Tenure Rights & Reforms around the World: Status and Opportunities

Next Generation of Forest Agency Leaders

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What do we mean by forest tenure? A Bundle of Rights

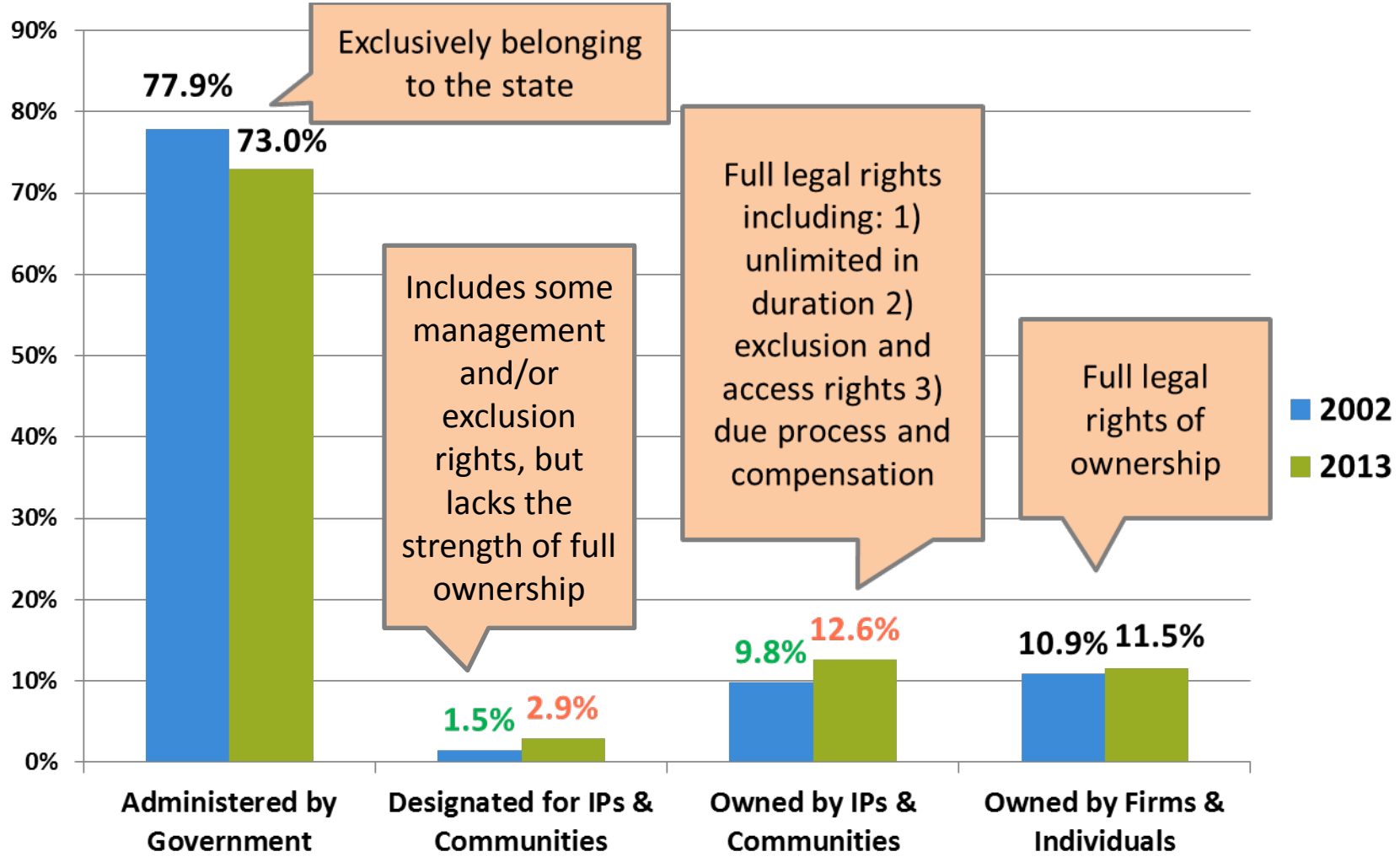
- Access
- Withdrawal – NTFPs & Timber
  - Subsistence & Commercial
- Management – Independent & Joint
- Exclusion
- Due Process and Compensation
- Duration
- Alienation (Lease, Sale, Collateral, Inheritance)

Why is community forest tenure important?

