Food and Agriculture Organization of the United Nations

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Collective tenure rights for REDD+ implementation and sustainable development

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Collective tenure rights for REDD+ implementation and sustainable development

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Contents

Boxes

Figures

Tables

Foreword

This technical paper emphasizes the opportunity that REDD+ and the global climate agenda represents for countries to engage more actively in securing land and resource rights for indigenous peoples and local communities. At the same time, it stresses how collective tenure rights represent a key element to achieve long-lasting and successful results for REDD+, contributing to addressing global climate change.

Secure collective tenure rights provide an important measure of resilience. Communities that have secured long term tenure rights are better able to invest in land-based activities - for example agroforestry or reforestation initiatives - aimed to ensure food-security, enhance livelihoods and stimulate the local economy. These communities are better equipped to resist external threats to forests such as illegal logging and land grabs brought about by competition for resources. Moreover, communities and indigenous peoples that are collectively managing forests are also making a huge and often unrecognized contribution to mitigating climate change, potentially the greatest threat to our planet's long-term health and well-being.

In developing countries, governments and their partners face the challenge of programming limited resources in the most strategic way to reach their national development goals, including goals to reduce carbon emissions and combat global climate change. Maintaining momentum on halting deforestation and restoring forests will be crucial to improving the climate resilience of ecosystems and people, reducing emissions from deforestation and enhancing rural livelihoods.

This paper is being published while the COVID-19 pandemic is still ongoing and recovery plans are being developed. In such a context, some of the most vulnerable populations to the virus and its aftershocks are those rural communities that depend directly on forests for their livelihoods. Attention to the rights of local communities and indigenous peoples is of higher importance than ever.

Studies indicate that depleted biodiversity and widespread deforestation and landscape degradation contribute to creating enabling conditions for the transmission of dangerous novel pathogens to humans.[1] Secure collective tenure rights for communities promote healthier forest ecosystems which in turn have the added benefit of reducing the risk of future pandemics.

By using a portion of our forest and REDD+ investments to support collective tenure rights while also addressing a range of complementary governance issues, we have a unique opportunity to recommit ourselves to sustain gains and accelerate the implementation of long overdue measures to put the world on a more sustainable development path.

[1] COVID-19 pandemic: How nature steps in to refill 'empty forests': https://forestsnews.cifor.org/65145/covid-19-pandemic-how-nature-steps-in-to-refill-empty-forests-when-animals-disappear?fnl=en; and Deforestation is leading to more infectious diseases in humans: https://www.nationalgeographic.com/science/2019/11/deforestation-leading-to-more-infectious-diseases-in-humans/ UNEP Frontiers 2016 Report: Emerging issues of environmental concern. https://www.unenvironment.org/resources/emerging-zoonotic-diseases-and-links-ecosystem-health-unep-frontiers-2016-chapter

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Abbreviations

CAFI	Central African Forestry Initiative
CBF	community-based forestry
CCB	Climate, Community & Biodiversity Standards
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CF	community forestry
COFO	Committee on Forestry
COP	Conference of the Parties
ER	emissions reductions
FAO	Food and Agriculture Organization of the United Nations
FCPF	Forest Carbon Partnership Facility
FECOFUN	Federation of Community Forestry Users Nepal
FIP	Forest Investment Program
FPIC	Free, Prior and Informed Consent
FRL	forest reference level
GCF	Green Climate Fund
GRM	grievance redress mechanism
JFM	joint forest management
NDC	Nationally Determined Contributions
PFM	participatory forest management
REDD+	Reducing Emissions from Deforestation and Forest Degradation, plus the sustainable management of forests, and the conservation and enhancement of forest carbon stocks
RRI	Rights and Resources Initiative

SIS	safeguards information system
UNDP	United Nations Development Programme
UNDRIP	United Nations Declaration on the Rights of Indigenous Peoples
UNFCCC	United Nations Framework Convention on Climate Change
UNPFII	United Nations Permanent Forum on Indigenous Issues
UN-REDD	United Nations Collaborative Programme on Reducing Emissions from Deforestation and Forest Degradation
USAID	United States Agency for International Development
VGGT	Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security
WRI	World Resources Institute

Key messages

REDD+ and the global climate agenda present an important opportunity for countries to engage more actively in securing land and resource rights for indigenous peoples and local communities. At the same time, collective tenure rights represent a key element to achieve long-lasting and successful results for REDD+, contributing to addressing global climate change.

While recognition of tenure rights for community-based forestry and indigenous peoples' territories has been increasing, there are still huge gaps geographically and in implementation on the ground. The situation across regions and within each country differs greatly, and solutions must be tailored accordingly. In this context:

- *Secure collective rights for indigenous peoples and local communities are **strongly correlated with reduced deforestation and degradation**;*
- *Investing in collective rights is **cost effective** for reducing deforestation and **may increase countries' access to climate finance**. Additional benefits relate to **biodiversity and enhancement of ecosystem services, improved livelihoods and food security**, with impacts potentially **contributing to transformational change in the land-use sector**;*
- *A **range of models of collective tenure rights has shown success across different regions**. These models include community forestry, indigenous peoples' territorial management, and village forest reserves linked to customary tenure;*
- ***Strengthened political commitments**, demonstrated through the adoption of enabling legal and policy frameworks; and enhanced cross-sectoral collaboration, are **necessary to advance collective tenure rights and improve land and forest governance**;*
- ***Secure collective tenure rights must be embedded within broader land governance efforts** in order to bring about substantial impact in reducing deforestation and forest degradation and in enhancing livelihoods;*
- *A clear **recognition of the importance of collective tenure rights in nationally determined contributions (NDCs)** – if also reflected in policies and laws – can build consensus on the way forward and attract additional technical and financial support to the effort.*

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1 Introduction

Increased efforts are urgently needed to address the direct and underlying causes of forest loss, particularly in view of accelerating climate change and forests' mitigating role. While many influences are at play and a range of governance interventions may be needed, the security of tenure rights is a fundamental factor in positive outcomes for forests. Drawing on existing research data, this technical paper focuses on **the key contribution of *collective* tenure rights towards mitigating climate change in a systemic and sustainable manner, paying particular attention to the links with national strategies to reduce emissions from deforestation and forest degradation (REDD+) and achieve Nationally Determined Contributions (NDCs).**

'Collective tenure rights' refers to tenure rights that are held by a group rather than an individual and are often linked to an area of commons used and managed collectively (FAO, 2016).

Over 2.5 billion rural people rely on collective tenure rights for their livelihoods. Furthermore, the customary claims of indigenous peoples and local communities cover more than half the global land mass – including the largest remaining intact forest areas in the developing world (Frechette, personal communication, 2019). Recognition of these rights can facilitate scaled-up approaches that bring about necessary transformational changes in the landscape. Moreover, in terms of carbon storage, the protection of these lands is critical for climate mitigation. Tropical forests in the territories of indigenous peoples and local communities assessed in 64 countries (accounting for 69 percent of the world's forest cover) are estimated to contain, at a minimum, 17.1 percent of the total above-ground carbon stored in tropical forests (RRI, 2018c).

Box 1

Background of the technical paper

This technical paper was prepared in the framework of the UN-REDD Programme, also based on the experience and knowledge developed with countries in the first ten years of REDD+ readiness, in the framework of overall country efforts to meet climate and sustainable development goals. This paper also builds upon the best-practice standards articulated in the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT), as well as the related technical guide on Governing Tenure Rights to Commons. The premise of this technical paper also reflects commitments under the 2007 United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and the call from the 2016 biannual Committee on Forestry (COFO) for governments to secure and enforce tenure rights for forestland and trees, respecting traditional and new organizations, and providing enabling conditions to manage larger territories, recognizing as well that indigenous peoples and local communities hold a major part of the world's land.

Whether as part of indigenous ancestral domain, community forests, or customarily managed lands, many forests remain today only because of the work of indigenous peoples' and local communities, through their sustainable livelihoods, close relationships to forests, and dedicated and effective efforts to protect these. Yet, in many developing countries, tenure rights remain insecure and rights holders are vulnerable. In such countries, significant resources and dedication are required to overcome numerous tenure challenges and bring about transformational change.

Competing priorities, limited resources, and political considerations influence the policy development process for tenure-related reforms. The key question for many policymakers becomes: "Why should security of collective tenure rights be a top priority in our country's climate and sustainable development strategies?" This paper answers that question by providing compelling rationales for prioritizing secure collective tenure rights as a low cost/high benefit investment – one that can dramatically scale up countries' efforts to meet their NDC commitments, emissions reduction (ER) strategies, and sustainable development goals.

2 Tenure, collective rights and climate change: current trends

Global climate change poses many direct new challenges to the Earth and its inhabitants, while at the same time exacerbating existing problems and exposing underlying social and environmental issues that drive deforestation and degradation. Emissions from agriculture, forestry, and other land uses represent just under a quarter (23 percent) of anthropogenic greenhouse gas emissions, with deforestation and forest degradation making up a significant component (IPCC, 2019). Thus, halting deforestation and land conversion in tropical forests is seen as one of the most effective and immediate steps the global community can take to reduce emissions and keep global warming below the catastrophic level of 1.5 degrees Celsius (IPCC, 2018). To this end, two key issues must be acknowledged: first, lack of secure tenure is a significant underlying driver of forest loss, and second, indigenous peoples and local communities are the customary managers and protectors of most of the world's remaining tropical forestlands.

Securing tenure rights is frequently highlighted as a 'trigger' to achieving REDD+ results and initiating the paradigm shift whereby countries move away from business-as-usual practices (FAO and CIFOR, 2018).

Several multilateral and bilateral initiatives already recognize the role secure tenure rights play in achieving climate results and transformational change; these have taken a first step to embed provisions that safeguard tenure security and the needs of indigenous peoples and local communities within their project screening processes. Examples include the UN-REDD Programme and its agencies, which have defined safeguard provisions related to tenure and indigenous peoples; the Green Climate Fund (GCF)'s Indigenous People's Policy; the World Bank's Environmental and Social Standards relating to Indigenous Peoples/ Sub-Saharan African Historically Underserved Traditional Local Communities (ESS7); and the Social and Environmental Safeguards of the Central African Forestry Initiative (CAFI).

In the case of smaller-scale REDD+ projects covering a discrete geographic area (ideally implemented in coordination with national REDD+ programmes), the widely used Climate Community Biodiversity (CCB) standard employed to assess projects requires clarity of tenure in the project area, along with evidence to demonstrate that any land conflicts have been resolved.

REDD+ project developers generally recognize that clear tenure rights will enhance project outcomes and facilitate distribution of benefits. The UN-REDD Programme has, since its outset, supported countries and stakeholders to integrate tenure rights as a key component of policy dialogues and reform processes, with tangible results in various countries.

Despite the above and the fact that a number of countries have committed to addressing tenure in their REDD+ strategies[1] or under their NDCs,[2] only a handful of countries have progressed significantly in comprehensively and concretely tackling the underlying tenure challenges associated with deforestation and forest degradation. The UN-REDD Programme has supported some of these countries[3] to assess their tenure regimes in the context of REDD+, using the framework of the *Voluntary Guidelines*

[1] As an indicative sample, seven of the nine countries submitting national REDD+ strategies to the UNFCCC have cited the need to address tenure issues. These include Argentina, Brazil, Cambodia, Chile, Colombia, Ecuador, and Mexico. Malaysia and Papua New Guinea's strategies do not cover tenure issues. Other country strategies that are not publicly available on the UNFCCC site were not analysed.

