate change has severe implications for water availability in many parts of the world, causing decreases in renewable water resources in some parts, and increases in others. Even where increases are projected, there may be short-term shortages due to changing streamflow caused by greater variability in rainfall (FAO, 2021). Many countries may therefore need to build more reservoirs for water storage and flood protection. Other water users will need to increase water abstraction for irrigation to accommodate food production under higher temperatures.

In her introductory words to this first section of the seminar, Sabine Blumstein highlighted that all these adaptive measures to address the impacts of climate change will inevitably impact existing water tenure arrangements of different users. Therefore, understanding the diverse water tenure rights can help to increase resilience and mitigate water resource conflicts. One key challenge, she highlighted, will be to find **the right balance between secure water tenure rights, that are based on clearly defined rules and regulations, and leaving enough flexibility to be able to respond to changing climatic conditions**. To implement more flexible and adaptive water management solutions, it is also important to have up-to-date and reliable data about the availability of water resources and resource use. Finally, a clear distribution of water tenure rights is also likely to mitigate potentially conflicting user claims over water resources and as such might contribute to conflict resolution.

The first case study presented by Mohamad Mova Al'Afghani focused on **“Peatlands and Water Tenure in Indonesia”** and impacts from water allocation priorities and customary water usage in the country. Water tenure issues in the region currently stem from a competition between drinking water and agricultural usage and the impact informal irrigation has on the depletion of springs. The issue is two pronged - land use change and the conversion of fields from sugarcane to rice paddies without the proper irrigation systems, and community-based water supply that is both informal and, in some cases, illegal.

Presented by Julie Trottier, the second case study focused on Palestine and **“Sacrificing Traditional Water Tenure to Favor High-Value Export-Oriented Agriculture.”** The case study presented potential issues in unclear water tenure rights, as occurred in Palestine when water rights were granted over time to both users of springs and wells, which are replenished by the same water source, resulting in over-abstraction of the El Fara'a valley aquifer. These issues were further exacerbated by cash crop productions such as cucumbers upstream and water-intensive date palms downstream. While date palms are promoted as good adaptation to climate change, they require year-round watering. This maladaptation to climate change destroyed the ecological corridors that were maintained through traditional water tenure rights access to the springs. A potential solution has been proposed: using treated wastewater from the East Nablus Wastewater Treatment plant to recharge the aquifer and restore traditional water tenure rights.

The discussion that followed highlighted the need for integration of water governance with water accounting and adaptive planning for smallholder farmers, as well as identifying what is, or is not, a legitimate user claim. This is particularly important within the context of climate change, as water allocation prioritization will have to be adaptive and scale water usage. Water tenure provides a framework for certainty around water rights and, as outlined in the Indonesian case study, can help to prioritize smallholder farmers or other legitimate users over others. The determination of legitimacy and its integration into governance continues to be a question. So too are the effects that governmental climate adaptation strategies, including water storage, will have on water tenure rights.

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## Insights from group work and panel discussion

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The relationship between water tenure and climate change was also addressed in both the working group discussions as well as the panel discussion. **Water tenure and knowing how, where and by whom water is used was identified as a key to adapting to climate change** (and avoiding unintended maladaptation). Another topic discussed was that local disputes around water resources are likely to increase with climate change manifesting itself, especially in already fragile contexts. An open question here is how water tenure rights could be secured where government structures are unable or unwilling to enforce/protect water tenure rights.



Figure 1: Group photo of online and on-site participants. © K.Heck, adelphi

## 4 Water Tenure and Social Inclusion

### Presentations and discussion

The community-based tenure systems employed by indigenous peoples, rural populations, and pastoralists worldwide, regulate access to and use of natural resources on at least half the world's land mass (RRI 2015). In many countries, communities use, manage and share water resources based on social, cultural or religious norms that are not necessarily recognized by formal laws but still constitute legitimate rights that are vital to supporting rural food and livelihoods security, poverty reduction, conflict avoidance and management, and sustainable development. Where local communities' water tenure rights are not recognized or secure, third-party actions, whether lawfully organized or not, may have significant adverse impacts, particularly on the women within those communities. In her introduction to this focus area, Jessica Troell from ELI outlined the disparity in water tenure rights for vulnerable populations and possible synergetic areas to create a framework for community-based legal water tenure. Key points outlined were the importance of **incorporating women's water tenure** to ensure that governance frameworks are not gender blind, and the dependence community-based water tenure has on land tenure or land rights. Unfortunately, there are often few synergies between these laws and sometimes they even contradict each other. So **legislative harmonization and inter-sectoral coordination** are critical to support water tenure security. Innovative solutions are needed to fill the gaps left by compulsory **licensing systems, which are not tailored to the needs of and resources available to many local communities** and fail to effectively protect their water tenure security.



Figure 2: Workshop participants in Berlin. © E. Semmling, adelphi

The intrinsic linkage between land and water tenure was further explored in the first case study “Expansion of Large-Scale Irrigated Agriculture and Implications for Water Tenure of Pastoralists in the Awash River Basin, Ethiopia”. Waltina Scheumann and Srinivasa Srigriri

from IDOS presented the case of water tenure insecurity for smallholder farmers and pastoralists and how land transformation for commercialized large-scale irrigation schemes has led to the loss of communal grazing and inability to access water points. In the development of the Awash basin, the government's focus was placed on private investment and economic growth. Irrigation schemes and hydropower plants were deemed a national priority. Customary land tenure was excluded, causing pastoralists and smallholder farmers to lose their land tenure and thus water tenure rights. The strong connection between land and water tenure was noted. The key question raised in the case study **was how to recognize customary water law within a formal system** in order to overcome exclusion and improve legal security. Water tenure arrangements in the Awash basin are not clear. There is no guideline stating who receives water access for what purpose, which is also caused by **weak monitoring and governance structures**.