- Lack of tenure security is a constraint to economic growth in rural areas. Key contributor to food insecurity, social and political conflict.
- Essential to tackle deforestation: lack of clear tenure recognized as a driver of deforestation and forest degradation.
- Communities more and more recognized as key actors in local, national, and global forest management, conservation and climate mitigation efforts.
- Provides a foundation for legitimate governance. Attractive to external investment in local value chains.
- The “tenure transition” has already started.

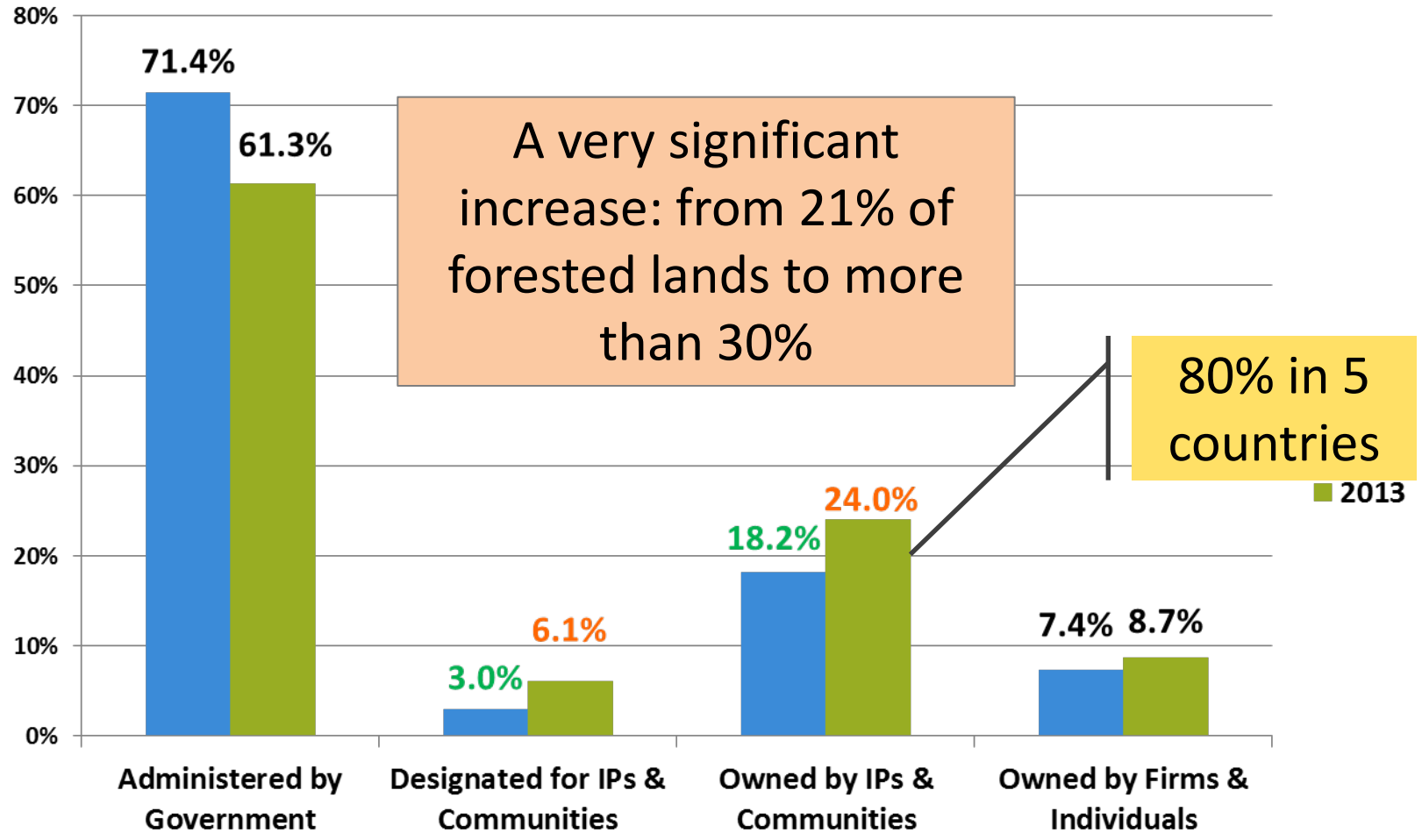
Continued progress...