[2] RRI cites 21 countries that have mentioned securing tenure or implementing participatory forestry in their INDCs/NDCs including: Bangladesh, Bolivia, Burkina Faso, Cambodia, Cameroon, Chad, Djibouti, Ethiopia, Gambia, Ghana, Guatemala, Mongolia, Namibia, Nepal, Nigeria, Senegal, Sudan, Togo, Uganda, the United Republic of Tanzania, and Zambia.

[3] Including Benin, Kenya, Laos, Madagascar, Malawi, Pakistan, Sri Lanka, Tunisia, Viet Nam, Zambia.

on the Responsible Governance of Tenure (VGGT) as a basis for analysis. Other countries, such as Zambia,[4] Liberia,[5] the Democratic Republic of Congo,[6] and Indonesia,[7] have recently gone further by passing progressive laws that open the door to greatly expanding collective tenure rights; in some cases, REDD+ investment strategies are being aligned with these opportunities.

Nevertheless, countries face additional challenges to ensuring security of legitimate tenure rights and responsible governance – both necessary for long-term transformative pathways towards reduction of emissions from deforestation and forest degradation. These challenges include limited rights recognition[8] for communities and indigenous peoples, failure to properly implement supportive policies and legislation, and encroachment on community and indigenous peoples' territories by competing interests. A further key challenge is the fact that underlying, large-scale drivers of forest loss are connected to transnational supply chains for commodities that are supported by powerful economic and political interests in both developing and developed countries.

In many countries, indigenous peoples and local communities are socially and economically marginalized through lack of access to: legal information and services, technical capabilities, and financial resources to obtain formal legal rights over their traditional lands. They are forced to struggle to gain or maintain rights to lands and resources that they have traditionally occupied; these struggles often result in violence and sometimes the death of local and indigenous activists (Sikor and Lund, 2009). In 2017 alone, some 312 human rights defenders in 27 countries were killed for their peaceful work, with 67 percent of these defending land, environmental and indigenous peoples' rights. The UN Human Rights Council's Special Rapporteur has declared a 'global crisis' and called for an approach of zero-tolerance to the killing and violence (UNHRC, 2018).

A key topic in the context of climate change, results-based payments and related benefit distribution relate to carbon rights or rights to emissions reductions. Even in regions where forest ownership rights are established, clarification of who owns the carbon sequestered within the forest is sometimes contentious. Forest tenure rights do not necessarily give the owner a legal right to benefit from carbon sequestration or emissions reductions

[4] Zambia passed the Community forest management regulations (2018).

[5] Liberia signed the Land rights act (2018) (It is still to be gazetted at the time of writing).

[6] The Democratic Republic of the Congo passed Decree No.14/018 (2014) recognizing the customary rights of communities over their forest concessions, though due process and compensation rights have not been fully articulated/clarified.

[7] Indonesia passed the agrarian reform law (2018).

[8] Furthermore, in many cases rights to manage or use resources are granted to communities, but ownership and control remain with the state.

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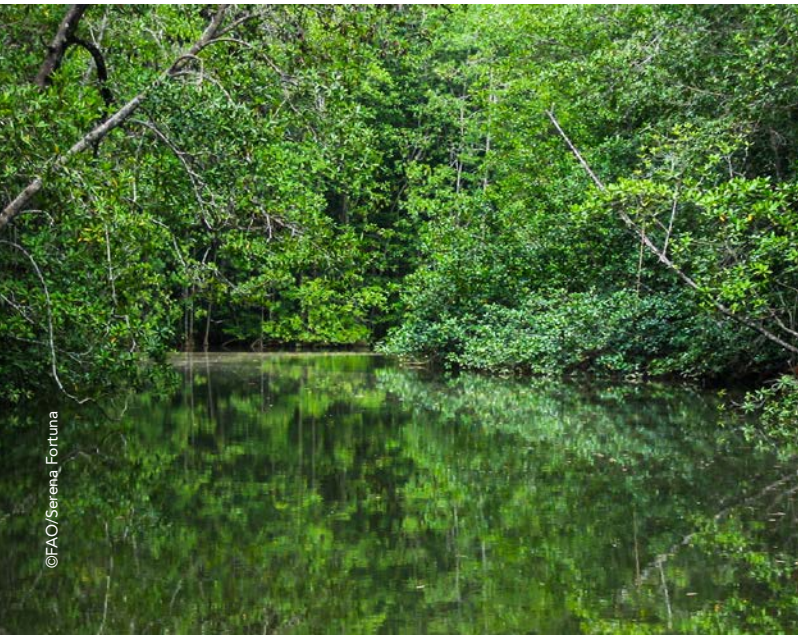

(Osborne, 2014). Within the context of REDD+, debates over carbon rights have emerged in several countries (Loft *et al.*, 2015). A few countries, for example Costa Rica and Guatemala, have advanced in defining carbon rights in their legislation (RRI, 2018b), while others have focused on improving governance systems to enhance transparency and accountability in distribution of benefits or payments once received at national level. A further challenge is the inclusion of women and youth in tenure-related decision-making in countries with traditional male-dominated governance structures (RRI, 2017a). Excluding women from these processes ignores their unique knowledge of the forest and its biodiversity and livelihood benefits.

The voices of indigenous peoples and local communities in these matters have, in recent years, become more prominent. The United Nations Framework Convention on Climate Change (UNFCCC) has established the Local Communities and Indigenous Peoples Platform (LCIPP) for the exchange of best practices on mitigation and adaptation in a holistic and integrated manner. The Cancun Safeguards adopted by the UNFCCC in 2010 established that REDD+ actions must "respect the knowledge and rights of indigenous peoples and members of local communities" and ensure "the full and effective participation of all relevant stakeholders; in particular, indigenous peoples and local communities." The UN Permanent Forum on Indigenous Issues (UNPFII) reinforces the role of indigenous peoples in climate change mitigation. Specifically, the Permanent Forum has asked states to provide information on measures they are taking to prevent land alienation, the assistance provided to map communal land boundaries, and the supportive legal and policy frameworks adopted and implemented.

Notably, the context of, and progress on, tenure systems and collective tenure rights varies across regions. According to the Rights and Resources Initiative (RRI), countries in Latin America are more advanced in recognizing collective tenure rights of indigenous peoples and local communities, in comparison to countries in Asia and Africa. While comprehensive data covering all countries is not yet available, sampling across regions indicates that 29.9 percent of forests in Latin America are designated for, or owned by, communities and indigenous peoples while the figures for Asia and Africa are only 13.7 percent and 7.4 percent, respectively (RRI, 2018d). From a national legal and policy perspective, around three-quarters of states legally recognize community lands. Comparison of data over time indicates a broader trend towards collective rights recognition (Alden Wily, 2018).

Land and forests may be collectively managed under different types of regimes, such as indigenous ancestral domains, community forests, or customarily managed lands. Formal recognition of community claims to land has been increasing, influenced not only by climate agendas and REDD+, but by a range of factors, such as increasing land pressure and civil society activism, and the need to address tenure conflicts and create enabling environments for sustained investments. Furthermore, procedures for tenure recognition varies among countries, with different degrees of corresponding tenure security. For example, in some countries – particularly those where land pressures are higher – legally registered titles may be an urgent imperative for communities, while in others certified ownership rights for long-standing customary use and access rights may be sufficient to guarantee security, at least in the short- to medium-term. In some countries, a group must first register officially as a legal entity (e.g., as an association), while in other cases *de facto* recognition is possible.

Once the collective title is secure, communities may decide to further subdivide the ownership or use rights within their recognized territory. In summary, collective rights may come in many forms, and the process and criteria to attain tenure security depends on the country as well as the community circumstances.

Forty years of community-based forestry:

A review of its extent and effectiveness

This publication is FAO's first comprehensive look at the impact of community-based forestry since previous reviews in 1991 and 2001. The publication examines the extent of community-based forestry globally and regionally and assesses its effectiveness in delivering on key biophysical and socioeconomic outcomes, i.e., moving towards sustainable forest management and improving local livelihoods.

The study finds that during the past forty years, the reach of formally recognized CBF regimes has steadily extended across all regions. Estimates based on the literature suggest that CBF regimes encompass about 732 million hectares, or about 28 percent of the forests in the 62 countries assessed across all regions. The forest area in the 62 countries represents 65 percent of the world's forests (based on the estimate from FAO's Global Forest Resources Assessment 2015 of 3 999 million hectares of global forest cover in 234 countries and territories).

Based on the extensive research on collaborative forms of CBF, six conditions are identified which must all be met to enable CBF to deliver fully on its objectives. These conditions include:

1. secure tenure (property rights);
2. an enabling regulatory framework (reasonable balance between rights and responsibilities);
3. strong governance;
4. viable technology to establish and maintain productive forests;
5. knowledge of markets and market access for goods and services; and
6. supportive bureaucratic mandate and culture.

The evidence of the past forty years also indicates that even when CBF is given high priority in a country's development agenda and most of the conditions mentioned above are met, a long time is still needed for communities to build a sense of ownership and sufficient natural, social and human capital to deliver on their management objectives.

See link: http://www.fao.org/3/a-i5415e.pdf

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"Recognized and clear collective tenure rights can play a role in reducing deforestation while achieving climate and sustainable development goals."

3 Collective tenure country case examples

Local and national experiences are shedding light on the role that recognized and clear collective tenure rights can play in reducing deforestation while achieving climate and sustainable development goals. This section highlights three cases that demonstrate the effectiveness of lessons learned from collective tenure rights in the context of REDD+, NDCs and sustainable development. Nepal, Peru, and the United Republic of Tanzania have been highlighted to provide diversity in the tenure model as well as in geography. Nepal's case demonstrates a community forestry model, while Peru's focuses on indigenous peoples' territories, and the United Republic of Tanzania case features participatory forest management on customary lands. While complexities and challenges exist, these three country cases illustrate some positive examples of relationships between international and national-level policy commitments, with advances in the recognition of collective tenure rights and on-the-ground results. For these three countries, one aim could be to build on this progress to achieve REDD+ results-based payments.

Case 1:
Community forestry in Nepal

Box 2

Key points from the Nepal case

- The government of Nepal prioritised its national community forestry programme, establishing a supportive legal framework and demonstrating strong political will to expand and scale up the programme.
- Despite numerous challenges, community forestry in Nepal has contributed significantly to poverty alleviation, community development, and forest-cover restoration.
- This case demonstrates that under a purposeful national approach, devolution of forest management rights to local communities, with an emphasis on women's engagement, can reverse the trend of deforestation in a relatively short time, while also having benefits for poverty alleviation.
- In its national forest policy, forestry sector strategy, REDD+ strategy and nationally determined contribution (NDC), Nepal has emphasized the important role of community forestry in meeting its goals.

