

RRI Latin America 2010 – 2012 Work-Plan Summary

I. Regional Overview

Dates of planning meetings in 2009:

September 7-8, 2009: Flores, peten, Guatemala
September 10th, 2009: Managua, Nicaragua

September 23-24, 2009: Santa Cruz, Bolivia
October 24-26, 2009: Buenos Aires, Argentina

	Strategic outcomes	Steps/Strategy	Partners
Region	<p>By 2012</p> <ul style="list-style-type: none"> National REDD and REDD + plans in the region have incorporated the issues of rights and community forestry. Broaden the narratives related to tenure issues in the region and the scope and influence of RRI work. Key Indigenous organizations, peasants, traditional communities and other forest dwellers have strengthen their capacity to administer and control their territories in the countries accompanied. 	<p>In 2010:</p> <ul style="list-style-type: none"> Provide strategic analysis on REDD, existing compensation mechanisms, and the position of central and regional governments Produce analysis of the state of the art of the current discourses and practices on issues about governance and territory and defense strategies of indigenous territories. Increase the knowledge and understanding of regional actors and their political and economic contexts. Increase knowledge of how forestry economies are working today Develop a clear vision and approach regarding how RRI work with different social actors: agro-extractivists, peasants, etc. 	<p>IC</p> <p>ACICAFOC</p> <p>IUCN-</p> <p>CIFOR</p>
<i>Tier 1</i>			
T1 Country Guatemala	<p>By 2012:</p> <ul style="list-style-type: none"> Advance and improve forest tenure security in the community concessions in the Mayan Biosphere Reserve MBR, and in newly recognized communal lands. (RBM) Increase profitability, sustainability and efficiency of entrepreneurial models. Strengthen and consolidate the National Community Forest Alliance to become the principle interlocutor w/ government 	<p>2010: Produce a legal analysis study on alternative tenure regimes within the Multiple Use Zone (MUZ)</p> <p>2012: Position a new community tenure model within the MUZ and MBR within the constituencies of ACOFOP.</p> <p>2010: Carry out a context analysis of alternative entrepreneurial models</p> <p>2010-2011: Communities are trained and informed of the process of National Registry of Cadastral Information (RIC) and are able to include their demands in the process</p>	<p>ACOFOP</p>
T1 Country Bolivia	<p>By 2010:</p> <ul style="list-style-type: none"> Community –based forest management positioned as a fundamental component of the of national forest policy and promoted as integral form of sustainable management of natural resources. Tenure rights of lowland community-based organizations and indigenous territories consolidated and expanded. Structures of governance, autonomy and management of NNRR strengthened and vibrant in 3-5 large TCOs. Community self-regulation system adjusted and incorporated into the national regulatory frameworks on natural resource management 	<p>In 2010:</p> <ul style="list-style-type: none"> Establish a coordinated strategy to influence the legislative process on forest policy reform and consolidation of tenure rights. Contribute to the strengthening of the organizational governance capacity of lowlands community-based organizations. Promote the analysis and procedures for self-regulation & use basis for new regulatory reform for forest management policy. Develop the capacity for critical analysis of the state of tenure rights and forest management plans in TCOs 	<p>CEDLA</p> <p>IPHAE</p> <p>CEJIS</p> <p>CIFOR</p>
<i>Tier 2</i>			
T2 Country Nicaragua	<p>By 2012:</p> <ul style="list-style-type: none"> Strong and capable local governance institutions in newly titled indigenous territories 	<ul style="list-style-type: none"> Establish reference group to monitor and analyze and help local communities influence the land titling processes. Contribute to the analysis on the above to influence donor & multilateral agency policies to ensure the recognition of rights for indigenous and afro-descendant territories. Strengthen advocacy and management capacities in territories that have completed the titling process. 	

Planning Teams

2.1 Regional Planning Team

Partner	Participant	Email
CIFOR	Peter Cronkleton Pablo Pacheco	p.cronkleton@cgiar.org p.pacheco@cgiar.org
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InterCooperation	Chris van Dam	Chris.vdam@gmail.com
RRG	Deborah Barry Omaira Bolaños Iliana Monterroso (Facilitator CA)	dbarry@rightsandresources.org obolanos@rightsandresources.org imonterroso@flacso.edu.gt
FPP*		
Forest Trends*		