Global forest tenure transition - 2002-2013



… Even more visible in developing countries

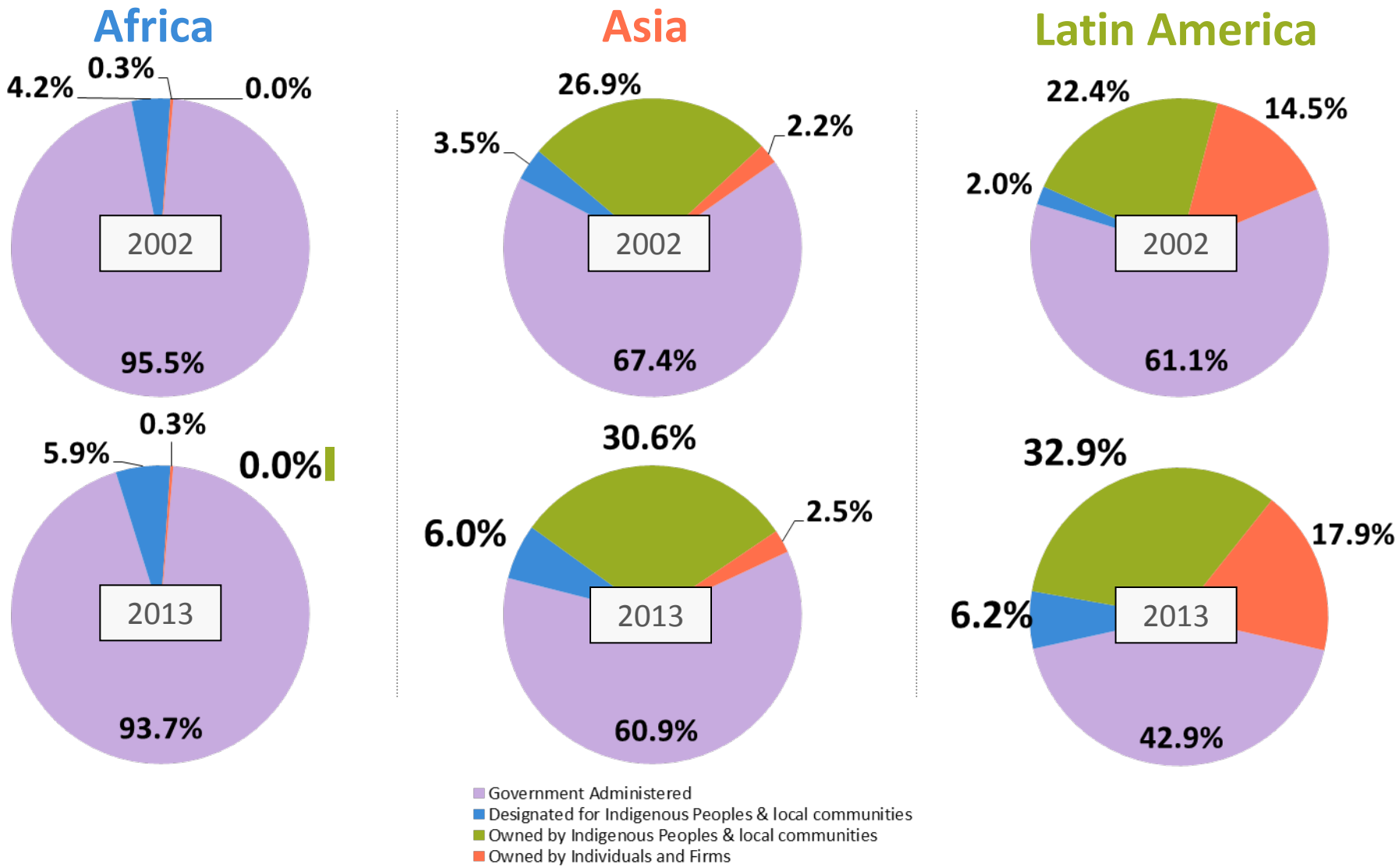
Forest tenure transition in LMICs - 2002-2013