There are more than three decades of community forestry (CF) experience in Nepal, and the country's extensive CF programme is often noted as exemplary in many ways (Hobley, 2012; Pokharel and Niraula, 2015). There are some 19 361 registered user groups throughout the country, managing almost 2.2 million ha of forest (37 percent of the national forest estate) (Government of Nepal Forest Policy, cited by Dangi). These groups are responsible for protecting the forests that, in turn, promote poverty alleviation, livelihoods development, and community development. Some 2.9 million households participate, about 33 percent of the rural population (Government of Nepal, 2017 cited in personal communication with Dangi).

Government support for community forestry in Nepal began in the mid-1990s, with legislation and operational guidelines that legalized the establishment of community forestry user groups.[9] Notably, there is no time limit set on CF user group formation and function; rights are only suspended or retracted if there is an abuse of the rules.[10] While the state owns all public natural forests, rights are devolved under different modalities including community forests, leasehold forests, religious forests, and buffer zone community forests. Community forestry has become a widespread, national programme.

A major emphasis of Nepal's community forestry programme has been the alleviation of poverty through provision of forest livelihood benefits. For example, it is mandatory to invest approximately 35 percent of the income generated from CF activities into pro-poor programmes (FAO, 2017). As a result, the contribution of community forestry to the rural economy is significant. Pandit, Neupane and Bhattarai (2014) reported that income from community forests made up 26 percent of total household income in 2014. A larger 2013 study by the Ministry of Forest and Soil Conservation showed that forest user groups had generated approximately USD 49 million per year after 35 years of implementation (FAO, 2016; Kanel and Niraula, 2003). About 80 percent of forest-related income is derived from timber sales (FAO, 2017).

[9] These include the 1993 Forest Act and subsequent 1995 Forest Regulations.

[10] Government may suspend use rights during investigation and if found guilty then the forest office will have to notify the existing CFUG that their legitimacy is terminated. Those forests will be handed over to newly organized local users with a new constitution and a new operational plan (personal communication, Dangi).

Access to micro-credit was revealed to be a key enabler for small forest enterprises. It is also significant that Nepal's CF programme has focused on achieving fair representation of women and other marginalized members of society, realized by introducing systems of public auditing, public hearings, two-way communications, and vertical and horizontal information flows. A recent study indicated that increased female decision-making power (e.g., in the community forestry executive committee) led to more sustainable firewood extraction (Leone, 2019). These achievements in livelihoods development and gender equality demonstrate the important role of community forestry in Nepal's progress towards achieving the Sustainable Development Goals.[11]

Community forestry in Nepal has been shown to be a successful strategy for maintaining and even increasing forest cover. Numerous studies have demonstrated a transformation, with estimates that forest cover has increased up to 1.6 percent per year over the 30-year period from 1985 to 2015 (Pokharel and Niraula, 2015). Even in areas with high population growth and construction of roads, forests have been restored; for example, (Niraula *et al.*, 2013) found that in the Dolakha District, forests were restored over a period of 20 years at a rate of 2 percent per year while the population grew by 2.3 percent annually. Secure tenure was one of the key governance factors in this success, achieved through more efficient use of forest resources, reduced fires and clearing for agriculture, as well as establishment of tree plantations. Kanel (Kanel *et al.*, 2005) reported how four districts showed "substantial improvement in forest condition," with denuded areas being regenerated and enhancement of existing forests. There are cases where small patches of forest had merged over a period of 25 years, expanding forest cover and improving contiguity in a mountain watershed where clear and secure tenure rights were established (FAO, 2017). An example from Chitwan district, shown in Figure 1, illustrates how community forestry groups have not only successfully resisted pressures to deforest, but have actually increased forest cover. A World Bank study involving surveys in 620 forest plots and with 1 300 households, revealed that collective action under community forestry user groups was significant in protecting forest carbon stocks as well as biodiversity (Bluffstone, 2018). Finally, a recent comprehensive study covering all districts in Nepal found that, on average, CF has contributed to reductions in both deforestation and poverty, concluding that CF increases the likelihood of "win-win outcomes". This study also found that reductions in deforestation were greater where community forests were larger (Oldekop *et al.*, 2019).

Nepal's NDC specifically recognizes the contribution of the country's community-based forest user groups in managing a large proportion of the country's total forest area, with both mitigation and adaptation benefits. The government has committed to a landscape-based approach to resource conservation and management, utilizing various modalities including community forests.

[11] It is noted that efforts for gender and social inclusion were also part of the Democracy Movement and the Maoist agenda resulting from the civil war fought between 1996 and 2006. These goals became part of the 5-year national planning and therefore donors (DFID, Swiss government among others) started to address gender and social inclusion in CF. FECOFUN (Federation of Community Forestry Users Nepal) has also supported a gender sensitive approach in CF (email, Jhaveri).

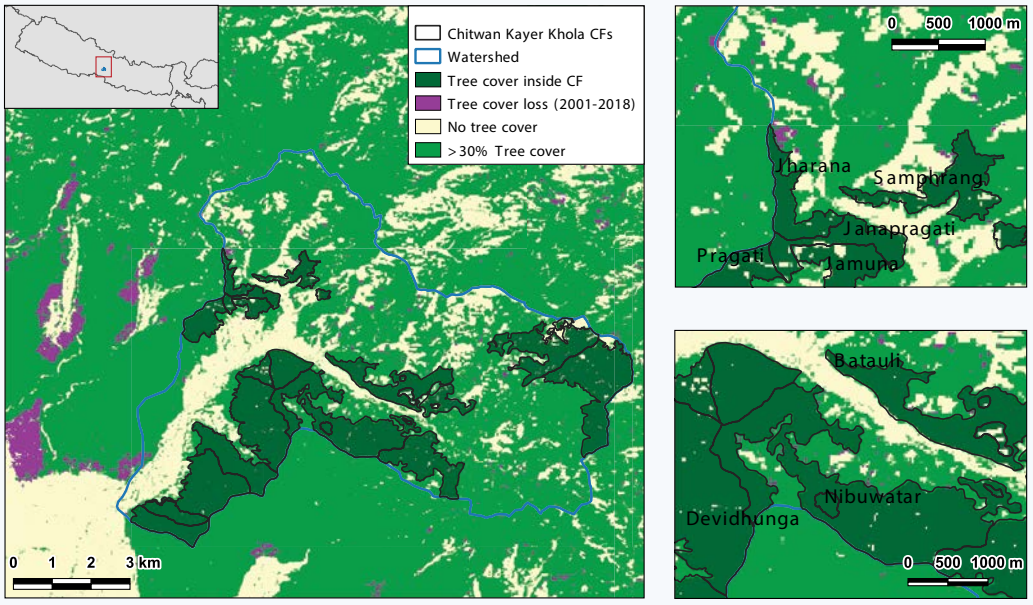
Table 1 Forest and land tenure in Nepal

	Forest category	Area (ha)	% of total forest land
1	Total forest land and other wooded land	6 610 000 *	100.000
2	Forest land owned by government	4 540 000 **	68.600
3	Forest land designated for or owned by indigenous peoples and local communities	2 070 000 **	31.300
4	Forest land owned by large land owners and corporations (private land/plantations)	2 000 **	0.003
5	General land/undocumented	0	0.000

Source: *State of Nepal's Forests 2015; **At a Crossroads, RRI 2018d

Figure 1 Community forestry in Nepal - Chitwan Kayar Khola

The government of Nepal prioritised its national community forestry programme, establishing a supportive legal framework and demonstrating strong political will to expand and scale up the programme. Kayar Khola watershed, situated in Chitwan district, covers an area of approximately 8 000 ha, of which approximately 2 382 ha are managed by 16 community forest user groups (CFUGs). A forest-cover change study from 2002 to 2012 revealed that during those 10 years, forest area increased on an individual basis as well as collectively in all 16 community forests, with almost no deforestation. This example, shown in the map, indicates the major role that community forestry is playing in Nepal for forest biomass and carbon storage, as well as the impacts on poverty alleviation and women's empowerment. The image shows the effectiveness of CF groups in resisting deforestation pressures.



Tree cover data: Hansen, M. C., P. V. Potapov, R. Moore, M. Hancher, S. A. Turubanova, A. Tyukavina, D. Thau, S. V. Stehman, S. J. Goetz, T. R. Loveland, A. Kommareddy, A. Egorov, L. Chini, C. O. Justice, and J. R. G. Townshend. 2013. "High-Resolution Global Maps of 21st-Century Forest Cover Change." Science 342 (15 November): 850–53. Data available on-line from: http://earthenginepartners.appspot.com/science-2013-global-forest

Likewise, the country's national REDD+ strategy lists the expansion of community forestry as one of its first actions to reduce carbon emissions, enhance forest carbon stocks, and improve supply of forest products (Objective #1) (Government of Nepal, 2018). However, Nepal has faced challenges in analysing and accounting for the contribution of community forestry management to its climate mitigation efforts. According to its forest reference level (FRL) submission to the UNFCCC, "The removals through community-based forest management are considered to be significant and, as such, they should be included as one of the REDD+ activities in the FRL. However, Nepal currently lacks sufficient reliable data to adequately estimate removals from community forests" (UN-REDD, 2018). Complete maps of all CF areas are also lacking. Additional work will be needed to document and fully recognize the role of community forestry in climate change mitigation.

Some analysts claim that Nepal has not yet achieved the full potential of community forestry due to barriers such as the lengthy procedures (14 steps involving four government agencies) required to harvest and transport trees to market, as well as problems of illegal logging and poaching (FAO, 2016). The Federation of Community Forestry Users Nepal (FECOFUN) has played an important role in advocating for communities and preventing backsliding.

While Nepal could carry on improving its performance in community forestry, there is already much to learn from its community forestry programme, and how this contributes to achieving emissions reductions. The experience demonstrates the potential benefits of collective management of forests – even under challenging conditions.

Despite extreme poverty, high population growth, diverse ethnicities, and highly degraded lands, substantial gains have been made in protecting forests, enhancing biodiversity, reducing emissions and increasing benefits to people.

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Case 2:
Titling of indigenous peoples' lands in Peru

Box 3

Key points from the Peru case

- Titling of indigenous peoples' lands has advanced significantly in Peru, supported by the importance of the Amazon rainforest to the global effort to reduce climate change.
- Where lands have been titled, there is evidence that forest clearing and disturbance have been sharply reduced. However, greater legal certainty is needed, particularly over the forested areas of indigenous peoples' territories.
- Social cohesion has been a key factor in advancing collective rights; likewise, strong opposing interests have led to an increase in land conflict.
- Peru's national REDD+ strategy recognizes the importance of tenure issues and can bring pressure and resources to address issues such as perverse incentives to deforest.

Peru illustrates an interesting case of links between recognition of indigenous peoples' territorial rights and maintenance of forest cover. Peru is considered to be a 'mega-diverse' nation due to its immense biological and cultural diversity. More than 60 percent of the country's land area lies within the Amazon rainforest, a higher proportion than any other country. Deforestation, driven primarily by agriculture and livestock, urban development, communications infrastructure, mining and oil extraction, is the country's major source of greenhouse gas emissions.

