

Community Rights and Tenure in Country Emission Reduction Programs

STATUS AND RISKS FOR THE FCPF CARBON FUND



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A decade after the concept of reducing emissions from deforestation and forest degradation (REDD) was introduced to the United Nations Framework Convention on Climate Change, funding mechanisms to support countries in reducing forest emissions, improving sustainable forest management, and enhancing and conserving forest carbon stocks—activities referred to as REDD+—are moving from the readiness to implementation phase.

One of these mechanisms is the World Bank-led Forest Carbon Partnership Facility (FCPF), which established the Carbon Fund in 2011. As one of the more advanced initiatives that adopted the first methodological guidance for results-based payments under REDD+, it sets important precedents for future financing options and the global REDD+ agenda at large.

To better understand the implications of the Carbon Fund for Indigenous Peoples and local communities, RRI assessed a sample of countries' submissions to examine how they address community participation, land and forest tenure, carbon rights, benefit sharing, drivers of deforestation and forest degradation, safeguards, and governance.

With a growing number of countries joining financing mechanisms like the Carbon Fund, it is all the more important to ensure that in the coming years, REDD+ implementation respects the rights and livelihoods of Indigenous Peoples and local communities.

Based on the results of this study, RRI recommends that:

- Countries complete participatory land tenure assessments and develop time-bound action plans for the legal recognition and enforcement of collectively-held lands and territories.
- FCPF strengthens requirements for submissions to prevent countries from sidestepping critical readiness processes and ensure mandatory progress on key issues.
- FCPF requires the use of FPIC standards.
- FCPF relaxes intentions to treat carbon as a tradable asset, given the complexity of carbon rights.

Key Findings

Overall, the review of 13 country submissions to the Carbon Fund paints a mixed picture. Despite clear commitments to REDD+ ambitions and isolated examples of effective and proactive community engagement, the majority fall short of protecting and/or advancing the rights of forest communities whose crucial role in the maintenance and protection of the world's remaining tropical forests is broadly recognized.

Specifically, the study found that:

- The importance of tenure rights for effective REDD+ implementation is largely unrecognized.
- Locally affected populations and vulnerable groups are inadequately involved in the process.
- The participation of women and the use of gender-sensitive approaches are a struggle for most countries.
- Most countries lack a legal foundation for carbon rights.
- Requirements for establishing fair and equitable benefit sharing schemes are insufficient.
- Few countries have developed the governance institutions needed to ensure transparent and equitable REDD+ interventions.
- Drivers of deforestation and forest degradation are identified but not sufficiently targeted.

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Figure 1

These charts break down how select indicators for the study were met by the 13 countries in their ER-PINs and related documents for the FCPF Carbon Fund. Country-level assessments with analysis of the full set of indicators used for the study can be found at www.rightsandresources.org/erpins2016.

The ER-PIN and/or related documents ...

effectively engaged locally affected populations and vulnerable groups in the design.



defined the land use and land tenure context of proposed ER Program.



defined a legal framework for carbon rights.



presented a transparent and verifiable process to equitably share non-carbon benefits.



supported the recognition and/or protection of Indigenous Peoples' and local communities' rights.



provided a credible plan for addressing governance issues at national and sub-national levels.



Key

-  A national submission to FCPF Carbon Fund in which the indicator is clearly addressed and supported by country stakeholders and other sources of evidence.
-  A national submission to FCPF Carbon Fund in which the indicator is partially addressed and claims are contested, and/or supporting evidence is weak.
-  A national submission to FCPF Carbon Fund in which the indicator is not addressed or is mentioned but not defined or explained, nor supported by evidence and local stakeholder input.

- Gender-sensitive participatory measures and analyses be incorporated across FCPF procedures and funding requirements.
- FCPF establishes clear guidelines for promoting engagement with local governments, Indigenous Peoples, and local communities in national and subnational REDD+ processes.
- The Methodological Framework be thoroughly reviewed to assess the rigor of its application and alignment with the overall needs and concerns of forest communities, participating countries, and relevant UNFCCC guidelines.

These changes can provide a better starting point for REDD+ implementation that achieves the goal of reducing emissions from deforestation and forest degradation by respecting, protecting, and advancing the rights and livelihoods of forest communities.

The full report, the analytical framework used to conduct the assessment, the individual country assessments, the review of the Methodological Framework, and full citations can all be found at www.rightsandresources.org/erpins2016.

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