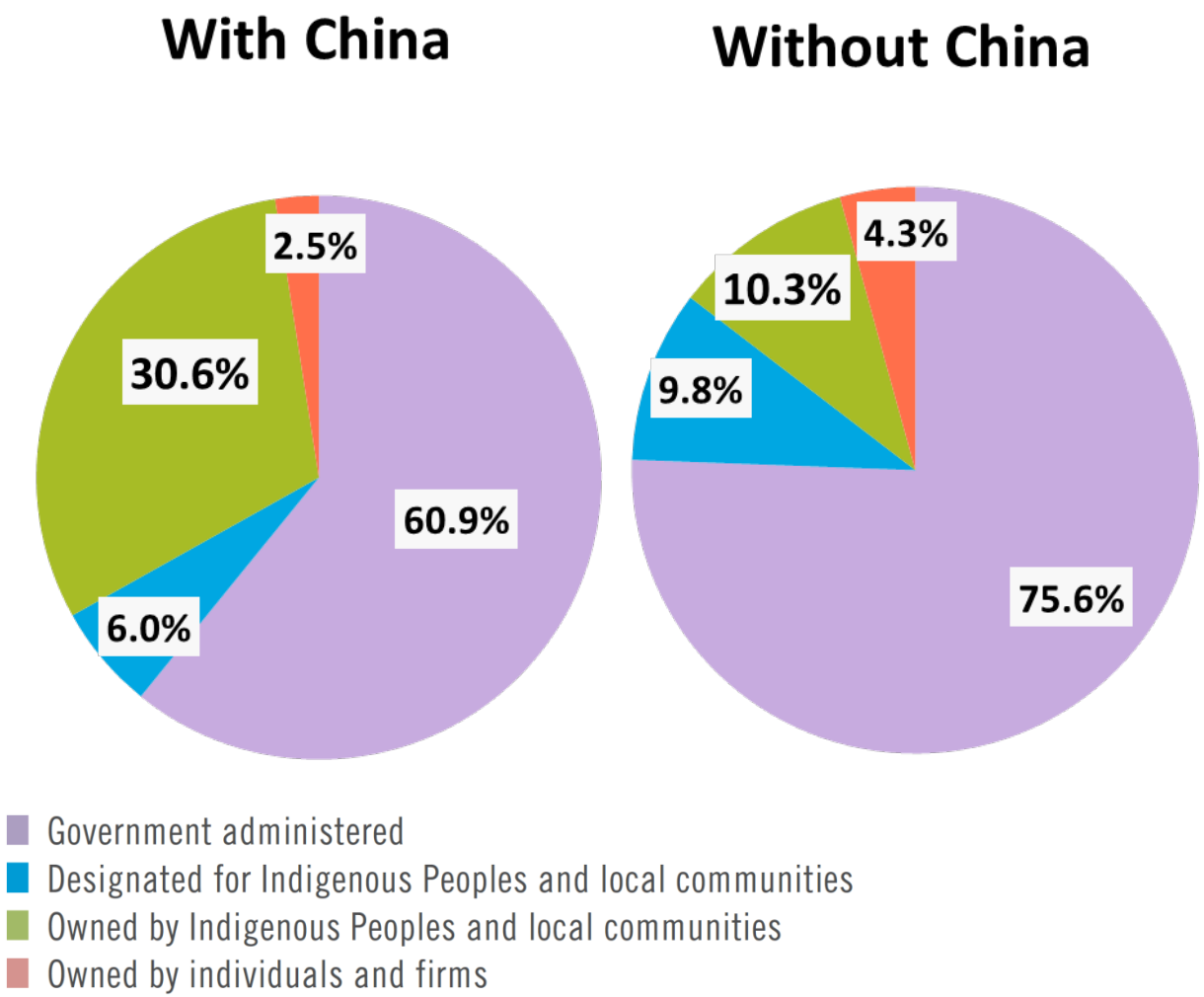
A very significant increase: from 21% of forested lands to more than 30%

80% in 5 countries

Uneven progress between regions
(2002, 2013)