Some 45 percent of the population is indigenous and more than 65 ethnic groups inhabit the Amazon Basin of Peru (Osborne, 2014). Indigenous peoples are legally recognized in the Constitution, where they are referred to as "peasant communities" (*communidades campesinas*) and "native communities" (*communidades nativos*). The latter call themselves indigenous or native peoples because they have descended from the peoples who inhabited the territory before the Spanish conquest of the sixteenth century (Vásquez, 2014). Lack of land tenure security and clarity has led to conflicting claims and in some cases, violence. The deaths of 33 people in a confrontation in Bagua Province in 2009 marked a turning point, shaping public opinion and creating momentum for efforts to reclaim indigenous tenure rights.

Since the late 2000s, there have been efforts to decentralize authority over recognition and titling of indigenous peoples' lands. While formal rights are pending in many areas, some 6 500 groups hold 36.3 million ha that are registered to them and documented (Notess *et al.*, 2018). Nevertheless, gaps remain. The state guarantees the integrity of the territories of indigenous communities with corresponding allocation of tenure rights;[12] however, in the case of forestland, rights are limited to subsistence use unless an additional permit is secured. Notwithstanding efforts, many indigenous communities have been unable as yet to obtain these legal permits allowing commercial use.[13]

The importance of the Amazon rainforest in the context of climate change has promoted positive changes in the institutional and legal framework for the benefit of indigenous rights (Monterroso, 2017). Monterroso highlights the critical factor of community activism when she states that, "Reforms in favor of communities have often emerged from social struggle. Social movements have been essential to supporting reforms achieved on paper as well as in practice" (Monterroso, 2017).

[12] This guarantee is granted under the law: Comunidades Nativas y de Desarrollo Agrario de las Regiones de Selva y Ceja de Selva (DL 22175/78).

[13] This is under the law 29763/2015: Ley Forestal y de Fauna Silvestre and its subsidiary regulations.

Indigenous peoples use their proven success in protecting forests to negotiate more supportive policies and legislation. A 2017 article in the Proceedings of the National Academy of Sciences (PNAS) focused on the Peruvian Amazon region where 11 million ha of land had been titled to 1 200 indigenous peoples' communities and found that in a two-year window after land titles were awarded, forest clearing was reduced by three-quarters, and forest disturbance was reduced by two-thirds. While the time span of the survey was fairly short (i.e., two years), the results indicated that indigenous tenure had positive effects on forest cover, and that titling can indeed protect forests (Ospina, 2018; Blackman *et al.*, 2017). Another example, illustrated in Figure 3, shows how communities in Patria Nueva and Nueva Saposoa in Ucayali zone have successfully protected extensive forest areas within their ancestral domains.

In the context of REDD+ and mitigation actions to address climate change, evidence has grown in recent years to reinforce the relationship between indigenous peoples' territorial management and conservation of forests in the Amazon. Indigenous peoples living in the Peruvian Amazon have been promoting the implementation of Amazonian Indigenous REDD+ as a strategy to conserve forests and retain carbon. This initiative gained greater visibility within the framework of the 20th Conference of the Parties of the UNFCCC in 2014 in Lima, Peru.

Specifically, Amazonian Indigenous REDD+ is a proposal to contribute to global mitigation and adaptation strategies through initiatives to strengthen the ecosystem functions of the Amazon based on the indigenous worldview. These efforts were boosted by a 2014 declaration of intent from the governments of Peru, Norway and Germany whereby donors agreed to pay for verified results in reducing forest emissions; plus committed to titling at least 5 million ha of lands to indigenous peoples. At the time of writing, only 147 121 ha have been formalized, with progress slowed by various land disputes and overlaps with concessions; thus, demonstrating the complexity of implementation (Gonzalez Lasca, personal communication).

Moreover, Peru's national REDD+ strategy (*Estrategia Nacional de Bosques y Cambio Climático*) draws attention to the importance of addressing tenure issues in relation to reducing deforestation. It also highlights the need to address perverse incentives that favor rights to agricultural lands, potentially encouraging clearing of forests in order to secure property rights. More generally, the REDD+ process in Peru has also served to improve forest management through increased attention to related conditions, capacities and tools.

The case of Peru demonstrates the potential of large-scale devolution of collective land rights in recognition of the longstanding efforts of indigenous peoples in forest management. The strength of opposing interests is indicated by the unfortunate, high level of violence linked to this movement, while the tenacity and solidarity of indigenous peoples has led to substantial gains in securing rights. Greater legal certainty for indigenous peoples, particularly in securing their rights to forest areas, is a work in progress.

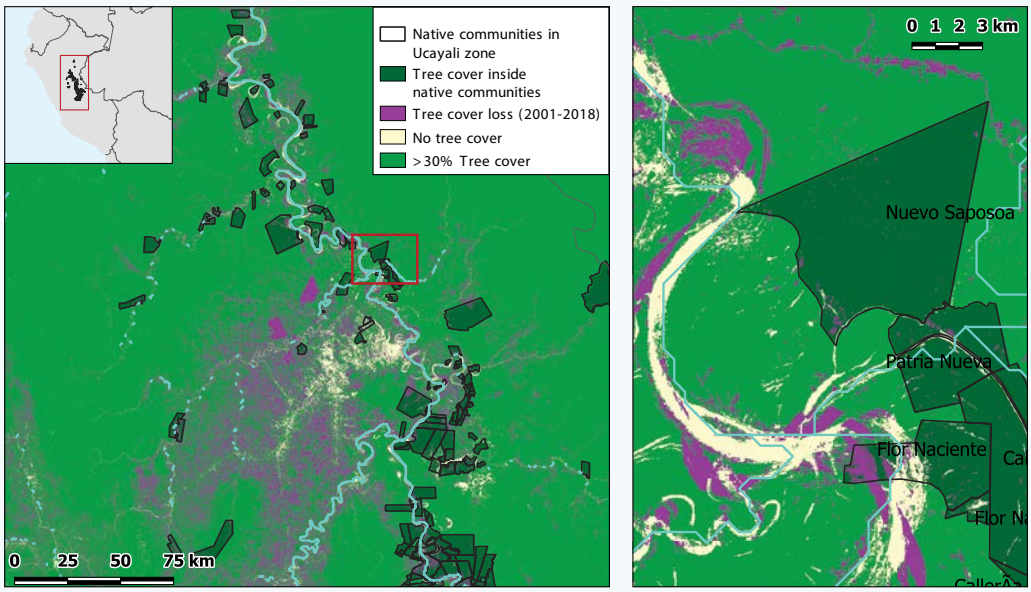
Table 2 Forest and land tenure in Peru

	Forest category	Area (ha)	% of total forest land
1	Total forest land	83 376 000 *	100.00
2	Forest land owned by government	54 380 000 **	65.20
3	Forest land designated for or owned by indigenous peoples and local communities	17 760 000 **	21.30
4	Forest land owned by large landowners and corporations (Private land/plantations)	120 000 **	0.14
5	General forest land/undocumented	11 116 000	13.30

Source: *Forest Resources Assessment 2015, FAO; **At a Crossroads, RRI 2018d.

Figure 2 Titling of indigenous peoples' lands in Peru – indigenous communities in the Ucayali zone

Titling of indigenous lands has advanced significantly in Peru, supported by the importance of the Amazon rainforest in the global effort to reduce climate change. Where lands have been titled, there is evidence that forest clearing and disturbance have been sharply reduced. The two indigenous communities displayed in Figure 2, Patria Nueva and Nueva Saposoa in Ucayali zone, have been officially accredited as Forest Monitors by the state. The two villages, thanks to their monitoring work supported by the Rainforest Foundation, have completely eliminated deforestation caused by cocoa growers, logging and other illegal activities. This image shows how empowered indigenous communities have resisted deforestation pressures.



Tree cover data: Hansen, M. C., P. V. Potapov, R. Moore, M. Hancher, S. A. Turubanova, A. Tyukavina, D. Thau, S. V. Stehman, S. J. Goetz, T. R. Loveland, A. Kommareddy, A. Egorov, L. Chini, C. O. Justice, and J. R. G. Townshend. 2013. "High-Resolution Global Maps of 21st-Century Forest Cover Change." Science 342 (15 November): 850–53. Data available on-line from: http://earthenginepartners.appspot.com/science-2013-global-forest

Case 3:
Participatory forest management in the United Republic of Tanzania

Box 4

Key points from the United Republic of Tanzania case

- At the national policy level, the United Republic of Tanzania has made strides in legally recognizing customary land as well as in promoting participatory forest management as part of its development vision and its NDC.
- Implementation of participatory forest management (PFM) has been shown to improve ecosystem services, from forest condition to wildlife abundance.
- The PFM programme has not yet met its full potential in terms of contributing to livelihoods, with underlying factors including delays in implementation, lack of recognition for indigenous peoples, as well as difficulty in engaging pastoralists.
- The main lesson learned from the case of the United Republic of Tanzania is that although a country's development vision and its legal and policy framework may support devolution of rights to communities, continued, smooth and consistent support for implementation is critical to bring about transformation and impact at scale.

The United Republic of Tanzania has approximately 48.1 million ha of forests covering about 55 percent of the total land area. More than 25 percent of the country is under protected area status. However, these forests are under intense pressure from human settlements and activities such as illegal logging, charcoal production, fires, mining, new settlements, and infrastructure development. That pressure is leading to an estimated 372 816 ha of forests being cleared each year (Government of the United Republic of Tanzania, 2015). Forest fuels from woodlands provide 95 percent of the country's energy needs, both rural and urban, and 75 percent of the country's materials for construction. Forests also provide various non-wood products and are important for water catchment.

The United Republic of Tanzania's National Development Vision of 2025 outlines the country's commitment to sustainable development. It includes goals related to 'high quality livelihood' and 'good governance and rule of law'. Further, it states that "fast growth will be pursued while effectively reversing current adverse trends in the loss and degradation of environmental resources (such as forests, fisheries, fresh water, climate, soils, biodiversity)." Moreover, in its NDC, the United Republic of Tanzania has recognized the importance of forests for adaptation to climate change, as well as their role in mitigation and in reaching the country's emissions reductions goal. That goal is a 10 to 20 percent reduction in greenhouse gas emissions from all sectors by 2030, relative to a business-as-usual scenario and with the higher target conditional on receiving international support. Its NDC is one of the few that emphasizes up-scaling participatory forest management programmes, along with coordinated implementation of REDD+ actions and strengthened protection and conservation of natural forests.

With some important limitations described below, the United Republic of Tanzania is considered to have one of the most progressive legal frameworks for customary land rights recognition and participatory forestry in Africa. Customary

land rights are recognized within the boundaries of villages[14] and participatory forest management (PFM) has been mainstreamed as a government programme within this framework. There are two main approaches to PFM: joint forest management (JFM) and community-based forest management (CBFM). In total, almost 22 million ha of forest land is owned by communities.

The majority of the PFM is located on the Miombo woodlands, which are estimated to cover more than 90 percent of the country's forested land (Lupala *et al.*, 2015). Research has demonstrated the effectiveness of PFM in improving a range of ecosystem services. Figure 2 shows an example from Bagamoyo district, demonstrating how tree loss in village forest reserves is minimal compared with areas lacking such protection. Furthermore, Patenaude and Lewis (2014) reported results of PFM including: a reduction in uncontrolled logging and other forest disturbances; a noticeable recovery of forest condition; a decrease in soil erosion and overgrazing as well as an associated improvement in water quality and quantity; a re-occupation of beehives; and an overall increase in wildlife abundance. With national formalization, these areas are effectively managed; however, the remaining areas that are not yet formalized (though still regarded as village forests) remain as open access forest areas and are subject to unsustainable practices such as agricultural expansion, wildfires, livestock grazing and illegal harvesting (Blomley, 2008; Burgess, 2010).