*invited but did not attend regional meeting

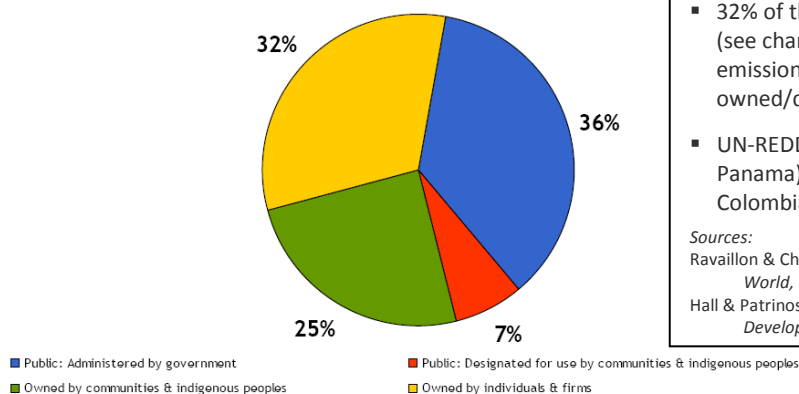
2.2 Current collaborators in region

Center for Judicial Studies and Social Research (CEJIS) *Bolivia*
 Institute for Man, Agricultura and Ecology (IPHAE) *Bolivia*
 Center for Development Studies and Agrarian Labor Development (CEDLA) *Bolivia*
 Peasant Cooperative of Agro-extractivists of Pando, (Coinacapa) *Bolivia*
 Peasant Cooperative for Integrated Agriculture of Beni (Caic) *Bolivia*
 Association to Improve Governance of Land, Water and Natural Resources (AGTER) *France/Bolivia*
 Forest Community Association of Peten (ACOFOP) *Guatemala*
 National Association of Community Forestry Utz Che *Guatemala*
 Program of Rural and Territorial Studies. National University of San Carlos (FAUSAC-PERT) *Guatemala*
 Association for Community Promotion and Development (CEIBA) *Guatemala*
 Center for Research and Project for Development and Peace (CEIDPAZ) *Guatemala*
 Program for Regional Environmental and Social Studies (PRISMA) *Central America*
 University of the Autonomous Regions of the Caribbean Coast of Nicaragua (URACCAN) *Nicaragua*
 Institute of Applied Research and Local Development (NITLAPAN) *Nicaragua*
 Amazon Radios, Latin American Association of Radial Education (ALER) *Latin America/Ecuador*
 Intercultural Communications Services (SERVINDI) *Peru*
 Hemera Foundation *Colombia*

III. Latin America- Regional

3.1 Regional Overview

Figure 3: Forest Tenure Distribution in Latin America, 2008



Note: 8 complete cases: Brazil, Colombia, Bolivia, Venezuela, Guyana, Suriname, Ecuador, Honduras. Accounts for 82% of tropical Latin American forests.

Poverty, tenure and emissions in Latin America

- 26 million rural poor (<\$1/day) living in Latin America & Caribbean — 80% of 40 million indigenous people in LAC under poverty line.
- 32% of the region’s forests claimed by government (see chart at left) — 31% of global forest carbon emissions. Much of the community owned/designated forest is insecure.
- UN-REDD: 4 countries (two in Tier 2: Brazil & Panama); WB FPCF: 8 countries (six in Tier 2: Brazil, Colombia, Mexico, Nicaragua, Peru, Panama.)

Sources:
Ravaillon & Chen. 2007. *Absolute Poverty Measures for the Developing World, 1981-2004*. World Bank Policy Research Paper #4211.
Hall & Patrinos. 2004. *Indigenous Peoples, Poverty and Human Development in Latin America: 1994-2004*.

3.2 RRI Strategy in Latin America

Rationale for engagement

Over the last twenty years, Latin America has seen a remarkable increase in the recognition of community forest tenure and the transference of rights to individuals and firms, leading the three regions where by 2008 the state claimed the ownership of only 36% forests. According to RRI Tropical Tenure Assessment (2009), the absolute area of public forest land administered by government in 8 Latin American tropical forest countries decreased from 453 Mha in 2002 to 227 Mha in 2008 (-50%). The absolute area of forest designated for use by communities and indigenous peoples in these countries has increased from 29 Mha in 2002 to 46 Mha in 2008 (59%), with the absolute area of private community and indigenous land in these countries growing from 105 Mha in 2002 to 155 Mha in 2008 (47%). Brazil accounts for a significant amount of this change in forest tenure distribution through lands designated for and owned by communities and indigenous peoples and lands owned by individuals and firms.

The shift has opened up new possibilities for the advancement of human rights, particularly indigenous rights to their territories, poverty alleviation and the sustainable management of forests. Yet, despite these advances, the LLSL study and more recent observation documented in research by CIFOR, IC and others shows that in at least six countries, (Peru, Ecuador, Bolivia, Guatemala, Colombia, and Venezuela) these tenure reforms are incomplete and the rights insecure. There are overlapping claims between actors, and overlapping jurisdictions and intentions of state agencies undermining the security of the tenure rights. Added to the more common problems of encroachment by illegal loggers and cattle ranchers and agricultural settlements, is the expansion of large-scale agriculture for biofuels and the simultaneous promotion of subsoil concessions for mining and hydrocarbon extraction. Large scale infrastructure projects, particularly in the Amazon Basin have begun to connect up the remote forest regions with the urban centers and ports, fueling an explosion of legal and illegal land markets and rents, changing the economic dynamics in the heretofore ‘hinterlands’ of Central America and the Amazon Basin.

Of particular concern is the pressure to limit or even rollback tenure rights, when state authorization of concessions for oil, mining, or energy exploration and extraction occur in areas with a high degree of overlap with recently titled lands and indigenous territories. The discourse around rights of access to

crucial natural resources are skewed –as in the case of Peru- where the government justifies forceful dispossession of the indigenous to their legally recognized land for a supposed ‘greater good,’ the national dependency on petroleum. Referring to indigenous use of the land as “too much for too few”, officials ignore the opportunities to address both sets of rights to resources where the negative impacts of oil extractions can be ameliorated and revenues shared to offset poverty. This is often due to a limited base of political support inside these countries, and the need for exploring more just options and reframing these debates to capture what could be more realistic trade-offs in a just and equitable approach to development.