The second case study from Madagascar presented similar considerations of marginality and equity through a GIZ project implemented and presented by Anni Valkonen of NIRAS, a consultancy. The title of the presentation was "Addressing Water Tenure through Simplified Management Plans and Local Conventions in Boeny in Madagascar." Valkonen detailed thematic challenges in water tenure at the local scale through an analysis of the existing situation. By focusing on the interrelationships of people and the water resources, both in terms of quantity and quality, the water tenure assessment helps understand the level of water usage, complementing traditional IWRM approaches. Through the project, Valkonen highlighted **dimensions of justice, including recognition and awareness, participation, and distribution of benefits** that are key in ensuring a community perspective for equitable water distribution. In particular, NIRAS intended to address **challenges related to upstream and downstream water allocation** and water user regulations that are unfavorable for women, leading to insecurities of water use in rural areas.

In the following exchange on the case studies there was much discussion on the interlinkages of land tenure and water tenure and, in particular, (i) how water tenure rights are envisioned within land-use planning and (ii) how water tenure will play a role in publicly held lands and lands that have multiple uses such as irrigation and livestock. Some countries, such as Mali, prioritize pastoralist water use and address **pastoralist water rights**. Generally, the discussion about **land tenure and property rights** including communal versus private ownership was raised several times, showing the strong interlinkages of water and land tenure. The impact of more efficient water systems, including irrigation, came up, and the point was reiterated that **water tenure needs to be at the forefront of policy reforms** because efficient technologies are redundant if smallholders do not have the rights to water.

Participants raised questions on the integration of water tenure in land use planning and the sustainability of water tenure in the project of GIZ/ NIRAS, in particular, relating to the continuation of participatory approaches. One approach could be to **integrate the land use plans in the water authority's planning process**. One key challenge mentioned was that countries often lack financial resources and therefore seek to attract private investment, which means that private investors control water resources.

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## Insights from group work and panel discussion

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During the group work, the difficulty of managing water was pointed out, as its volumes are variable and its flowing character makes it intrinsically a shared resource. The recognition of customary water tenure is (in some countries like Indonesia) more difficult than customary land

tenure, because the water law requires a strong relation between water and land tenure. These are just some difficulties that the application of water tenure faces. One of the biggest challenges is the **limited awareness around customary laws in case of water tenure holders**. Unless there is clear provision in the water policy /law of a country to recognize the water tenure, these customary laws can be struck down overnight, affecting sustainable food production and thereby, risking the livelihoods of subsistence farmers.

In the panel discussion, it was stated that water tenure has to be taken up to the procedural level. Researchers and practitioners can **learn from customary practices** and **integrate the customary law into formal law**. However, others cautioned **that not all customary tenure should be recognized**. Some participants argued that there needs to be a legal basis for all water users. The concept of water tenure helps to organize water allocation and water permitting in a more inclusive way, taking small users into account which previously did not have legally binding water laws. Others pointed out that water tenure enables **legally binding complaints** within projects.

**Power imbalances** were named several times as a key factor contributing to the equitable execution of water tenure rights, which often face fragile political contexts and a lack of enforcement. Moreover, one group elaborated on the importance of **networking with womens' groups, the private sector, and the VGGT community**. Then water tenure would open up to considerations of equity and justice and put it at the center of the discussion. This task is challenging and very promising at the same time as the **people-centered approach** makes the **bottom-up integration** and consideration of marginalized groups possible (in comparison to IWRM). The results from the online group work can be reviewed in annex 2.

## 5 Water Tenure and Food Security

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### Presentations and discussion

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Food security is highly dependent on sustainable and secure access to water resources. Rural communities depend on water resources for subsistence food production, particularly in areas of limited rainfall. Irrigated farming represents about 20 percent of the total cultivated land and contributes up to 40 percent of the total food produced worldwide and is expected to increase as production systems adapt to a changing climate (FAO, 2021). Additionally, water resources are essential for pastoralist communities that depend on the livestock sector for their livelihoods. Ensuring that traditional customary water tenure agreements are formalized secures a source of food and income for these communities.

In her introduction, Sofia Espinosa of FAO stressed the multidimensional nature of water and food security and the considerations of water allocation for both irrigation and livestock under an increasingly insecure supply. She outlined the contributions of water tenure to food security through different avenues, including incentivizing farmers to invest in water infrastructure and empowering communities to participate in decision-making. The water tenure framework provides an avenue to increase food security by safeguarding water rights.

In the first case study presented by Manfred Matz of GIZ, the interrelationship of Water Tenure and Food Security in Tunisia was outlined with particular focus on how water tenure for food security must consider green water. Matz identified gaps in existing water tenure assessments and the literature that does not account for green water tenure, despite the fact that in many places food security is largely based on products from rainfed agriculture. To fill these gaps, Matz recommends **extending the VGGT to include green and/ or rainwater and including rainwater tenure as a component of water tenure.**

In the following case study, Lamine Samaké of FAO described the KnoWat project's work in identifying the missing link between different levels of water management currently employed in the Senegal River Delta. Through a participatory approach, the project identified that the traditional water tenure and knowledge on water usage in the study area is not incorporated into formal law which creates challenges in the implementation of management tools, the collection of water charges, and causes conflicts between different users. The project examines the success of the traditional practices, and with input from stakeholder groups, recommends the best practices as successful tools for policy adaptation. **Through the integration of customary practices into formal law, the water rights of smallholder farmers and their agricultural production could be safeguarded.**