While the United Republic of Tanzania's PFM programme is progressive, relative to those of other African countries, it has not met its full potential in terms of comprehensive devolution of rights and therefore contribution to local livelihoods. This lag appears to be due to several factors including the slow management plan approval process and the lack of recognition of the status and rights of indigenous peoples. In fact, while 46 percent of forest lands are community owned, only about 10 percent of forests have actually been formalized as community-based forest management or wildlife management areas. Examples are cited of some villages forced to wait more than a decade for approval of their management plan. Along with a high degree of land insecurity in rural areas, the lack of formal title has also limited the ability of some communities to engage in REDD+ projects, such as those in the voluntary carbon market; or other land-based income generating opportunities. Moreover, financial institutions do not consider the certificate of village land or certificate of customary right of occupancy as collateral for credit, even though these are legally recognized documents.

Another underlying factor inhibiting progress is the lack of recognition of indigenous peoples. Although there are 125 to 130 ethnic groups in the United Republic of Tanzania, only four of these, comprising just over 1 percent of

[14] In 2017, the government declared that 11 000 of the country's 12 500 villages had a Certificate of Village Land (CVL) (Schreiber, 2017).

Table 3 Forest and land tenure in the United Republic of Tanzania

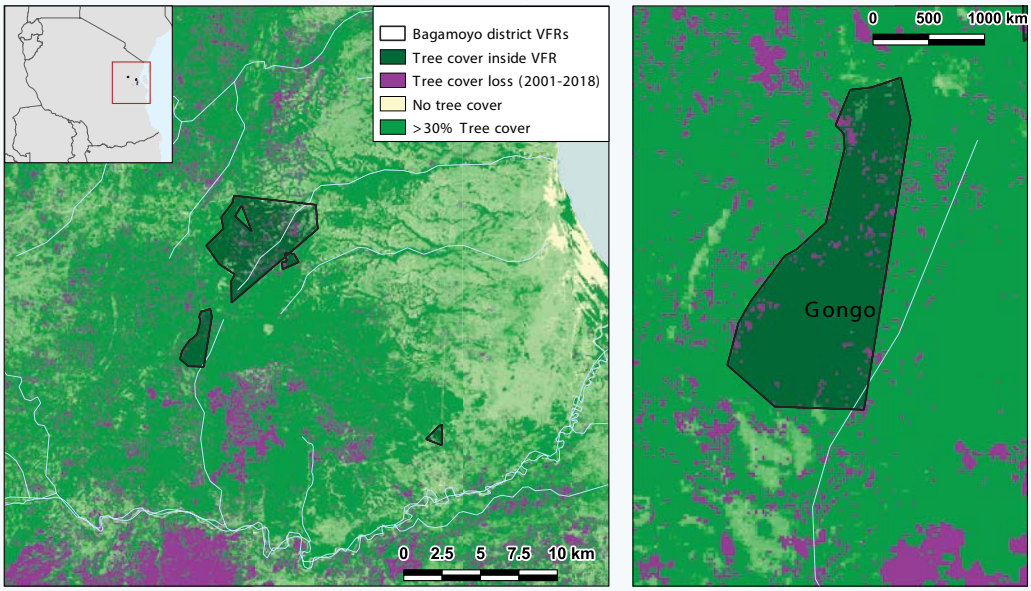
	Forest category	Area (ha)	% of total forest land
1	Total forest land	47 958 863	100.0
2	Forest land owned by government	19 664 855	41.0
3	Forest land owned by communities	21 908 274	45.7
4	Forest land owned by large landowners and corporations (private land/plantations)	3 505 198	7.3
5	General land	2 732 575	5.7
6	Undocumented	147 383	0.3

Source: NAFORMA (2015).

the population, self-identify as indigenous (i.e., Akie, Hadzabe, Barabaig, Masai). Most ethnic groups are deterred from indigenous identification because they fear being alienated from a government that does not recognize the existence of indigenous peoples in its territory. Indigenous peoples are generally unable to engage in PFM because they do not hold certificates of occupancy over their traditional lands, which were declared as reserve lands or lands belonging to villages in previous decades. An exception is one indigenous Hadza community which has, with funding provided through a private REDD+ project, obtained a certificate of occupancy (Jodoin, 2017).

Figure 3 **Participatory forest management in the United Republic of Tanzania – Bagamoyo District village forest reserves**

The United Republic of Tanzania has made strides in legally recognizing customary land and in promoting participatory forest management as part of its development vision as well as its NDC. Implementation of participatory forest management (PFM) has been shown to improve ecosystem services, from forest condition to wildlife abundance. In the example of the coastal village forest reserves in Bagamoyo district, villagers collectively managing the forest have been able to resist a range of threats including extraction activities, in particular charcoal; unsustainable logging for timber and poles; overharvesting for wood carving; and unsustainable hunting and mining. Limited deforestation is observed within the village forest reserves indicated in dark green in Figure 3.



Tree cover data: Hansen, M. C., P. V. Potapov, R. Moore, M. Hancher, S. A. Turubanova, A. Tyukavina, D. Thau, S. V. Stehman, S. J. Goetz, T. R. Loveland, A. Kommareddy, A. Egorov, L. Chini, C. O. Justice, and J. R. G. Townshend. 2013. "High-Resolution Global Maps of 21st-Century Forest Cover Change." Science 342 (15 November): 850–53. Data available on-line from: http://earthenginepartners.appspot.com/science-2013-global-forest

"Efforts to secure collective tenure rights must be an integral part of a larger initiative to improve land and forest governance."

4 Key success factors and challenges in securing collective tenure rights

Success factors

Country progress towards increased security for collective lands is related to a number of factors. **These factors relate to the tenure instrument itself** (e.g., community forestry agreement, leasehold agreement, communal land registration) and **the associated conditions or restrictions** as well as to a range of **more general factors** including quality of governance, location (e.g., proximity to markets), and **socioeconomic conditions** (e.g., poverty levels, access to credit). While some key success factors are highlighted here, outcomes may be highly context specific.

One of the most important factors is **political will to advance the collective tenure rights agenda**. With many competing development agendas and complex political environments, decision makers may allocate the land of indigenous peoples and local people to export-driven commodity production without adequately prioritising the rights of local rights holders to self-determination over their resources. In order to succeed, governments need to collaborate effectively with traditional institutions and uphold supportive laws and policies to devolve rights. Political commitment may be positively influenced by REDD+ processes and related mechanisms. International climate conferences establish forest governance norms, while financing mechanisms such as the GCF and the World Bank's Forest Carbon Partnership Facility (FCPF) reinforce these norms by providing funding criteria that incentivize reform. In countries such as Indonesia, Brazil and the Democratic Republic of the Congo, where forest resources have global significance and value, the potential for results-based payments can be transformative for forest and land governance systems.

Efforts to secure collective tenure rights must be an integral part of **a larger initiative to improve land and forest governance**, which should include a supportive legal and policy framework. Clearly defined or registered collective rights alone may be insufficient to ensure sustainable forest management, but they remain a fundamental first step towards such ends. There can be a tendency to oversimplify land tenure security by assuming that formal title equates to security, whereas even registered properties may be susceptible to abuse if a range of complementary governance factors are not in place. Over-regulation may also create unnecessary burdens, particularly for people in areas where land pressures are low.

One of the important governance factors is the **autonomy and technical capacities of the community to make its own rules**. Clear titles that support the governance of tenure rights of communities enhance legitimacy and lead to better compliance with rules; more effective local enforcement; and ultimately, more sustainable management of forests. Likewise, titling should not mean that a community can be forced to relinquish some of its customary territories or its customary user rights.

Clear **participatory land-use plans and economic incentives** to invest in forest management (e.g., an adequate share of benefits, access to finance and markets, introduction of innovative technology) are also pivotal success factors (CLUA, 2014). REDD+ projects and national or jurisdictional programmes can provide technical and financial resources to support some of these processes and create value through sustainable management under new tenure rights.

A **supportive legal and policy framework is another key element**. In some countries, domestic laws and policies are not yet in place, while in others, overlapping or contradictory legislation hampers implementation of collective rights. Likewise, it is important that various

ministries collaborate and pursue similar goals and objectives with regard to collective rights. In many countries, forest agencies may be at odds with land, agriculture or rural development ministries that approve infrastructure or agricultural investments without consultation. Spatial data related to land tenure and to forest cover and condition are often housed in different databases, creating issues of access and integration that limit informed decision-making. According to RRI, finance and economic ministries "often move in the opposite direction in short-sighted attempts to boost economic output and earn foreign investment. This trend of increasing division within governments is particularly evident in Latin America" (2015-2016). National REDD+ processes have the potential to bridge some of these gaps since they operate at interministerial level and often involve new institutions (e.g., steering committees) to facilitate cooperation between government agencies.

In addition, **access to justice** is important to allow communities to seek recourse in cases where rights are infringed upon or eliminated. Affordable legal and paralegal support is a key starting point. If laws and regulations are adequately upheld through the legal system, the legitimacy of collective rights is reinforced.

Box 5

Potential key success factors

The following summary of key success factors are drawn from the case examples and the literature:

- political commitment at national and subnational level;
- framing secure tenure rights within larger initiatives to improve land and forest governance;
- supporting enabling legal and policy frameworks;
- cross-sectorial understanding and shared goals, including with finance and economy ministries;
- collaboration with indigenous peoples' institutions;
- increased attention to international processes and mechanisms (e.g., REDD+, UNFCCC negotiations, GCF transformational change criteria) to address issue of tenure, rights, stakeholder engagement.

Challenges and risks

When it comes to actually implementing procedures to secure collective tenure rights, within or outside the framework of REDD+, a number of challenges have been documented and potential risks identified, some of which relate to tenure instrument conditions. The formal registration of community tenure rights can often lead to **conflict within a community and with outside interests**. This is particularly true in resource-rich areas or where concessions have been issued (USAID, 2016). As such, inclusion of conflict management mechanisms, such as alternative dispute resolution, for both internal and external conflicts are recommended for the framework of the registration process.