Key threats and opportunities

Nonetheless, the trend towards recognition of forest community’s tenure has driven rapidly changing tenure and market scenarios in the region. Initial assessments indicate that the public concession model is largely being supplanted by local management of often large-scale territories or small-scale forest enterprises. This policy shift brings both threats and opportunities for forest residents in the region, and the potential for small-scale and community-industrial forest enterprises is enormous,

Regulations, policy and investment

Where land and forests are not so heavily contested, or governments have expressed the political will to undertake the larger reform, as in the case of Bolivia, regulations, policy and investments are not yet in alignment with the needs of local communities to allow them to convert their resources into assets. Cumbersome regulatory frameworks for forest management and conservation initiatives place high transaction costs on communities and restrict the exercise of their use and management rights. In most countries, the lack of available credit and investment capital at the necessary scale (beyond limited donor projects) and appropriately designed technical assistance result in significant barriers to the development of small scale enterprises, more equitable sector-wide production and market agreements and the possibilities of diversification and improvement of community and household livelihoods.

Enterprise and other market options

The LLSL and other studies have found that while Latin America has experienced important advances in community enterprise development, (eg. Mexico, Guatemala, Honduras) that most communities continue to struggle with the promotion of inappropriate models, often with detrimental effects on communities themselves. These models tend to be externally designed, based on false premises borrowed from the conditions of large scale private enterprises, and continue to be promoted for smaller scale and unprepared community efforts, demonstrating an inadequate understanding of community forms of organization, decision-making and traditional leadership structures, local history and culture, and the inequities of the larger power structures, as well as the micro-politics both within and between communities. In many cases these models run amok and can jeopardize prospects for livelihood improvement, and even undermine community tenure gains and access to resources. Alternative enterprise development occurs within communities as they struggle to reorganize the donor imposed schemes; some learning across communities occurs, but the reorganization of sector policies and investment to amply support community production and insertion into the market has yet to take place.

Local governance capacity

In many cases, lowland indigenous peoples and others forest dwellers suffer from weak organizational capacity and political clout to control and defend their rights. Their need to defend their territories from external incursions and illegal land markets in and of itself is a major undertaking, and support is needed from the state to guarantee their rights (as in Brazil). Often the stakes are high, particularly in areas where drug trafficking and other illicit activities run unchecked. RRI’s recent studies show that across Latin American, there are common issues of conflict related to the governance of indigenous territories and consolidation of tenure rights that must be considered as part of the defense of communal lands against external threats, they are:

- The overlapping interests and rights held by different state agencies on and below the land.
- Overlap between indigenous-forest dwellers territories and protected areas (double status and conflicts about their administration)
- The interface or overlap of municipal administrative units and indigenous territories with customary governance structures.(legal pluralism)
- Conflicting parameters for management of natural resources (the economic, social and biodiversity values) and their impacts on livelihoods.
- Differences technical requirements: forestry management plans and indigenous “life plans.”

In some countries, it is noted that the conflicting legal and regulatory regimes and cumbersome (often unrealizable) transaction costs for implementation are creating confusion and the weakening the rule of law in these forest regions, leading to a perception that the resources of indigenous territories are ‘up for grabs,’ and stimulating an ‘open access’ behavior by outsiders.

Conservation and Climate Change initiatives

More recent observation in the region has identified the re-emergence of threats from renewed conservation schemes under climate change mitigation initiatives, where indigenous tenure rights and forest communities could be at risk, especially their capacity for adaptation to on-going and expected changes in climate. Also, the emergence of a new global carbon market, where many private and public entities (corporations and states) are looking for forest landscapes to purchase carbon offsets and participate in other market-based schemes will put even further pressure on forest communities and their lands. The number of new agents involved, the multiple mechanisms being crafted and the difficulty to track, let alone regulate these transactions is introducing more uncertainty into the policy realm. How governments or others regulate or control these interventions will become a major challenge for the coming years. Mechanisms for informed involvement of these communities will be key for avoiding potentially detrimental outcomes for rights and livelihoods of, and consequently, the preservation of forests. Finally, the entrance of the US into these agreements and markets will undoubtedly play out strongly in Latin America, given the intense nature of their trade, energy and other relations. With the COP16 planned in Mexico, the activity level for Climate Change issues, particularly REDD related will increase considerably.

Perception and narratives

What is notable is that despite these widespread trends, the regional narratives and terms of the political debates on land, and forest tenure rights in Latin America have not evolved to reflect these new dynamics and the realities faced by indigenous peoples and other forest dwellers. In general, there is a persistent under-estimation of what is needed to reach the goals of a tenure reform that would concomitantly reduce poverty and guarantee the human and civil rights of forest dwelling peoples. The need for a shift in the perception and understanding of how these dynamics are playing out is urgent, in order to seize the opportunities created by the reforms. One area of focus should be on the contradictions in the current state policies towards the forestlands to gain a greater understanding of the implications of the current legal and regulatory frameworks and policies for forest-dependant communities, especially given the new intentions for REDD policy and programs. Discourse and debate need to recognize that the forestlands, particularly the lowland tropical forestlands of Latin America are the new battlegrounds, not only between different local and national level interests, but increasingly the arena for international ones. It must consider that without the informed and strengthened participation of local communities as stewards who can, at the same time live from forest, it will be destroyed.

Opportunities

The opportunities for RRI to make a difference are quite distinct in Mesoamerica and South America, but overall the regional team sees the greatest potential for impact in the tropical lowland forests and the forested interface of the agricultural frontier, where the majority of tenure reforms are ongoing. It is here that the greatest recognition of rights has taken place, but is often contested and frequently where policies and forest development models are in flux. Over the next decade, organizations are likely to ally

more actively across biophysical and political regions, mobilizing around common agendas to address or resist threats from uncontrolled land and resource grabs in the name of climate, economic growth, conservation, energy supply, or food production. A strong emphasis on ways to consolidate their own governance structures, improve the visibility of their conditions, and increase their capacity to resist or negotiate more successfully with these external actors will be crucial. Work will need to be done to expose the negative consequences of the overlapping and often contradictory policies and jurisdictions of state agencies.