The following discussion centered on how both the concepts of green water and traditional customary practices can be integrated into formal systems to ensure food security, and what that would imply for water governance at the national level. The concept of green water was of particular focus with several participants raising the point that definitions of productivity must be considered in our conversations about green water and how it plays a role in social equity, biodiversity, nutrition, etc. Green water and rainwater will have an increasing role in conversations around water tenure, particularly in water-scarce contexts, where the collection of rainwater or planting of water-intensive crops will negatively impact overall water security. Additional focus was also placed on the need for governance assessments as part of basin and water tenure assessments prior to drafting water policy or legislation. As reiterated by

Samaké, water tenure assessments are vital in determining water policies, as otherwise the codification of water tenure rights will be contrary to systems currently in place and leave stakeholders without a legal basis for the water they use. Customary legitimacy and rights-based approaches to water tenure are key in shifting water governance approaches.



Figure 3: Moderator Raquel Munayer and participant Lamine Samaké during the workshop. © E. Semmling, adelphi

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## Insights from group work and panel discussion

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The impact of water tenure on food security was a reoccurring theme in both the working group discussions as well as the panel discussion. **Water tenure was identified by the working groups as a key tool in adapting to climate change while safeguarding the incomes and food security of rural communities.** In the panel discussion, Alsaad Ndayizeye from the Rwanda Water Resources Board raised the point that water tenure offers small stakeholders, previously not taken into consideration, legally binding water rights and therefore offers small-scale irrigation users, fish farmers, and pastoralists protections and safeguards water supply. Additionally, there was resounding agreement in both the working groups and the panel, that intersectoral cooperation is a key component in ensuring sustainable and equitable water usage and increases food security, by safeguarding smallholder farmers' and agro-pastoralists' water rights.

## 6 The Link between Water Tenure and Development Priorities

On the second day, three introductory presentations from practitioners delineated the way forward for integrating water tenure assessments into practice. Tim Brewer from Water Witness, a UK-based NGO, outlined the Initiative Sustainable Water Footprint as a tool to encourage sustainable and equitable water usage through specific commitments, including a commitment to “fair water tenure”. The declaration outlines regulations and transparency that have been signed by numerous corporations and countries, and the hope is that the momentum will be driven by further signatories at the COP27.

Barbara Schreiner from the Water Integrity Network (WIN), a think-tank based in Berlin, built on the concept of water allocation being an inherently political issue with examples of extreme water imbalances within basins that favor a small number of high-volume water users rather than a large number of small-volume water users. She presented a multi-tool system that allows allocation to be more adaptive by changing permitting, recognizing customary water law, and prioritizing water usage.

Jippe Hoogeveen from FAO outlined the initiative for a global dialogue on water tenure. He stressed the point that water governance on the global scale needs to include water tenure. It is therefore FAO’s objective to sponsor a global dialogue on water tenure with the aim to identify principles for responsible governance of water tenure, inspired by the VGGT. Local assessments and country dialogues could integrate water tenure at the national level where the benefits will be felt the most, while regional consultations with international partners at a sub-continent level could drive the dialogue forward. In the upcoming months, FAO will have further meetings and conceptual discussions on water tenure. In July 2022, the FAO Committee on Agriculture and the Consultative Group Fair Water Footprint will meet. On the 8-9 November 2022, an expert consultation on water tenure will be held at FAO to discuss the roadmap for the global dialogue. Before the end of the year, the final KnoWat publications will be launched. The results of the KnoWat project will also be presented at the World Water Week 2022 in Stockholm.

## 7 Key Messages, Open Questions and Way Forward

The workshop on water tenure was an international hybrid event. Participants included government staff, project managers and researchers from all over the world. On the first day, participants got introduced to the holistic concept of water tenure and had the chance to discuss the concept with its potentials and difficulties. On the second day, the working groups and panel discussion reiterated many of the key points and lessons learned from presentations on climate resilience, food security and equity. The **need for water accounting and accurate data** was discussed, as it relates to water tenure and the creation of water allocation and water permitting prioritization. The issue of **power imbalances** was also a recurring theme, with every group highlighting the **need for a participatory approach to ensure equitable allocation**. Many groups also mentioned **working within existing systems, such as basin authorities or watershed organizations to strengthen outreach**. The benefits of this type of cooperation were also highlighted in the panel discussion, as working with stakeholders helps to document existing solutions to water challenges within the localities and has the potential to inform legal reforms. There is a **need to broaden the uptake of the water tenure concept and advocate for decision-makers to integrate water tenure assessments into existing basin assessments and future planning**.

One key message from the discussion was paraphrased by Domitille Vallee, Project Manager of FAO: **Communication of water tenure and its application seems to be a key challenge that ultimately leads back to bottom-up communication and capacity development**. Barbara Van Koppen shared her thoughts on communication: if FAO is continuing to lead global dialogue on water tenure, the **VGGT is an excellent starting point** – the process is known, and the underpinning principles hold. Water tenure is essentially people-centered instead of 'managing for the sake of managing'. Some other key messages of the workshop are summarized in the table below.

The Water Tenure concept and the KnoWat assessment method is going to be presented at different platforms over the next several months with the objective of laying the groundwork or the global dialogue on water tenure, and mainstreaming water tenure into development projects.

**Table 1: Key messages of the workshop**

### Benefits of the water tenure concept:

- Holistic approach, that shows a diverse and “real” picture of water uses and relations, including all water uses, those that are not legally recognized.
- Integrates the nuanced relationships among people and water resources and not only the aspect of water consumption.
- A bottom-up people centered approach, integrating aspects of justice.
- Can be an entry-point for reaching more equitable water distribution.
- The multidisciplinary perspective (e.g. economics, political science, sociology and others) opens the discussion for other important socio-ecological issues and brings in diverse expertise.