Another critical issue in implementation is **the inequity related to the very lengthy and burdensome process required to obtain recognition of collective rights**. The World Resources Institute (WRI) has highlighted the striking discrepancies between the procedures that communities must navigate versus those to be undertaken by private-sector investors. WRI points to the sometimes insurmountable legal, technical and evidentiary requirements for formalization of collective tenure rights. For example, in Indonesia, before even starting the process, indigenous peoples must first achieve formal recognition of their indigenous status and their rights at the regional level. In Chile, indigenous peoples are not eligible to apply for collective tenure rights unless they possess a specified historical document – a potentially significant obstacle. And in Uganda, communities must undertake the lengthy process of incorporating themselves into an association, electing officers and writing a constitution. Furthermore, the WRI research shows that to formalize their land, most communities must accept restricted rights, new risks, and/or less land. By contrast, private-sector

investors tend to benefit from faster and more flexible acquisition procedures with expanded opportunities and dedicated and sustained support from government, often also with little pressure to engage and support REDD+ or NDC implementation efforts. According to Notess *et al.*, "To safeguard their land rights, communities sacrifice years, sometimes decades, navigating unwieldy, expensive government processes. As these procedures drag on, companies acquire long-term rights to large swaths of undocumented community land. Investors with savvy lawyers and deep political connections find shortcuts around complex requirements, work with governments to obtain land rights in as little as 30 days and, in some instances, begin to clear the land before securing rights to it" (Notess *et al.*, 2018).

Similarly, the operationalisation of community-based forestry has suffered from **overly arduous tenure instrument conditions, particularly when it comes to forest management plans**. Participatory forestry reform was intended to empower local communities, but in many cases, reforms actually appear to sustain domination by forestry administrations due to a bias towards 'scientific management approaches' and structures, and detailed information systems. Despite some efforts calling for more simplified procedures or replacement of management plans with a set of minimum standards, this opposing trend has been referred to as 'professionalisation' and obstructs devolution of collective forest management rights to the local level (Lund, 2015). Registration of collective rights may lead to such unforeseen consequences as property tax burdens on communities, according to national laws, as well as increased exposure to investors looking to use or purchase community resources.

Gender inequality in the implementation of collective tenure rights has emerged as an important challenge. In traditional societies, including those of many indigenous peoples and forest dependent local communities, forest and land tenure rights have tended to favor the male heads of households. As a result, women often lack the right to own or manage resources directly, or to participate in community-level governance and decision-making processes. When husbands migrate or die, women may be left with little authority to control resources. A 2017 RRI study of 30 countries found that none met the minimum standards set under the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and that only eight had inheritance laws that did not discriminate against women (RRI, 2017a). Sustainable Development Goal (SDG) 5 stresses the need to overcome this inequity through its target (5.a) by urging authorities to undertake reforms that give women equal rights to economic resources, as well as access to ownership of and control over land and other forms of property, financial services, inheritance and natural resources. **The UNFCCC has successfully raised the profile of gender in climate change debates** by including various references to gender equality and the participation of women within a number of its decisions, including on REDD+. (See Box 6).

Box 6

UNFCCC climate decisions supporting gender equality

COP16 in Cancun, Mexico: "*Also requests developing country Parties, when developing and implementing their national strategies or action plans, to address, inter alia, drivers of deforestation and forest degradation, land tenure issues, forest governance issues,* ***gender considerations*** *and the safeguards identified in paragraph 2 of annex I to this decision, ensuring the full and effective participation of relevant stakeholders, inter alia indigenous peoples and local communities;*" (paragraph 72, decision 1/CP.16).

COP18 in Doha, Qatar: efforts to improve women's participation and inform more effective climate change policy that addresses the needs of women and men equally, were further promoted through gender decision 23/CP.18.

COP20 in Lima, Peru: work programme on gender requested the Secretariat to prepare an action plan for development of a two-year work programme on gender.

COP23 in Bonn, Germany: a new gender action plan, prepared under the Lima work programme on gender, was adopted.

While the situation is improving, there is still a **lack of georeferenced data** concerning lands of indigenous peoples and local communities. This dearth of available information has implications not only for securing tenure rights, but also for the conservation and management of a significant proportion of terrestrial biodiversity (Garnett, 2018). WRI's LandMark global platform attempts to overcome this information gap by displaying maps of the lands collectively held by indigenous peoples and local communities; however, the platform is still incomplete in displaying all such tenure rights. Key challenges remain in aggregating data at various scales, availability/scalability of georeferenced data, and in the collection of data that can be disaggregated by ecosystem, gender and tenure type.

The limited availability of dedicated funding streams is an important impediment to the recognition of collective tenure rights. The Tenure Facility is the only mechanism devoted entirely to the implementation of indigenous and local community tenure rights. While other initiatives are making investments on this front, overall allocations remain inadequate to support the demand.

Box 7

Key challenges

The following summary of key challenges are drawn from the case examples and the literature:

- lengthy and cumbersome registration procedures;
- lack of achievement of gender equality;
- lack of reliable data on indigenous peoples' and local community lands;
- limited financial and technical assistance.

For progress towards secure collective tenure rights, it is also recommended that potential risks are identified and addressed before these risks take effect. Besides some of the cautionary points mentioned above, there may also be a risk that pledges to implement commitments at the national and global level might not be fulfilled. Longer term planning and budgeting are essential. Another risk is that **indigenous peoples' and communities are not able to withstand** development pressures on their lands, even in the case of formalized rights. This would be particularly true in countries that choose a development pathway prioritising short term exploitation over sustainable development. Mining for precious metals, for example, poses a severe threat to many indigenous lands, particularly in the Amazon (Ding *et al*., 2016). It is worth noting that in many jurisdictions, mining and extractive industry interests supersede all other rights; seldom do communities have rights to manage or benefit substantially from sub-surface resources.

Another fear is that REDD+ could substantially **increase the market value of forests**, subsequently leading to a tendency for governments to assert greater control and recentralize management, ignoring rights to land and resources, and possibly leading to more conflict (Karsenty, 2012). Finally, there is also a potential risk that implementation of collective tenure rights in the context of REDD+ may **raise unrealistic expectations for receiving results-based payments as well as non-carbon benefits** based on these tenure rights, as one possible criterion by which to distribute benefits. While secure tenure rights in themselves may be an adequate benefit for some communities, it is important that clear and realistic information on the scope and potential for future REDD+ payments is provided, taking into account the vagaries of carbon markets and the unpredictable nature of climate financing.

Counteracting some of these risks is the fact that representatives of indigenous peoples and local communities have been actively engaging in international and national forums designed to influence global policymaking. Although obstacles and risks are present, the country cases of Nepal, Peru and the United Republic of Tanzania demonstrate strategies to overcome these, while showing that substantial potential gains warrant the effort and investment.

Section 6 suggests measures on potential ways to mitigate these risks.


"Tenure security can alleviate the disproportionate burden of poverty that women face and that, in turn, benefits families as a whole, since women tend to make decisions that prioritise household welfare."
©FAO/Felipe Rodriguez

5 Why should collective tenure rights be prioritized?

This section provides a set of rationales for why governments should invest more effort and resources to expand secure collective tenure rights to achieve REDD+ goals and sustainable development.

Secure collective tenure rights are strongly correlated with reduced deforestation and forest degradation.

Due to a variety of confounding factors such as the conditions of tenure arrangements and their enforcement, it is difficult to establish absolute causality between secure community tenure and forest conditions; however, there is broad consensus that the inverse is true: tenure insecurity is a significant underlying driver of deforestation (CLUA, 2014; FAO, 2016). Furthermore, in some specific cases (mainly from Latin America), there is sufficient evidence to attribute improved forest conditions to the strengthening of indigenous and community tenure and 'strong positive results' for protected indigenous areas. Deforestation in indigenous peoples' territories in the Brazilian Amazon, for example, was found to be less than 1 percent between 2000 and 2012 whereas elsewhere in the country, the rate was 7 percent during the same period (Rogers, 2018). Another analysis found that half of the community forest areas with positive conservation outcomes corresponded with indigenous peoples' territories (CLUA, 2014).

Clear tenure is significantly associated with effective forest management and enforcement of regulations. Furthermore, studies have found that local autonomy and community ownership are both positively correlated with increased carbon storage. The CLUA authors concluded that "transfer of land ownership of forest commons likely advances carbon storage benefits because local communities have the incentive to defer present livelihood benefits" (CLUA, 2014). More effective forest stewardship by indigenous peoples and local communities with secure tenure is usually attributed to three factors: local participation in forest governance; increased incentives to protect and enhance forest stocks connected to direct livelihood benefits from forest products; and concern with maintaining the resource base for future generations. Their deep knowledge of the forest and spiritual and religious connections with nature also have positive impacts.

Investing in recognition of collective rights is cost effective for reducing deforestation.

Recent studies have analysed the cost-effectiveness of investing in securing collective tenure rights in comparison with other strategies promoting sustainable forest management and maintenance of carbon stocks. They found that such investments generally have comparatively low costs and high benefits (Deininger, 2003; RRI, 2016; Ding, 2016; Ospina, 2018; Garnett, 2018).

For example, a recent three-country study in the Amazon found that the annual per hectare costs for government (excluding in-kind contributions by communities and other sources of funding) of securing and managing indigenous forestlands amounted to USD 5.35 in Bolivia, USD 5.58 in Brazil and USD 1.35 in Colombia. Meanwhile, the 20-year estimated economic benefits from ecosystem services for all lands eligible for a 20-year titling period were: USD 54 billion to USD 119 billion for Bolivia; USD 523 billion to USD 1.165 billion for Brazil; and USD 123 billion to USD 277 billion for Colombia.

Thus, costs of indigenous forest lands amount to a mere one percent, at most, of the total benefits (Ding *et al,* 2016). A similar study by RRI in the Maya Biosphere Reserve in Guatemala revealed similar cost-to-benefit results from investing in community tenure security (RRI, 2016). Furthermore, comparisons to the costs of conventional protected areas management also revealed significant savings realized by entrusting communities and indigenous peoples through tenure security (RRI, 2015-2016).

Based on case studies of labor and cash invested from their own resources, local communities and indigenous peoples spend less per hectare than conventional conservation programmes (e.g., protected areas management) yet are likely to achieve at least equivalent conservation outcomes (RRI, 2018a). Their natural proximity to the forest, deep knowledge of its systems and dynamics, and strong intra-community relationships – enhanced through a sense of ownership based on tenure security - are some of the likely factors for efficient and cost-effective protection. Moreover, supporting recognition of collective tenure rights versus private or individual rights reduces transaction costs since larger areas tend to be titled.

Often, the contribution and investment of local communities and indigenous peoples to maintaining forests and carbon stocks is unrecognized and grossly undervalued. It is estimated that indigenous peoples and local communities are investing an estimated 16 to 23 percent (i.e., USD 3.16 billion to USD 4.57 billion) of the amount spent by governments, donors, foundations, and nongovernmental organizations – combined –on conservation (RRI, 2018a). Such in-kind contributions can have a multiplying effect on external investments.

Indigenous peoples and local communities manage vast amounts of land and carbon.

The land managed by indigenous peoples and local communities is also very significant in terms of carbon stocks. A recent RRI analysis of data from 64 countries showed that indigenous peoples and local communities manage at least 17 percent, or 293 061 million metric tonnes, of the total carbon stored in the forests of these countries. The area managed covers more than 38 million square kilometers and represents more than 250 times the amount of carbon dioxide emitted by global air travel in 2015 (RRI, 2018c).

Estimates for land under the broader category of community-based forestry (CBF) (including also smallholder forestry) are substantial, though data is currently incomplete. In Latin America, some 216 million ha or one-third of the forest area, are held under CBF (FAO, 2016 citing Hagen, 2014), while in 16 countries across Asia, it is estimated that a total of 185 million ha of forest land are held under CBF, accounting for 34 percent of total forest land (FAO, 2016). CBF in Africa is less extensive and data is incomplete. In the case of Africa, estimates have varied, but FAO has estimated that less than 1 percent of the forestland in Africa is either owned by communities or indigenous peoples; or designated for their use (FAO, 2016).