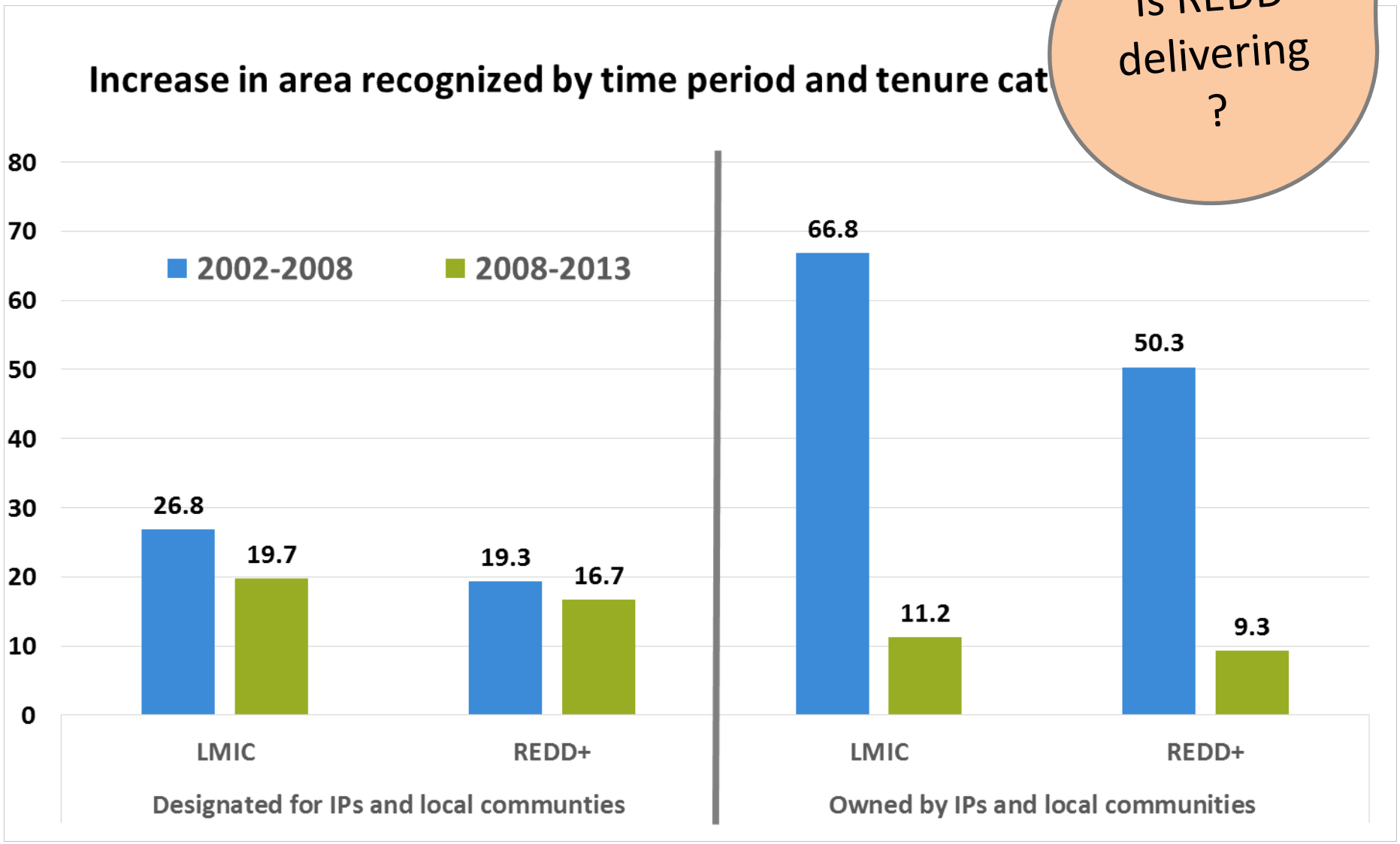


Uneven progress within Asia (2013)