- Recognizes that tenure is a social construct, acknowledging the rights and interests of both individuals and groups.

**Where water tenure could play an influential role:**

- Multi-stakeholder platforms
- Revision of legal frameworks
- Water as a tool for equity
- Identifying weaknesses in existing laws.
- Documentation of existing solutions to water challenges on the ground and potentially to inform legal reforms

**Ideas for improving the concept and making it better known:**

- Involvement of meaningful (legal) complaint mechanisms, incorporation in project design
- Integrate gender aspects
- Integrate concept in the social and environmental safeguards of FAO or in assessment mechanisms
- Align it with other policies (e.g. food policies)
- Explore the inclusion of green-/rainwater, particularly in water-scarce contexts, and the role of water quality
- Make the concept known more popular outside of academia

**What platforms and networks could be used to promote and implement the water tenure concept:**

- Multi-stakeholder platforms on land tenure (VGGT)
- Other platforms that are not directly related to water but involve water, such as initiatives on forest or inland fisheries
- Integrate water tenure into basin analysis (e.g. water tenure assessments and water governance assessments)
- Involve academia, e.g. working with master and PhD students; quite some universities have worked on water tenure/rights for decades
- Faith-based organizations, partnering with religious leaders
- Build on indigenous and local community networks around land and forest tenure

**Selection of remaining questions for further discussion:**

- How can legitimate water tenure rights be defined and who gets to define them?
- How can water tenure help organize water use in an equitable and sustainable way, for example, prioritizing some use claims ?
- What are the bundle of rights that are involved?
- How can legitimacy and integration in governance of water tenure be sustainably organized and managed?
- Which effects will governmental climate adaptation strategies, including water storage, have on water tenure rights?

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Title: Workshop in Berlin. © E. Semmling, adelphi, Page 16

Title: Moderator Raquel Munayer and participant Lamine Samake during the workshop. © E. Semmling, adelphi, Page 20

## ANNEX

### Annex 1: Agenda

Tuesday, 28 June 2022 – Day 1

Time	Agenda item	Name & Institution
9:00 – 9:10	<b>Welcome from the organisers and tuning in</b>	Moderator: Raquel Munayer (adelphi) & Benjamin Kiersch (FAO)
9:10-9:40	<b>Welcoming remarks</b>	Wolfgang Zornbach (BMEL) Matthias Toll (BMZ) Ines Dombrowsky (IDOS) Jippe Hoogeveen (FAO)
9:40 – 9:50	<b>Introductory presentation of the water tenure concept</b>	Stephen Hodgson (FAO Consultant)
9:50 – 10:05	<b>Introduction of Knowat project and water tenure assessment guide</b>	Benjamin Kiersch (FAO)
10:05 – 10:30	<b>Q&amp;A</b>	Moderator
10:30 – 11:00	<b>Coffee Break</b>	
11:00 – 11:30	<b>Introductory remarks</b> <b>Case study 1: Peatlands and Water tenure in Indonesia</b> <b>Case study 2: Sacrificing traditional water tenure to favour high value export-oriented agriculture: a maladaptation to climate change</b>	Sabine Blumstein (adelphi) Mohamad Mova Al'Afghani (CRPG Indonesia) Julie Trottier (CNRS)
11:30 – 12:30	<b>Discussion</b> <ul style="list-style-type: none"> <li>Brief discussion on case studies</li> <li>Identification of entry points for engagement</li> </ul>	Moderator
12:30 – 13:30	<b>Lunch Break</b>	
13:30 – 14:00	<b>Introductory remarks</b> <b>Case study 1: Expansion of large-scale irrigated agriculture and implications for water tenure of pastoralists in the Awash River Basin, Ethiopia</b>	Jessica Troell (ELI) Waltina Scheumann & Srinivasa Srigiri (IDOS)

Time	Agenda item	Name & Institution
	<b>Case study 2: Addressing water tenure through simplified management plans and local conventions in Boeny in Madagascar</b>	Anni Valkonen (NIRAS) & Juliot Soumar (GIZ)
14:00 – 15:00	<b>Discussion</b> <ul style="list-style-type: none"> <li>Brief discussion on case studies</li> <li>Identification of entry points for engagement</li> </ul>	Moderator
15:00 – 15:15	<b>Coffee break</b>	
15:15 – 15:45	<b>Introductory remarks</b> <b>Case study 1: Water Tenure and food security in Tunisia: “If you want to help us with the dwindling ground water, help the government to do their job”</b> <b>Case study 2: Water tenure in Senegal – Knowat experience from the Senegal River delta</b>	Sofia Espinosa (FAO) Manfred Matz & Zina Skandrani (GIZ) Lamine Samake (Knowat Senegal)
15:45 – 16:30	<b>Discussion</b> <ul style="list-style-type: none"> <li>Brief discussion on case studies</li> <li>Discussion on entry points for engagement</li> </ul>	Moderator
16:30 – 16:45	<b>FAREWELL AND OUTLOOK FOR DAY 2</b>	Moderator
18:00-22:00	<b>Joint dinner</b> <i>Location: Restaurant Umami P-Berg (Knaackstraße 16-18)</i>	

**Wednesday, 29 June 2022 – Day 2**

Time	Agenda item	Name & Institution
9:00 – 9:15	<b>Welcome of Participants and brief summary of points discussed during day 1</b>	Moderator
9:15 – 9:45	<b>Initiative Sustainable Water Footprint (civil society, private sector engagement)</b> <b>Hybrid water law (national &amp; local governments)</b> <b>Initiative for a global dialogue on Water Tenure (international community)</b>	Tim Brewer (Water Witness) Barbara Schreiner (WIN) Jippe Hoogeveen (FAO)
9:45 – 9:50	<b>Introduction of working groups</b>	Moderator