The proportion of such existing lands may vary from country to country, and there are also possibilities for some countries to expand the devolution of management rights to new areas not currently managed. However, these vast land holdings of indigenous peoples and local communities – whether formally or informally recognized – underline the significance of addressing barriers to their sustainable management under REDD+.

The large scale of these lands also emphasizes the potential positive impact of supportive policies and measures – such as legal recognition of collective tenure rights – throughout a particular country.

Secure collective tenure rights contribute to enhancing biodiversity and ecosystem services.

The collectively managed lands of indigenous peoples and local communities contain the vast majority of the world's genetic resources (IASG, 2014)[15]. Indigenous peoples' territories also overlap with about 40 percent of all terrestrial protected areas (Garnett, 2018). The traditional management systems of indigenous peoples in particular are highly compatible with biodiversity conservation. They can "co-produce, sustain and protect genetic, species and ecosystem diversity all over the world by 'accompanying' natural processes; for example, creating cultural landscapes with high habitat heterogeneity and developing and restoring ecosystems with novel species combinations of wild and domesticated species" (Garnett, 2018). According to a report by the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (ipbes), "Nature managed by indigenous people and local communities is under increasing pressure. Nature is generally declining less rapidly in indigenous peoples' land than in other lands" (IPBES, 2019).

Other ecosystems services are also enhanced through management by local communities and indigenous peoples, such as hydrological services, nutrient retention, regulation of local climate dynamics, and pollination (WRI, 2016). Better protection of biodiversity aligns with the goals of REDD+ through commitments to provide benefits for forest biodiversity (COP 9) and alignment with the Convention on Biological Diversity.

Secure collective tenure rights enhance access to climate finance.

For reducing emissions and implementing REDD+, diverse types of climate finance schemes have been set up and, in some cases, clear tenure rights are a precondition for access. A growing number of international organizations and instruments are committing to the protection of indigenous and local community land rights as guiding principles. For example, the Green Climate Fund has recently established its Indigenous Peoples Policy, which "fosters full respect for and the active protection and promotion of indigenous peoples' dignity, rights, identities, aspirations, natural resource-based livelihoods, autonomy, protagonism and cultural uniqueness" (IFAD, 2018). In addition, the World Bank's Forest Carbon Partnership Facility urges in its Common Approach to Environmental and Social Safeguards that: "Special emphasis should be given to the issues of land tenure, resource use rights, customary rights, and property rights". Other bilateral and multilateral initiatives on climate change mitigation and adaptation, as well as institutions providing loan or concessional finance, follow similar principles and criteria. Such institutions include the United Nations agencies; the New York Declaration on Forests; the European Union Forest Law Enforcement, Governance and Trade initiative, and the Roundtable on Sustainable Palm Oil.

Tenure also plays an important role in the international voluntary carbon market. This market provides access to private sector finance through the purchase of carbon credits for REDD+ projects that demonstrate measurable reductions in carbon emissions for a discreet project area. Some countries have stimulated investments in forest carbon projects by devolving rights to emissions reductions to tenure rights holders. For example, in Costa Rica, the legal framework reflects a strong recognition of private property rights and establishes that individual or collective owners of land can receive benefits from the sale of emissions reductions (Streck 2020).

The Verified Carbon Standard, a leading carbon standard for voluntary REDD+ projects, requires projects to prove a legal right to control the project land, its vegetation or conservation or management processes. Projects are able to boost their success in the carbon credit market by acquiring a social certification such as the Climate Community Biodiversity (CCB) standard. Some 200 projects worldwide have already been validated under this rigorous standard which requires full and effective participation of all stakeholders, recognition and respect for customary and statutory tenure rights, and FPIC.

[17] See example from Central America: https://www.iucn.org/content/map-shows-indigenous-peoples-guardians-central-american-ecosystems

By taking concrete action to address collective land rights for indigenous peoples as well as for local communities, governments are able to demonstrate alignment with these policies and standards and pave the way for smoother access to finance to support their climate and sustainable development goals.

Securing collective tenure rights supports improved livelihoods and food security.

The first SDG aims to end poverty in all its forms everywhere, and many national development strategies also seek to alleviate poverty. Secure collective tenure can be a key strategy to boost livelihood development. In addition, in many countries, poverty is identified as a key underlying driver of deforestation and degradation. People in need may be tempted to clear or log forests in an attempt to earn cash to relieve acute household economic crises.

It is estimated that up to 2.5 billion people worldwide rely on collective lands for their well-being – as a source of food, fuel, and income as well as the ecosystems services provided by well-managed forests (RRI *et al.*, 2016).

Enhancing tenure security has a positive effect on rural livelihoods (FAO, 2016). For example, a global study covering 108 countries found that strong property rights are linked to higher per capita incomes and greater socio-economic stability (RRI *et al.*, 2016). This finding may be explained by increased incentives to invest in land and its productive capacity as well as increased job creation. Collective forest enterprises often reinvest a portion of their profits in public goods such as health and education promoting longer-term prosperity (Ding, H, Veit, P. *et al.,* 2016). Research shows that small to medium forest enterprises, managed through communities and smallholders, generate as much as USD 125 billion to USD 130 billion in gross revenues annually (Alden Wily, 2018). It has also been found that tenure security can alleviate the disproportionate burden of poverty that women face and that, in turn, benefit families as a whole, since women tend to make decisions that prioritise household welfare (RRI *et al.* 2016). It is important that tenure security is part of a set of positive incentives to sustainably manage forests.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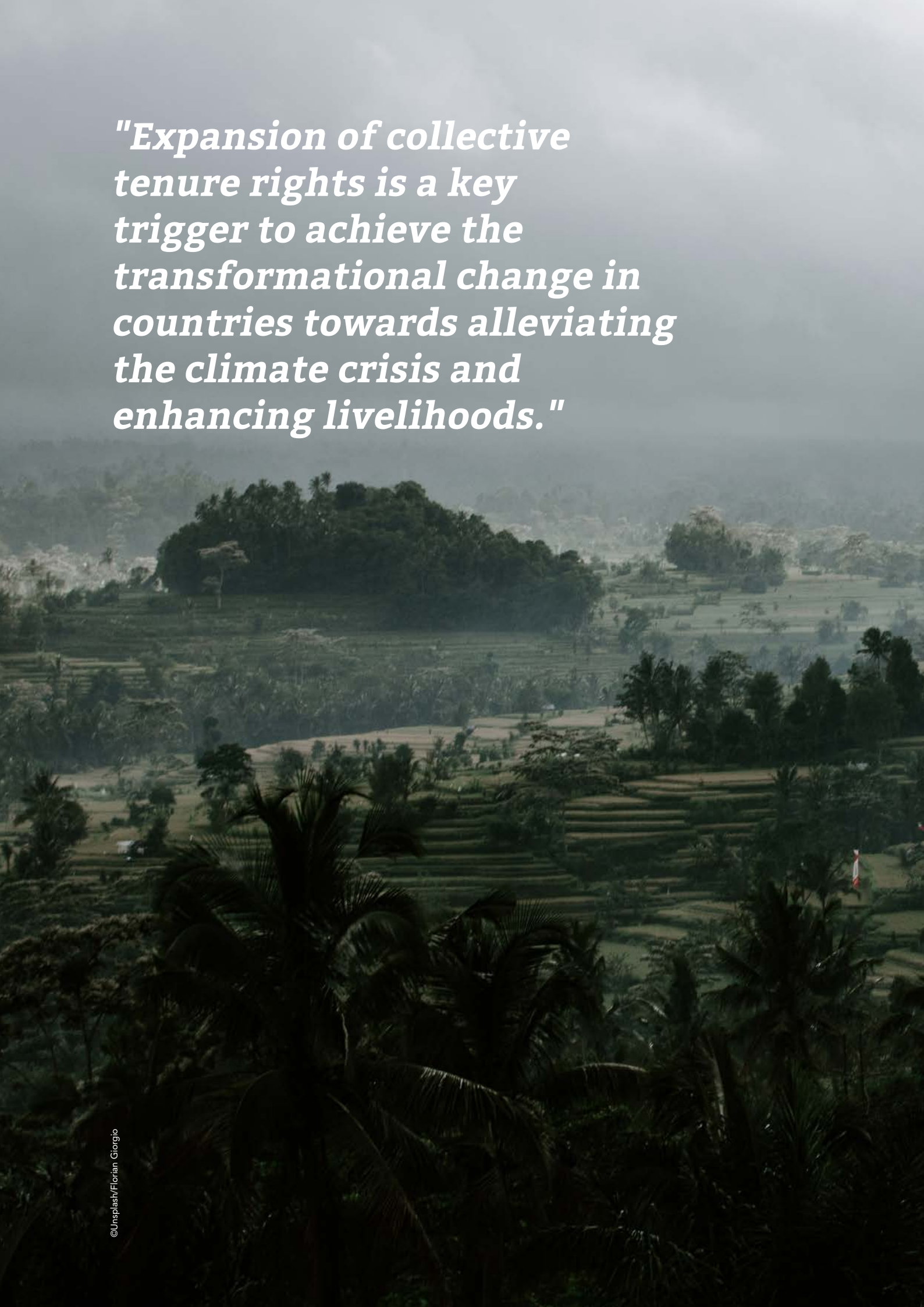
"Expansion of collective tenure rights is a key trigger to achieve the transformational change in countries towards alleviating the climate crisis and enhancing livelihoods."



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6 Recommendations for REDD+ policymakers

The following set of proposed measures are directed primarily at government policymakers engaged in REDD+, and provide guidance on securing collective tenure rights with a view to achieving deep, systemic and long-term reductions of deforestation and forest degradation in the global context of sustainable development. Taking the proposed actions will bring countries closer to achieving their REDD+ goals. At the same time, REDD+ support structures and resources provide important opportunities to build consensus among stakeholders and to channel resources to improving land and resource governance.

Securing collective tenure rights requires a stepwise approach that meets the specific country context. The following considerations are offered to policymakers.

- **Use opportunities to review legal and policy frameworks under REDD+ to promote collective tenure rights with access to justice safeguarded.**

  Where not already in place, legal and policy frameworks to reinforce collective tenure rights are called for, and endorsed at the highest level (i.e., constitutional or supreme court). Legal and tenure assessment studies may be required to determine gaps and needs, and incentives reviewed to protect collectively managed forests. The VGGT and related technical guides provide important resources for identifying areas for legal and policy reform. Legal reform (when required) should be accompanied by better enforcement of both new and existing laws at national and local levels. REDD+ financial resources may contribute to upgrading enforcement of tenure rights. In some cases, clarification of existing sectorial laws may be needed, to prevent the overriding of community claims or existence of contradictory provisions. REDD+ national structures may provide the forum to work jointly on cross sectoral legal issues. In other cases, supplementary regulations may be needed in order to apply the law effectively. The legislation should contemplate strong safeguards, including a simple and efficient mechanism to recognize collective rights and affordably register them. It may be valuable to include provisions in the law that provide interim protections for community land claims until the final registration is approved, particularly since the full process can be lengthy and slow. Careful and consistent use of terminology is important to ensure correct interpretations and use of appropriate protocols for efficient registration.