Policy reforms in Bolivia, Nicaragua, Ecuador, and Colombia regarding the recognition of indigenous peoples' autonomy over their territories and the establishment of regulations to confer these territories municipal administrative units, constitute a challenging and promising political strategy for the management of natural resources within indigenous lands. The increasing recognition of the rights of other, non-indigenous forest communities (agro-extractivists, afro-descendants, traditional peoples) will also be a key feature of the next decade, with the challenge of addressing the issues of overlapping claims, particularly as REDD and other climate change related efforts begin to unfold at the national and sub-national levels.

Promising experiences with community forest management and enterprise development in Latin American have not been adequately understood, documented and shared. These can be a rich source of reflection for community organizations to enhance their learning within and outside the region, as well as provide hard evidence for policy makers that communities are best placed to conserve and thrive from their forest resources. Regulatory reform has promise—much of the currently illicit forest enterprise activity can be re-examined and given a more balanced and equitable development approach at a scale that addresses the causes of deforestation and the extremely high levels of current “illegal” activity in Tier 1 countries. Growing interest in expanding FLEG and legal trade agendas to rights and livelihood issues creates a new opportunity to engage this long-standing challenge.

Tier 1 Countries

Two Tier 1 countries were identified following the LLSL process, Bolivia and Guatemala, and this selection has been subsequently ratified by the 2009-2010 regional planning teams. These countries are strategic because their selection provides for engagement in two key tropical forest sub-regions: the Amazon Basin and Mesoamerica. Both regions have economically and environmentally important forests. Mesoamerica has a longer history of community forest tenure and rights recognition and a wealth of experience to share on models of social organization, community-based management, and forest enterprise in relation to forest sector reforms. Bolivia and Guatemala are both ethnically diverse, with the highest percentage of indigenous population in the region and are actively engaged in a second generation of forest (and social) reforms, creating a demand from government reformers and organized social movements for guidance on policies and regulations and economic models that strengthen tenure and rights. Both countries are generating important lessons, and whereas Guatemala is looking outward for guidance, Bolivia is only beginning to do so.

Guatemala

Although Guatemala is a small country with a reduced portion of temperate and tropical forests, important changes in the patterns of forest tenure have been underway for over a decade. Nearly 500,000 hectares of tropical forests have been allocated to communities as concession contracts in Petén, in the buffer zone areas of the Mayan Biosphere Reserve, the largest conservation area within the Mayan Forests (an area of 155,020 km² including Mexico, Petén and Belize). At the national level, since the establishment of the Constitution in 1985, the Peace Accords (1996) and the ratification of the 169 ILO Convention in 1996, the government has pursued the guarantee of indigenous rights over their traditional and communal lands. Recently, the national government has promoted reforms at the political, legal and institutional levels, to ensure legislation that strengthens communal land regimes, considering their importance for natural resources management and conservation, as well as their contribution to rural development (*Estrategia de Conservación de Tierras Comunales*, draft 2008). In 2005, this commitment was ratified with the National Law of Cadastral Information Registry (*Ley de Registro e Información Catastral* RIC) which recognizes communal lands – for both indigenous and peasant groups – in the national legislation. Not until mid-2009, was the law approved and since then an ad hoc regulation system

is being developed and implemented for the cadastre process in communal lands. In 2009, RRI collaborators disseminated this information drawing renewed attention to this long awaited moment, mobilizing the key peasant and indigenous organizations to form a crucial link to the process to guarantee ample participation in the implementation.

Currently in Guatemala the Law of Climate Change is being discussed by the members of the Chamber of Deputies. The focal point for the international negotiations is the Ministry of Natural Resources. Participation in REDD and other Climate change efforts has led to new institutional adjustments within and between the National Forestry Institute and the National Council of Protected that appear to be moving toward a national level (previously disperse) mandate and overview of forests. This presents new challenges to community forest constituencies, and RRI work. Guatemala has been approved as part of the FCPF initiative and has completed an R-PIN report, however no funds have been ensured for following phases within this initiative. The Growing Forest Partnership has Guatemala as a pilot country.

In Guatemala RRI is working mainly with collaborators. In the past, activities have been coordinated mainly with ACICAFOC and CIFOR. This year, the work is expanding with CIFOR (in Nicaragua), ACICAFOC and particularly with IUCN-ORMA (Mesoamerica) on issues related to the regional environmental political context related to REDD and climate change. RRI's close collaborators remain the same as in 2009 and include the Association of Forest Communities of the Petén (ACOFOP), the National Association of Community Forestry Ut'z Che', and the Program of Rural and Territorial Studies of the National University of San Carlos (FAUSAC-PERT). However, recently incorporated collaborators, such as CEIBA and CEIDPAZ, engaged in activities designed to defend the implementation of the communal lands law will be joined by an expansion of collaborators in the hub of the national alliance.