Time	Agenda item	Name & Institution
9:50 – 10:45	<p><i>Plenary breaks into 2 groups on site and 3 groups online</i></p> <p><i>Guiding question for group work:</i></p> <p><b>How could international actors (civil society, private sector, government, international community) help to address challenges identified in day 1?</b></p>	
10:45 – 11:15	<b>Break</b>	
11:15 – 11:45	<b>Short inputs from the working groups</b>	Rapporteurs of the working groups
11:45 – 12:30	<p><i>Guiding questions:</i></p> <ul style="list-style-type: none"> <li>• Which outstanding aspects still need to be addressed to make the concept tenable for practitioners/policy makers?</li> <li>• How can policy makers/practitioners be engaged?</li> <li>• What could be platforms and avenues for further engagement?</li> </ul>	<p><b>Moderator:</b> Sofia Espinosa (KnoWat, FAO)</p> <p><b>Panellists:</b></p> <p>Ingrid Jacobson (Brot für die Welt)</p> <p>Janaki Meegastenna (Irrigation Department Sri Lanka)</p> <p>Lamine Samake (KnoWat Senegal)</p> <p>Mohamad Al'Afghani (CRPG Indonesia)</p> <p>Alsaad Ndizeye (Rwanda Water Board)</p>
12:30 – 12:40	<b>Summary of key takeaways from panel discussion</b>	Moderator: Raquel Munayer (adelphi)
12:40 – 12:50	<b>Outlook</b>	Benjamin Kiersch (FAO)
12:50 – 13:00	<b>Closing statement</b>	Jippe Hoogeveen (FAO)
13:00 – 14:00	<b>Lunch</b>	