  Laws protecting indigenous and environmental activists should be strengthened and enforced in some countries. The persecution and loss of life of indigenous and community leaders and activists defending their land and resources is tragic and inexcusable – and is increasing (Knox, 2017). Where these abuses and killings occur, stronger measures to ensure safety and reduce tensions should be put in place. Perpetrators should be apprehended and appropriately punished.

  Indigenous peoples and local communities need access to independent legal services to ensure access to justice to deal equitably with conflicts related to land and resource tenure rights (Commission on legal empowerment for the poor & UNDP, 2008). As land pressures and violence intensify, REDD+ actors need to recognize their important role in promoting peace and actively engage in finding solutions.

- **Continuously enhance stakeholders' capacity to strengthen responsible governance of tenure and secure collective tenure rights.**

  The processes involved in community tenure recognition will require capacity development for actors (both men and women) and institutions operating at various levels. Training and awareness raising on tenure governance and the importance of collective tenure rights may be integrated in overall capacity development efforts under REDD+ programs. Capacity development should include both education, technical trainings, and outreach activities. For example, forestry administration staff, including decentralized officers, could be trained and sensitized on the rights of indigenous peoples. Capacity gaps in institutions involved in land administration may be analysed and plans for institutional strengthening and capacity building put in place. Gender and social inclusion may also be included at this stage. The tax obligations for collective tenure rights holders should be clarified. Some rights holders may not anticipate the requirement to pay property taxes under national laws once lands are officially registered.

- **Allocate a portion of REDD+ funding to land demarcation and titling of indigenous peoples' and local community lands.**

  Significant investment in the demarcation and titling of the lands of indigenous peoples and local communities is at the core of progress in securing collective tenure rights issues. Governments, including

Detail of the painting *Amazonas Jasici* by Tunisian artist Rim Bouhafa depicts the deep connection of indigenous peoples with the forest and the challenges they often face to protect it.

forestry agencies, need to allocate their own resources to this priority. In addition, bilateral and multilateral climate financing mechanisms, including those for REDD+, should increase and expand dedicated funding streams for this purpose. Tenure registration and formalization processes must be carried out at scale recognizing diverse geographies and contexts across each country. Civil society organizations can be an important ally in supporting the community tenure registration process, and tools such as FAO's Open Tenure software and USAID's MAST platform can facilitate collection and processing of tenure data.

Governments are encouraged to strengthen monitoring and oversight of private sector investments and implementation; for example, by requiring Free Prior and Informed Consent (FPIC) and ensuring that concessions are not granted on lands where community titling is in process. The arduous registration procedures endured by communities should be streamlined to reduce costs and scale up more quickly. Finally, legal recognition of collective tenure rights should not involve curtailing of rights or a compromise in geographical area. Indigenous peoples should not see their ancestral lands shrink as a result of the titling process.

- **Simplify forest management obligations and streamline regulatory requirements for community-based forestry (CBF).**

  Security of collective tenure may be enhanced by ensuring that there are opportunities for indigenous peoples and local communities to earn their livelihoods from the resources on these lands. In community-based forestry in many countries, a simplification of the requirements related to forest management plans, with a simple set of minimum standards tailored to the local context and needs, would reduce the burdens on communities of preparation and reporting. High costs and long delays could be avoided and sustainable, productive forest activities could begin much more quickly, thereby reinforcing collective tenure rights by incentivising sustainable management. A simpler plan would be easier for local people to understand and implement, and thus participation could be increased.

- **Implement FPIC prior to engagement with communities.**

  It is recommended that an FPIC process[18] be applied before starting activities and throughout implementation to allow indigenous peoples and local communities to determine their own priorities and strategies for development, including decisions concerning forest use. It is important to support efforts by local communities and indigenous peoples to develop and defend their own conservation priorities, rules and enterprise models, based on their own systems of decision-making and governance structures. Assumptions should be avoided, and even the initiative to formalize collective rights should be subject to an FPIC process.

- **Promote inclusive participation and gender equality.**

  It is important to continue to provide meaningful opportunities for indigenous peoples and local communities to participate at all levels in formulating climate change mitigation and adaptation strategies and actions, as well as in other land and forest-related forums. These groups can play an important role at the international level through progressive participation practices (e.g., the right to speak directly to texts under negotiation and to participate in contact groups and 'friends of the chair' meetings for matters like forests and related issues) in influencing new policies and agreements. Involvement of these groups is also critical at the national, regional and local level in implementation.

  Gender equality, as promoted also by UNFCCC agreements and its Gender Action Plan, is another key issue to be addressed in securing collective tenure. Women's equitable rights to community lands and forests should be promoted by governments as well as by other stakeholders, and women should be equitably and meaningfully involved in decision-making processes. Some other concrete actions may include adding women's names, along with those of their husbands, on titles and membership lists; allowing female-headed households to be included on titles and membership lists; taking measures to ensure that women

[18] For more information and FAO Toolkit: http://www.fao.org/indigenous-peoples/our-pillars/fpic/en/

can equitably and actively participate in meetings (e.g. considering literacy levels, household schedules); providing mentorship and training opportunities for active women; and building the capacity of village community leaders/chiefs regarding the value of women's active and equitable participation and involvement in land tenure.

- **Design effective grievance redress mechanisms.**

  Projects, initiatives and programmes for the implementation of REDD+ strategies, including those financed by REDD+ RBP schemes, should request the host country to have (or to set up) a grievance redress mechanism (GRM). It is essential for local communities and stakeholders to be appropriately informed on the GRM and for it to be at the right level of accessibility, to address concerns and prevent conflict, including on issues related to tenure. There are a number of countries that are establishing local land commissions to address and resolve such conflicts. Given that conflict is almost inevitable in most circumstances, the problem is not the conflict itself, but the measures taken to address it.

- **Promote transparency and disclosure of information.**

  It is necessary to ensure transparency and access to information to enable public scrutiny and accountability of activities related to securing collective tenure. Such a policy is in line with UNFCCC guidance on transparency and reporting. As such, transparent and accessible registries for maintaining land records are recommended, along with transparent procedures for monitoring, reporting and verifying tenure rights. These registries will be most useful if they adequately integrate different data layers (i.e., forestry and tenure) rather than compartmentalizing information among different government agencies. Inter-operable data sharing systems among relevant institutions could be part of the solution.

- **Review and revise Nationally Determined Contributions to ensure adequate attention is given to ensuring clear and secure systems of tenure and to collective tenure rights.**

  For the many countries whose NDCs do not yet recognize the importance of community-based actions and securing tenure rights of indigenous peoples and local communities, there is an opportunity during the periodic global stocktakes to review and revise these documents through a 'tenure lens' and to emphasize the important role of indigenous peoples and local communities in emerging climate solutions. Countries could consider including specific and robust measures to secure tenure and natural resource rights for indigenous peoples and local communities in national climate change mitigation strategies prior to the implementing of NDCs. More countries may also consider including tenure-related indicators in their safeguards information systems (SIS).[20]

[20] At the time of writing, four of the six countries submitting safeguards information summaries to the UNFCCC addressed tenure, including Brazil, Colombia, Ecuador, and Malaysia (Chile and Mexico did not).


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Glossary

Tenure: Tenure refers to the systems that determine who can use what resources, for how long, and under what conditions. These systems can be based on written policies and laws as well as unwritten customs and practices, especially as we refer to collective tenure rights (as per the Voluntary Guidelines on the Responsible Governance of Tenure, FAO, 2012). An individual or a group can also hold multiple rights and these can be bundled together. For example, there can be numerous rights related to the same parcel of land, such as the right to sell the land, the right to use the land through a lease, or the right of way.

Collective tenure rights: 'Collective tenure rights' refers to tenure rights that are held by a group rather than an individual, often linked to an area of commons collectively used and managed. Collectively managed commons are essential to cultural identity and well-being. They are crucial for indigenous peoples and local communities, including farmers, fisherfolk, pastoralists, the landless and the most vulnerable, food insecure and marginalized people. (FAO 2016).

Indigenous peoples: There are approximately 370 million indigenous peoples in the world and together they speak more than 4 000 of the world's almost 7 000 languages (Harrison, 2007). According to the International Labour Organization (ILO) Convention 169, indigenous peoples hold distinct social, cultural, or economic characteristics and practice, in part or in full, their own customs or traditions (ILO, 1989). Whether a group of persons constitutes an indigenous people is based on self-identification (ILO, 1989).

Community-based forestry (CBF): Community-based forestry is an umbrella term that includes both collaborative regimes (forestry practiced on land that has some form of communal tenure and requires some level of collective action) and smallholder forestry (FAO, 2017). FAO describes a spectrum of CBF models, ranging from participatory conservation, joint forest management, community forestry with limited or full devolution, and private ownership. In this document, we focus on CBF regimes other than those involving private ownership and we generally include the forested territories of indigenous peoples' under the CBF definition.

Customary tenure: Customary tenure refers to locally derived systems with norms, rules, institutions, practices and procedures that have evolved over time and use. Customary tenure systems have gained social legitimacy and are negotiated, sustained and changed by local communities (FAO, 2016). Prior to legal recognition, many collectively managed areas are held under customary tenure. Customary tenure may or may not be recognized by national constitutions, legislations, or court rulings.

Nationally Determined Contributions (NDCs): Nationally determined contributions embody efforts by each [signatory state] country to reduce national emissions and adapt to the impacts of climate change. The Paris Agreement (Article 4. Paragraph 2) requires each Party to prepare, communicate and maintain successive national determined contributions that it intends to achieve. Parties shall pursue domestic mitigation measures with the aim of achieving the objectives of such contributions.

Reducing Emissions from Deforestation and Forest Degradation (REDD+): Reducing Emissions from Deforestation and Forest Degradation (REDD+), plus the sustainable management of forests and the conservation and the enhancement of forest carbon stocks is an essential part of the global efforts to mitigate climate change and one of the key processes negotiated under the UNFCCC. By channeling results-based finance to reward countries for reducing carbon emissions from forest-based sources, REDD+ seeks to shift incentives away from activities that cause forest loss towards those that increase the sequestration of carbon. At the core of this work are forests and the fundamental role they play in climate change mitigation, by removing CO2 from the atmosphere and storing it in forests, in biomass, and soils. In the framework of the Paris Agreement, several countries are embedding (and in any case, linking) REDD+ actions in their agriculture, forestry and other land use (AFOLU) sector NDCs.

Sustainable Development Goals and Agenda 2030: The Sustainable Development Goals (SDGs) are a universal call to action to end poverty, protect the planet and ensure that all people enjoy peace and prosperity. The SDGs are part of Resolution 70/1 of the United Nations General Assembly, has been become known as the "2030 Agenda." The Goals are broad and interdependent, yet each has a separate set of targets to achieve. Achieving all 169 targets would signal the accomplishment of all 17 goals. The SDGs cover social and economic development issues including poverty, hunger, health, education, global warming, gender equality, water, sanitation, energy, urbanization, environment and social justice.

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