Bolivia

Bolivia is one of the poorest countries in South America with 70% of the total population living under the poverty line. It was the first country in Latin America that has adopted the "UN Declaration on Indigenous Peoples Rights" as a national law. The country has approximately 50 million hectares of forest, 80% of which are located in the tropical lowlands, forming part of the vast Amazon Basin. Forest areas in the lowlands are claimed by different actors, such as indigenous peoples, colonists, small farmer, peasants, agro-extractivist communities, forest concessions, and private medium-large scale landholders. In the last decade, Bolivia has experienced an intense process of land and forest tenure legalization in the lowlands. This entails a process of resolution of third party claims (known as *saneamiento*) and land demarcation and the titling of over 11 million hectares of forestlands. Pressure from powerful economic and political sectors in the lowlands had created long delays and outright obstacles to finishing the demarcation and titling process and in some cases disputed the claims through illegal means. Since 2006 and under the government of Evo Morales, Bolivia has initiated profound socio-political transformations aimed at achieving greater equity, social justice, equitable structure of land and forest tenure, and sovereignty. In February 2009, a new Constitution was approved, and with it a renewed attempt for the decentralization of the State was established, through the definition of different autonomies, including indigenous autonomy over their territories, state, regional and local levels of governance are currently being defined.

In this context, plan for reforms to existing forest policy that includes decentralization of natural resource management has been accelerated. The adjustment of existing laws (forest, land, autonomy) to the new 2009 Constitution will be one of the major challenges in the coming year, and will need to be accompanied by an increase in the commitment of the Morales, highland-based government to the lowland-based social organizations and communities. Often overshadowed by the politics of the large-scale and powerful lowland opposition forces, these social organizations now face the challenge of crafting more coherent policy proposals, developing new advocacy strategies, and gaining visibility nationally, in order to create a more level playing-field to implement their vision of rural development. .

RRI initiated engagement in Bolivia in response to requests from the Bolivian government for assistance in crafting a new national forest strategy based on work done by CIFOR; support for exploring alternative tenure and enterprise models (ATEMs) and requests from forest producer organizations for capacity building and peer learning opportunities. RRI activities in Bolivia began in 2007 through the CIFOR-RRI research project on the implementation of land tenure reforms, legal frameworks and market

development. During the first two years, RRI worked with several collaborators, CIDOB (Confederación de Pueblos Indígenas de Bolivia), FORLIVE, Coinacapa (Cooperativa Integral Agroextractivista de Campesinos de Pando) Caic (Peasant Cooperative for Integrated Agriculture of Beni), IPHAE (Instituto para el Hombre, Agricultura y Ecología), Cipca (Centro de Investigación y Promoción del Campesinado), and AGTER (Association pour l'Amélioration de la Gouvernance de la Terre, de l'Eau et des Ressources Naturelles). Currently, RRI has an extended partnership with Intercooperation and collaboration with CEDLA (Centro de Estudios para el Desarrollo Laboral Agrario) and CEJIS (Centro de Estudios Jurídicos e Investigación Social). In addition, independent consultants with specific and strong knowledge of land tenure issues in the lowlands have participated in RRI strategic analysis.

Tier 2 Countries

The Tier 2 countries have been identified as sub-regions rather than as individual countries for engagement, except in the case of Nicaragua. (see below) In Mesoamerica these include Mexico as a learning and networking country, Honduras and Nicaragua, both countries with new forest and tenure legislation legitimating and enabling expanded community and indigenous peoples forest tenure and management, and Panama, a natural bridge between Mesoamerica and the Amazon with strong legally-recognized indigenous territories. These countries also have some previous experience with PES schemes, including carbon payments, relevant for their proposals and those of other countries' for climate related work.

During 2009, political changes in the region have translated into shifts in some of RRI plans. In Honduras, the recent military coup undermined the democratization process, making work across the sub-region more difficult. On the other hand, in Nicaragua the titling process of indigenous territories has accelerated, potentially transferring and titling 2 million more has in the autonomous regions of the country. Finally, Panama appears to be the most advanced Central American country for REDD readiness proposals, also proposing interesting regulatory reforms for indigenous lands outside the Comarcas. Nevertheless, implementation has been slow due to the latest political changes from with respect to REDD and could emerge as important across the region. Conditions in Nicaragua merit an increasing level of commitment by RRI, as the country that presents the most favorable political conditions to advance the process of consolidating new tenure rights.

Relevant conditions are:

- The titling process in Nicaragua starts with the approval of Law 445 (2003) where territorial demarcation of indigenous territories in the Autonomous Regions (defined before the Law 28 – 1987) ensuring the recognition of a common property regime for Indigenous and Ethnic Peoples (including the Miskitu group – which represent the larger group-, the Mayagnas and the Sumus) and ethnic groups (Creole and Garifuna).
- The process receives increasing political support and funding from the existing government leading to considerable advances due to the recent set of agreements between the indigenous groups, represented by their political party YATAMA, and the Sandinista party.
- In the three autonomous regions RAAN, RAAS and the Special Regime Area (Jinotega), 10 territories have been titled corresponding to 26 communities, which correspond to approximately 250 communities. In total, 10,500 km² (more than one million hectares). A total of 9 territories have completed the titling process and 12 new territories will start the demarcation process. On the high side, this could mean that close to 2.0 to 2.5 million hectares would become subject to possible demarcation and titling over the next two years.
- RRI has assessed the viability of expanding its work in Nicaragua, which will begin in 2010 and expanded according to demand and possibilities. Activities aim to advance tenure and rights in two ways: advocacy, by supporting the organizations from civil society that accompany communities, indigenous organizations and government representatives involved in the titling process and shared learning and training on rights and governance schemes for collective tenure systems. Secondly, work aims to increase local capacity at the level of territories by strengthening territorial governance structures, through activities being developed in the regional program on Indigenous Territories and Governance.