**Annex 2: Excerpt from documentation from Working Groups**



**Figure 4: Result from Working Group 2**

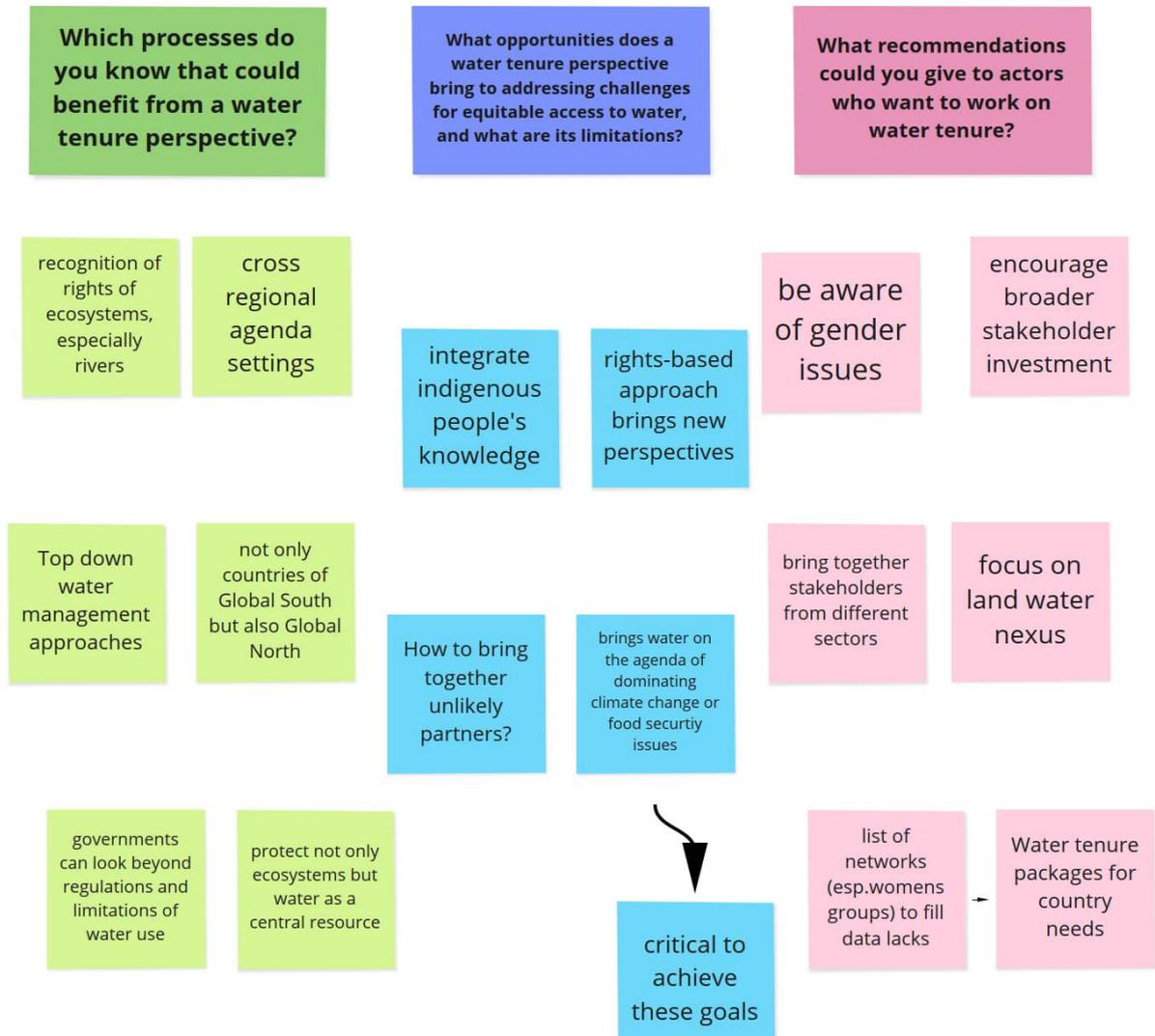


Figure 5: Result from Working Group 3

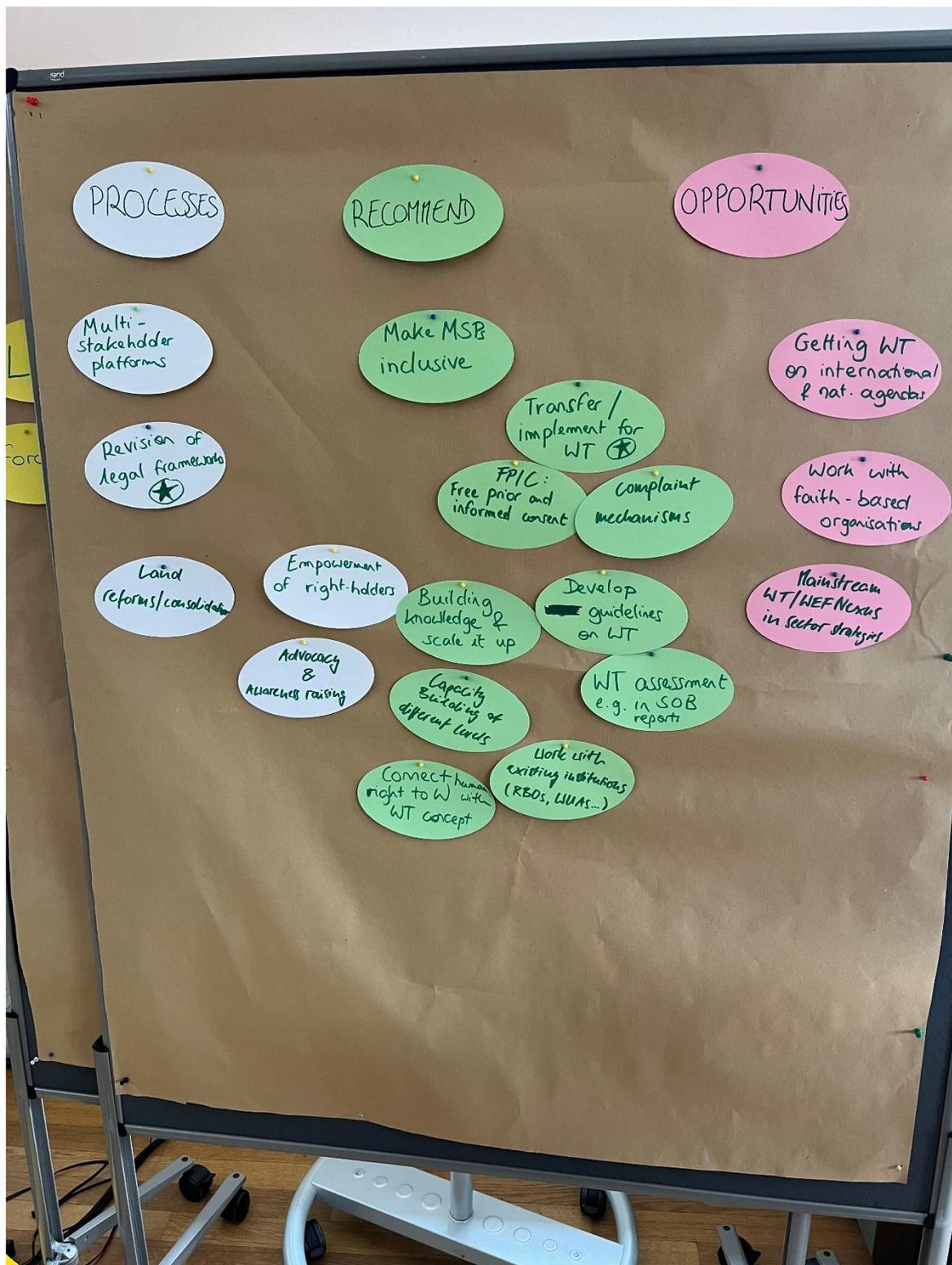


Figure 6: Result from on-site group work. © K. Heck, adelphi

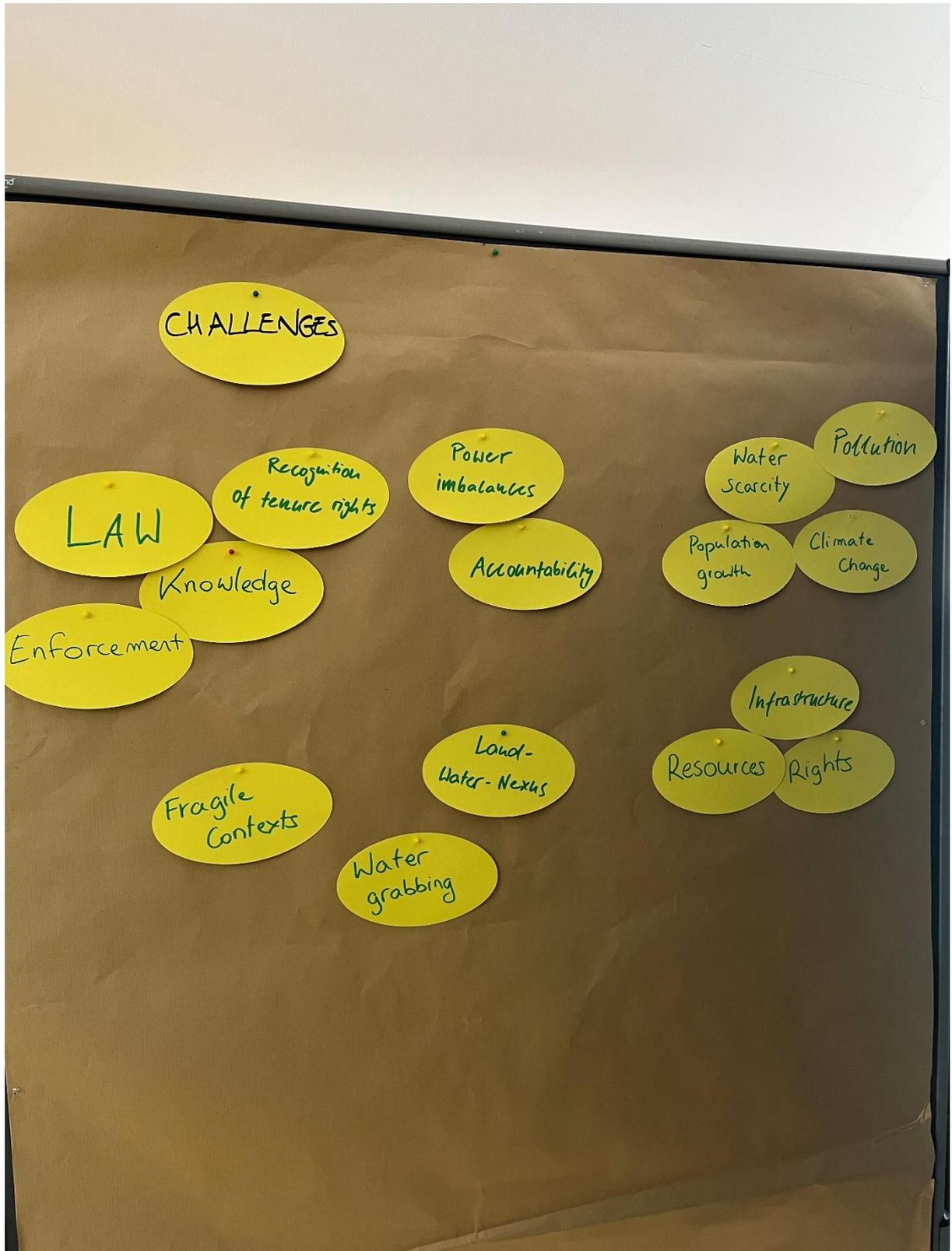


Figure 7: Results from on-site group © K. Heck, adelphi

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### Annex 3: List of Participants

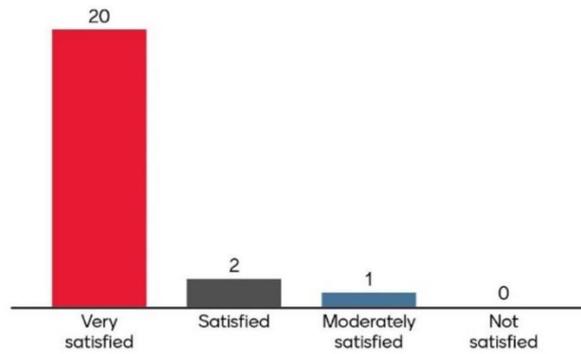
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Name	Vorname	Organization
Acker	Hendrik	German Federal Ministry of Food and Agriculture (BMEL)
Al'Afghani	Mohamad Mova	Center for Regulation, Policy and Governance (CRPG)
Alamirew	Tena	Water and Land Resource Centre (WLRC)
Aldous	Allison	The Nature Conservancy
Aurelie	Bres	FAO
Basnet	Kajol	Small Earth Nepal (NGO)
Bizima	Joseph	FAO Rwanda – KnoWat Coordinator
Blumstein	Sabine	adelphi
Bojic	Dubravka	Food and Agriculture Organization (FAO)
Boros	Boglarka	GIZ
Boudreaux	Karol	USAID
Brewer	Tim	Water Witness
Bruns	Bryan	Independent Researcher and Consultant
