

# UN-REDD supporting work on TENURE & REDD+



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PROGRAMME



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# The relation between tenure and REDD+



The tenure of land and forests greatly influences a country's ability to reduce deforestation and forest degradation. The provision of clear tenure rights over forests can incentivize more sustainable forest management since those with tenure rights have a stronger interest to maintain the resource. Likewise, clarifying tenure rights strengthens accountability. By identifying who owns and uses forests, more effective engagement on the ground in activities to address deforestation and forest degradation can be achieved.

Understanding tenure regimes and forest use will also help to ensure that community livelihoods are not adversely affected by REDD+ implementation. For instance, if communities are sustainably managing forest areas, their rights to continue to

do so would be respected and recognized under REDD+. Good governance around tenure may also prevent adverse pressure on forestland if the value of these lands increases as a result of REDD+ or other factors.

It is important to remember that tenure is established through a combination of both statutory and customary ownership rights. While REDD+ activities may focus on tenure issues impacting forests, it is critical to recognize the interconnectedness of forest tenure with the broader land and resource tenure regime and to adopt strategies that take an integrated and holistic approach to reform.

## What is tenure?

**Tenure describes how people gain access to land, fisheries, forests and other natural resources and refers to the set of laws and institutions that determine the rights to access and use these resources.**

**Forest tenure is concerned with who owns forestland, and who uses, manages and makes decisions about forest resources, including control over benefits as well as transfer of forest rights.**







# Major issues to address in tenure regimes with regards to REDD+



Challenges faced by many developing countries in regards to tenure and REDD+ often stem from the challenges of reconciling customary rights and statutory law, combined with increasing pressure on forest resources. Some common issues that relate to REDD+ include: lack of legal provisions to recognize customary forest tenure; lack of transparency in transactions related to forestland; costly and cumbersome forestland registration procedures that tend to exclude the poor; lack of enforcement of existing forest tenure claims; and lack of institutional capacity to address forest tenure issues.

# REDD+ as an opportunity

REDD+ provides an important opportunity to address some of the challenges related to tenure in a coordinated fashion that involves stakeholders from multiple government agencies as well as from civil society. For instance, with high-level endorsement, a national REDD+ task force and related consultative bodies may provide the structure and momentum for consensus building, collaboration, and problem solving on complex tenure issues. REDD+ also provides a forum for exchanging experiences and lessons learned on tenure among partner countries.



## UNFCCC Guidance on Tenure & REDD+

The Cancun Agreements of the United Nations Framework Convention on Climate Change (UNFCCC)  
*“[...] requests developing country Parties, when developing and implementing their national strategies or action plans, to address, inter alia, the drivers of deforestation and forest degradation, land tenure issues, forest governance issues, gender considerations and the safeguards identified in paragraph 2 of appendix I to this decision, ensuring the full and effective participation of relevant stakeholders, inter alia indigenous peoples and local communities”.*

Source: Decision 1/CP.16, paragraph 72





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# Guiding principles for tenure reform in the context of REDD+

Effectively addressing tenure issues largely depends on political willingness and good governance. The Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT) provide guiding principles and a useful framework for reviewing and improving tenure governance. These guidelines are based on an extensive and inclusive consultation process bringing together more than 130 countries and were finalized through

intergovernmental negotiations with the participation of civil society and the private sector. The VGGT were formally endorsed by the Committee on World Food Security in May 2012. Since then implementation has been encouraged by the G20, Rio+20 and the UN General Assembly. Countries are encouraged to use the VGGT in the context of REDD+ readiness. A number of technical guides are also available covering the topics of gender, forestry and free, prior and informed consent.

# UN-REDD support to partner countries



## The Initiative of Sri Lanka on Tenure & REDD+

Sri Lanka recognized the importance of tenure issues in the context of REDD+ in the early stages of REDD+ involvement and included tenure-related activities in the country's National Programme strategy.

The first of these activities is a scoping study to take a closer look at some of the key tenure issues in consultation with various stakeholders.

Among several themes, the study will examine the policy framework, experience in land use planning, forest boundary demarcation practices, and links to other recommended policies and measures within the country's REDD+ framework.

UN-REDD is committed to supporting partner countries to address tenure issues in the context of REDD+. Each country must determine the appropriate strategy to deal with tenure issues based on its unique situation. Depending on country needs and priorities, UN-REDD may support both short and long-term activities, from building capacities for the use of specific tools and methodologies to better understand tenure rights to providing technical advice on tenure reforms based on participatory approaches. Early stage support could include an analysis of the tenure situation as it relates to REDD+, the identification of policy gaps and the elaboration of work plans to develop enabling tenure conditions for REDD+. Efforts to address tenure issues in the context of REDD+ can be integrated with ongoing land tenure reform efforts.





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