Outcomes for the region by 2012

The following strategic outcomes have been identified in the series of regional planning meetings for 2012:

1. Majority of secondary-level community based organizations in the lowlands and parts of the surrounding Amazon (indigenous, agro-extractivists, traditional communities) gain a practical understanding of the major climate change mechanisms including REDD and adaptation, to craft arguments for their engagement or resistance.
2. Key selected communities in Bolivia and Guatemala Tier 1 countries have explicit options for insertion into the market, taking into consideration regional and international dynamics; also considering local cultural dimensions and production systems;
3. Tenure reforms in Bolivia, Guatemala and Nicaragua increase the recognition of the customary rights, particularly those with governance systems and practices that stem from livelihood plans (planes de vida) or the equivalent;
4. Before 2012, establish a clear vision and an approach for how RRI will relate to different social actors and their most relevant organizations: colonists, indigenous peoples, afro-descendants, traditional and agro-extractivist communities in the Amazon and including community conservation concessions and indigenous and peasant forest enterprises in Mesoamerica;
5. By 2012 spearhead the elaboration of a new vision of conservation in both sub-regions that is more just and realistic about tenure arrangements and the role of forest dwellers in ensuring successful human adaptation to climate change;
6. By 2012, better understand the current state of different forms of local governance in the territories of different types of communities, as a step to promote ways to strengthen them.
7. By 2012, generate new narratives on the conditions, trade-offs and tensions of the current tenure trends in the Tier1 and 2 countries in the region.

IV. Tier 1 Country- Guatemala

4.1 RRI Strategy in Guatemala

Guatemala, the northernmost country of Central America, has an extension of 189,000 km,² with a population (2009) of 14 million, from which 51% inhabit rural areas mostly dedicated to agricultural activities. Despite the high population density, the country has over 40% of its national territory under forest cover. Its deforestation rate at the national level during over the last 10 years is barely above the 1.1%. The areas of highest forest retention are those with indigenous populations or community concessions. Recent land related studies reviewed emphasize the state of communal lands in Guatemala, stating there is evidence that communal tenure systems predominated since pre-Hispanic times, comprising the central element of the social landscape, where territorial structures went hand-in-hand with indigenous strategies for the defense of their communal lands under successive waves of disenfranchisement by colonial and post colonial powers.

Today, new models of communal tenure regimes exist including: Municipal *ejidos* (In the department of Petén), agricultural cooperatives, collective agrarian lands, associative peasant enterprises, and recently, community forest concessions. These tenure and natural resource management models are central in the livelihood strategies of rural populations in Guatemala and in most cases contain forest holdings that together surpass 1.5 million hectares, cutting across all cultural and ecological areas in the country (PERT, 2008). The high diversity of communal land types ranges according to forest cover, social organization, governance system, legal status, and responds to the differences in the social and economic history in micro-regions. Supporting the implementation of tenure changes across this diversity is important as together, these communal systems play an important role in the livelihood systems of the majority of the population and they coincide with important forest ecosystems.

External interests over these lands and resources have increased significantly in the last decade, particularly petroleum and mining extraction, the establishment of hydroelectric dams and expansion of enclave tourism. Together they constitute a significant threat to reforms underway or regulations under review. According to a national review of communal lands, a series of conditions limit the recognition of collective rights over land and over natural resources including: a) scarce previous legal recognition of collective rights over communal lands; b) existing overlaps and conflicts in use and access rights between communities and municipalities which limit sustainable management of communal lands; c) limited recognition of local organizations in the institutional and legal framework of the Guatemalan state related to natural resources management; d) lack of recognition of local conservation efforts in the National System of Protected Areas regulations; e) scarce recognition of the importance of natural resources in production processes that benefit local livelihoods dependant on communal lands; g) insufficient technical and financial support for processes related to collective management of communal resources.

Despite these unfavorable conditions by the mid 1990s, as part of the Peace Accords related to land, the National Government launched the National Cadastre Process in the Department of Peten, which represents 33% of the national territory. A World Bank loan started in 2008, to finance the 2nd Stage of the Land Administration Project for US\$ 62.5 million was to support cadastral activities in 7 departments (nearly 22% of the national territory). To ensure the implementation process, new regulation mechanisms were approved in 2009 including the Specific Regulations for the Cadastre in Communal Lands, after three-years of arduous discussion. Implications are significant as an important portion of communal lands (up to 1.5 million hectares- according to recent findings) including lands and forests will enter the cadastre process. This opens the possibility for ushering the long-awaited attention to communal tenure and collective management strategies to the forefront of the current tenure system of Guatemala, and doing so, address one of the most important underlying causes of the 30 years civil war.

RRI partner and collaborator analyses derived from the RRI-CIFOR research in Guatemala led to the promotion of initial exchanges in 2008 and 2009 between ACOFOP and Utz Che, the first the largest secondary-level forest organization in the lowland tropics and the second, an emerging network of (first) highland indigenous communities whose connections had been systematically destroyed during the war. The importance for building a broader social base for forest community advocacy was the initial goal, with

intentions for scaling-up collective action through the eventual formation of a community forestry federation-type organization. After two years of visits, exchanges and discussions, other donor organizations (including the Growing Forest Partnership via the National Forestry Institute) proposed the creation of the National Alliance of Second Level Community Forestry Organizations between eleven secondary-level organizations in July, 2009. These organizations represent 400 first member groups that encompass over 750,000 hectares of forests. Their main objective is to develop a common advocacy agenda and broaden the political support base for the promotion of community interests with external donor and state agencies. The efforts of bringing together second level community organizations allows for building collective spaces of representation that can lead to the advance and consolidation of tenure of the forest groups these organizations represent.