Dentan	Namrata	WBCSD
Dombrowsky	Ines	German Development Institute (DIE)
Doughty	Caitlin	The Nature Conservancy
Durand	Jean-Maurice	French Technical Cooperation
Espinosa	Sofia	FAO – KnoWat Water Tenure Coordinator
Faurès	Jean-Marc	FAO RNE Programme Leader
Faye	Papa	FAO Senegal, Water Tenure Expert, Sociologist
Ferrau	Sara	German Federal Ministry of Food and Agriculture (BMEL)
Gillet	Virginie	FAO Land and Water Officer
Ginsburg	Chloe	Rights and Resources Initiative (RRI)
Heck	Karolina	adelphi
Hertich	Silke	GIZ
Hodgson	Stephen	FAO Consultant
Hoogeveen	Jippe	FAO Senior Land and Water Officer
Jacob	Anila	Food Security and Global Health Liaison
Jacobsen	Ingrid	Brot für die Welt
Jakobs de Pádua	Astrid	Federal Foreign Office (of Germany)
Jayakody	Lahiru	InfotechsIDEAS
Johnson	Flannery	GIZ
Kavata Katuma	Caroline	UNICEF Kenya
Kiersch	Benjamin	FAO KnoWat Project Coordinator
López Gunn	Elena	ICATALIST
Matz	Manfred	GIZ Tunesia
Maurya	Suray	Government of India
McConnell	Claire	Third Generation Environmentalism
Meegastenna	Janaki	Irrigation Department, Sri Lanka, Additional Director
Mosleh	Hannah	SciencePo
Munayer	Raquel	adelphi