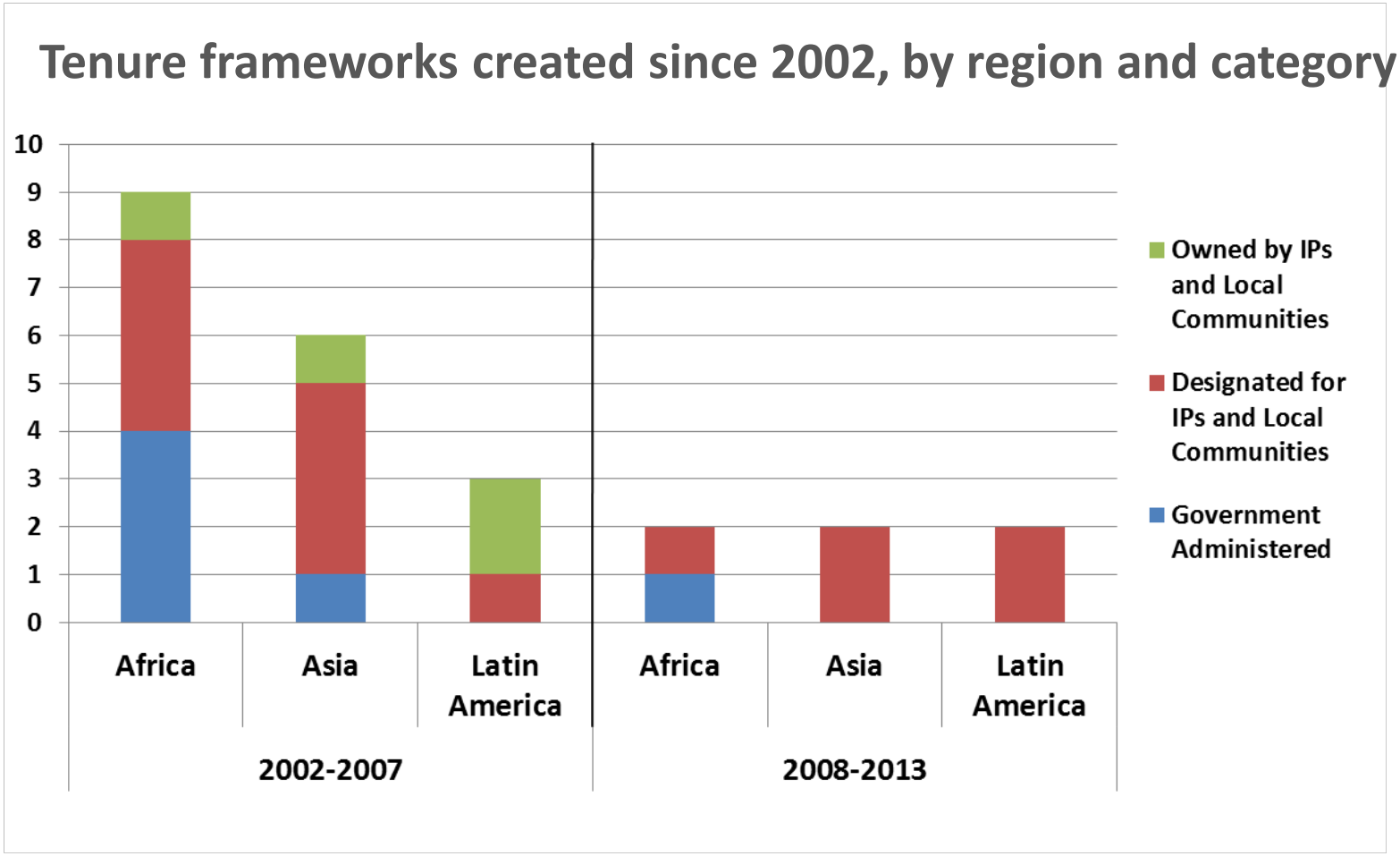
- 78% of forests "owned by communities" in Asia are in China's rural collectives.
- 82 % of forests "designated for communities" in Asia are under Joint Forest Management in India.

Fewer regimes since 2008



Is REDD delivering ?

Weaker tenure frameworks created



18 frameworks vs. 6 and none of those created since 2008 conferred ownership

Main challenges

1) Lack of political will and implementation of reforms
2) Increasing pressures on forest lands:
   - Large scale land acquisitions: increasingly a source of conflicts. Recent research by The Munden Project and RRI shows that at least 31% of concessions overlapped with community property in 12 countries.
   - Extractive industries: new study shows that 30% of the global oil and gas production and 40% of the global mining production was sourced either on or near IP lands.
3) Lack of reliable and accessible data
4) Crucial need for technical and financial support, especially from international institutions and donors.

Biggest opportunities

1) Stronger mobilization of indigenous and community movements on the ground, resulting in significant reforms in law and in national court decisions (e.g. Indonesia, India, BC).
2) Donors and multilaterals increasingly recognizing the central role of land rights. Building on REDD+, FLEGT and the Sustainable Development Goals will be essential.
3) Increased awareness and commitment from private sector companies > recognition of the “tenure risk”. Support the adoption of safeguard standards and production and business models respecting local land rights.
4) Build synergies with conservation reform movements.
5) New tools: Innovations in mapping technologies, other cost-effective implementation measures.

Summary of Key findings

- "Tenure transition" is continuing but there is a clear slowdown since 2008.
- Globally, most forests are still owned and administered by governments but the gains on the ground are concentrated in a handful of countries, esp. in LA.
- Increased attention to local rights at the national and international levels from all stakeholders.
- Increased pressures on forest lands and high risks of rollback: poor enforcement and weak governance remain major threats to recognized rights.

Thank you!