At the sub-regional level (Petén – Mayan Biosphere Reserve)

External interests over resources within the Mayan Biosphere Reserve have renewed; these include the recent approval of reforms of the Petroleum Law, approval of the Program 4-BALAM which has financing through the Development Project of Petén (IDB Funds) for US\$36 million and aims to establish a “new development model in Petén” based on tourism.” The reforms in the Petroleum Law focus on increasing the royalties derived from extraction activities which are now distributed in a centralized mode, to a decentralized one, where revenues would go to local government institutions including the Department and Municipal Development Councils and Municipalities, as well as Community Development Councils, and central government agencies. As 97% of the the country’s petroleum come from the Peten, and inside the Pas, community concession groups argue that the revenue increase will act as a perverse incentive to ‘fuel the fires’ of already corrupt local government and illicit trafficking, thus undermining their concessions and the permanence of the forests.

In this context collaborators have asked RRI to support a new legal and institutional analysis, to determine options for increasing their current tenure security (25 year renewable concession contracts) or strategies for changing the current tenure regime for the same purpose. The community concession system has shown great success in terms of their contribution to forest conservation and to some degree livelihood improvement. However, to ensure its benefits, the model needs to be revised, discussed and adapted to the current situation.

REDD: the process at the national level

Currently in Guatemala the Law of Climate Change is being discussed the members of the Chamber of Deputies. Considerable institutional changes should be expected. The current proposal is appointing the Ministry of Natural Resources as the implementing office; however other stakeholders are proposing that the climate change agenda at the national level be implemented directly from the Vice-presidency. Two parallel spaces for discussion and information exchange have been established: the discussion table of climate change led by the National Ministry of Natural Resources and another one established by indigenous groups with the support of the National Council of Protected Areas. The focal point for the international negotiations is the Ministry of Natural Resources and institutional adjustments are taking place within the National Forestry Institute and the National Council of Protected Areas to be able to participate in the implementation of REDD related projects and mechanisms. Guatemala has been approved as part of the FCPF initiative and has completed an R-PIN report (despite little participation of some stakeholders) however no funds have been ensured for following phases.

At the sub-national level two important initiatives are being promoted within for engagement with voluntary markets: a) Guate-Carbón: a joint initiative between ACOFOP and Rainforest Alliance, as advanced in the production of technical and legal documents; no clear agreement on who owns the rights over carbon has been determined, in part due to the tenuous nature of forest concession rights, b) one of the national parks managed by the forestry service is an initiative promoted by INAB/IUCN and Rainforest Alliance. Both of these proposals are to promote learning from pilot initiatives.

4.3 Guatemala - Audiences and Priority Outcomes- 2010-2012

Audiences/Constituencies	Priority Outcomes
Government of Guatemala and policy makers (Central Government, regional and local governments)	<ul style="list-style-type: none"> • Socially and culturally appropriate models to support forest community livelihoods in key RRI collaborator organizations • Recognition and inclusion in the RIC of the major forms of communal tenure. • Recognition of national alliance of community forestry organizations as the principle interlocutor for determining policy and programs
Researchers and NGOs	<ul style="list-style-type: none"> • Increased local capacities and improved practice understood and supported by accompanying NGOs • REDD and other mitigation and adaptation changes are well understood and explained to organizations they accompany, continued relations and training during engagement with these mechanisms
Forest Communities	<ul style="list-style-type: none"> • Increased practical knowledge among community organizations of PES/REDD and adaptation that will empower communities to determine if/how to engage with these mechanisms • Pilot stage of the implementation of the new Registry and Cadastre law for communal lands successfully reflects the principle existing communal tenure forms across the country • Indigenous lands and new categories of protected areas are formally recognized; conservation strategies in communal lands; forest incentives for non-legal land holders; community concession contracts; cadastre of communal lands are satisfactorily implemented

4.4 Strategic Partners, Collaborators and Roles

Partner	Role
CIFOR	<ul style="list-style-type: none"> • Provides expertise based on tenure and governance research in the region • Leads the process on training and advocacy on land titling of indigenous territories in Nicaragua
ACICAFOP	<ul style="list-style-type: none"> • Participates in the work on communications around REDD/PES together with Intercooperation, • Coordinates work with constituencies in Nicaragua
IUCN	Contributes expertise to PES/REDD activities, as well as the process of national alliance of community forestry in Guatemala
Intercooperation	Leads work on communications around REDD/PES
RRG (facilitator)	Coordinates support to Guatemalan communities, coordinates adaptation, REDD and community forestry initiatives, coordinates collaboration with ACOFOP, CEIBA, Utz Che and CEIDEPAP
ACOFOP (collaborator)	Coordinates discussions on the recognition of community tenure models in the Mayan Biosphere Reserve, including a reflection on ATEMs
Utz Che' Collaborator	Coordinates discussions around the participation of 2 nd level organizations on community forestry in the formation of a national alliance

V. Tier 1 Country - Bolivia

5.1 RRI Strategy in Bolivia

Bolivia has been placed as the 8th country in the world with high biodiversity. Forest and land tenure is diverse with 9 million hectares in protected areas, 7 million in industrial concessions, 8.7 – 19.5 million in Territories of Origin (indigenous lands), with high levels of discrepancy over the legality of some of these claims. Poverty incidence and density in the forest areas is high, with 84% of Bolivians living below the poverty line, and 67% in extreme poverty. In the lowlands department of Santa Cruz, poverty rates are 40% but absolute numbers are much higher. For every non-indigenous poor person, 1.4 indigenous people are poor. In the lowlands, or Amazon Basin there is heavy competition between agriculture and forest land use, and the current land policy plans to settle agricultural colonists on 3 million hectares of presumably land in excessively large holdings, but some of this area overlaps forests.