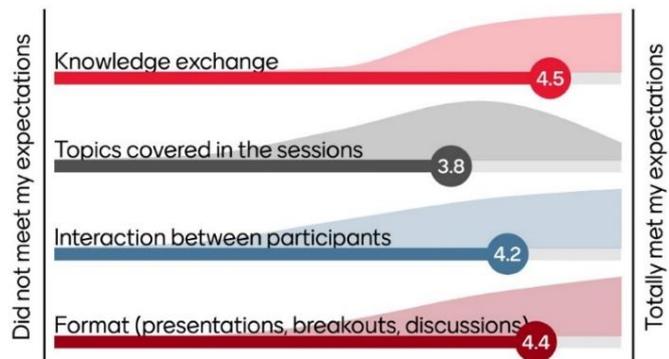
<b>Mutuku</b>	<b>Simon</b>	del monte department of water and irrigation
<b>Narendra</b>	<b>Namrata</b>	Architect and urban practitioner
<b>Ndayizeye</b>	<b>Alsaad</b>	Rwanda Water Board
<b>Novaes</b>	<b>Ricardo</b>	Senior Sustainability Consult
<b>Nyatemu</b>	<b>Jérémie Masengo</b>	Nkumba University, Uganda
<b>Petäjä</b>	<b>Jenni</b>	FAO KnoWat Communication
<b>Ranasinghe</b>	<b>Thushara</b>	FAO Sri Lanka – KnoWat Coordinator
<b>Raya</b>	<b>Stephan</b>	FAO
<b>Romano</b>	<b>Francesca</b>	FAO Rome Coordinator Land Tenure Team
<b>Rondier</b>	<b>Anais</b>	Governance Consultant
<b>Roth</b>	<b>Anne</b>	BMEL
<b>Samake</b>	<b>Lamine</b>	Food and Agriculture Organization (FAO)
<b>Scheumann</b>	<b>Waltina</b>	German Development Institute (DIE)
<b>Schiller</b>	<b>Theresa</b>	World Wide Fund for Nature (WWF)
<b>Schreiner</b>	<b>Barbara</b>	Water Integrity Network (WIN)
<b>Seidler</b>	<b>Jakob</b>	GIZ
<b>Semmling</b>	<b>Elsa</b>	adelphi
<b>Skandrani</b>	<b>Zina</b>	GIZ
<b>Soumar</b>	<b>Juliot</b>	GIZ / ProPFR project
<b>Srigiri</b>	<b>Srinivasa</b>	German Development Institute (DIE)
<b>Sunah</b>	<b>Dinesh</b>	Ökonomisches Weltwassernetzwerk
<b>Toll</b>	<b>Matthias</b>	BMZ
<b>Troell</b>	<b>Jessica</b>	Environmental Law Institute
<b>Trottier</b>	<b>Julie</b>	Centre National de la Recherche Scientifique (CNRS)
<b>Ulloa</b>	<b>Diana</b>	
<b>Valkonen</b>	<b>Anni</b>	GIZ / NIRAS
<b>Vallee</b>	<b>Domitille</b>	FAO – Regional Office for Near East and North Africa
<b>van Koppen</b>	<b>Barbara</b>	International Water Management Institute (IWMI)
<b>Vela Caceres</b>	<b>Estelí Celeste</b>	Protection Assistant at UNHCR in Lima, Peru
<b>Whiting</b>	<b>Louise</b>	FAO – Regional Office for Asia and the Pacific
<b>Wragge</b>	<b>Svea</b>	Gesellschaft für Internationale Zusammenarbeit (GIZ)
<b>Zornbach</b>	<b>Wolfgang</b>	German Federal Ministry of Food and Agriculture (BMEL)

**Annex 4: Workshop evaluation of Participants**

**How satisfied were you with the workshop in general?**



**Please indicate if the workshop has met your expectations with respect to**



## Do you have any additional comments (questions, suggestions for improvement, topics...)?

All in all good but I would suggest to ask presenters more to stay close to the theme. Than discussions can be mor focussed, which I found not always to be the case. Perhaps a clearer outline for the presentations could help.

When will we know more about October workshop? Will it be a similar format?

Very interesting

Think of translation. Languages to engage broader

It's worth to keep working on water tenure

Engage donor to scale-up implementation of activities

For the future I think we are ready to discuss around the defitions and topics related and link to water tenure (eg. equity, tenure rights, allocation, etc.)

Can we be notified via email for any future engagements on water tenure conducted by all parties/organisation supporting this issue?

The water Tenure is an important subject that we had do capacity building for our working teams, and awareness to stalkholders, and introduce through water governance

thanks for your efforts

It was well organised

Use all events to do a stocktaking if case studies and experience

I am curious to know the response of private water operators /bottled water companies. Are they opposed or in favour?

Following in remote for 1 day 1/2 is a bit long !

good to have had a workshop and not only a copilation of statements

How will this group be kept together going forward - updates, short meetings? Overall, very good event, thanks

Necessary initiative, which needs to be sustained

Prepare a note on concepts and definition

thumbs up for focusing on Global South perspectives !

Very well organized. Thank you... Looking forward to receiving the proceeding

Very nice seamless interaction between online and onsite participants

Very interesting workshop

More about environmental flows, quality, and too much water (flooding)

Well organized workshop and well moderated! I like the involvement of online participants

Hört to enforce water rights for newly identified water Users in a world of growing power imbalances

Follow up with everone engaged here is important

Very informative workshop!

Water tenure without a (sustainable) water management (access to water resources) is nothing

very well organised