Bolivia is in the process of constitutional and political reform. Since Evo Morales was elected the first indigenous president with a strong majority, conditions have been in place for significant social, political, and economic reforms creating the conditions for a more equitable and balanced role of forests in the nation's development. Bolivia is also noteworthy for the comprehensive rural reforms undertaken in the early 1990s in agriculture, land tenure, forestry, environment, and governance. Over the past decade Bolivia's tenure and forestry reforms brought dramatic change to the country's remaining lowland forest frontiers and to the people living there. Although these reforms responded to a broad agenda, a key component was an attempt to formalize property and forest rights of rural people. Generally, the options offered rural communities emphasized communal models and collective forest management either as a designed objective of policy or because of subsequent decisions once reforms were being implemented. While these well intentioned efforts have improved opportunity for residents in rural communities, providing new rights, and titled lands, the results have been mixed in terms of property rights security and the expansion of sustainable forest management. In addition, industrial and infrastructure expansion and the anti-Morales political forces that support it, threaten to reverse important advances made.

As a Tier 1 country due to the opportunities at the level of central government and its strong social movements, it provides a model for other countries in the region on forest and tenure reform. Bolivia's lowlands contain a large share of the tropical forest estate, with promising economic opportunities for timber, Brazil nut and other non-traditional forest production, and provide a home to a growing but poor, forest-dependent population of distinct Indigenous Peoples.

The work of RRI in Bolivia has focused on the lowlands, where the implementation of tenure policy reform has concentrated. The RRI plans for 2010 are focused on key current political issues related to the legal reforms affecting access and management of forest resources, indigenous autonomy, and adjustment of the related national laws to the new Constitution. In this sense, 2010 constitutes a legislative year, and represents an important opportunity for RRI partners and collaborators to establish more concerted strategic action to influence policy-makers in the elaboration of new legal instruments that can more effectively allow communities to employ their agency and derive real benefits from their tenure gains. Strengthening of community-based forest management and its recognition as an integral form of sustainable forest management constitutes a key theme for strategic action. The experience of the Brazil nut cooperatives in the northern Amazonian region, shows that the tenure and extraction rights have been affected by the lack of access to the larger markets. During the last ten years approximately 2 million hectares of forestlands have been titled to agroextractivist families. However, the cooperatives only control 1% of the Brazil nuts market (CIFOR-RRI). The *barraqueros* or large-scale concessionaires continue to control the market, while the cooperatives struggle with weak administrative and investment capacity. With the region still under political control of the *barraqueros* and other anti-Morales forces, technical support to improve the visibility and capacity of cooperatives and their positioning of the Brazil nuts as the keystone product and sustenance of these self-acclaimed "Amazon peasants" constitutes one of the strategic focus of RRI partners and collaborators in Bolivia.

The process of adjudication or *saneamiento* and collective titling has been highly conflictive in part due to the overlap between the demands of forest concessions and colonist, and the land indigenous territories (TCOs). The new Constitution and the proposal for the Autonomy Law represent new opportunities for

indigenous peoples, the recognition of customary forms of governance, self-regulation and control of natural resources. The new Constitution has recognized the vital role of communities in the management of forest resources and has established the basis to redefine the responsibilities of different levels of governance (national, regional, and local) for the access and management of natural resources. It has also dictated that the regulatory system and operations should be placed at the departmental and municipal levels. Close monitoring of the process of regularization of the Autonomy law constitutes a key area of strategic action of RRI partners and collaborators.

5.3 Bolivia- Audiences and Priority Outcomes- 2010-2012

Audiences/Constituencies	Priority Outcomes
National-regional governments	<ul style="list-style-type: none"> • Community forestry becomes a fundamental aspect of forest policy and reality in lowland Bolivia • At least 3-5 TCOs are recognized as autonomous administrative entities and have secure, consolidated forest tenure rights.
Community-based and indigenous organizations	<ul style="list-style-type: none"> • The administrative and governance capacity of the major TCOs to manage and control their communal lands is strengthened and vibrant. • Increase the understanding and visibility of the lowland social actors and their rights at the national level

5.4 Strategic Partners, Collaborators and Roles

Partner	Role
CIFOR (partner)	Lead study about the process of land tenure and forest management in indigenous territories (TCOs)
CEDLA (collaborator)	Lead the coordination of the working group to influence national forest policy reform
IPHAE (collaborator)	Coordinate studies on self-regulation system of forest communities in Pando
CEJIS (collaborator)	Coordinate support for strengthening the capacities of lowland indigenous and forest dwellers communities

IX. Recommendations for Global Activities

Include here recommendations for global-level activities for which you see an emerging demand, for example for global network support to a certain constituency or global strategic analysis.

Activity	Request (if any)	Partners and Collaborators
Need for realizing rights to help groups sort out different types of rights for different groups, (indigenous, other traditional groups, peasants, etc) and how they shape different strategies for tenure struggles	ACIOFOP member organizations in Central America	
Petition for more support for REDD and Climate Change preparation and learning from Mesoamerica and for communications project in South America and for us to monitor implementation		
ATEMS direct support for helping secondary level community organization adapt current enterprise structure and strategies. Bolivian NGOs, producer organizations and government ask for more technical support at the sector level for making transitions from tenure to enterprise alternatives (North of Bolivia)	ACOFOP IPHAE	