



From Risk and Conflict to Peace and Prosperity:

The urgency of securing community land rights in a turbulent world

The Rights and Resources Initiative: Annual Review 2016-2017

Context

2016 was a year of major political turbulence. Brexit, the continuing refugee crisis, the election of Rodrigo Duterte in the Philippines and Donald Trump in the United States, Colombia's rocky path to peace, increased killing and persecution of land rights defenders, a tightening democratic space, and major civil strife over land rights in Brazil and Ethiopia all challenged conventional development models and the primacy of human rights.

At the same time, many countries are still struggling to recover from the 2008 financial crisis, and inequality in the developing world has never been greater. Competition over resources and the looming threat of climate change compound these challenges.

In recent years, governments across Africa, Asia, and Latin America have turned to natural resource exploitation to drive economic growth. But far from delivering improved economic wellbeing for all, such investments often drive conflict and competition over increasingly scarce resources. Mining, infrastructure, and renewable energy projects—which are likely to increase in coming years—are significant drivers of land conflicts as well as deforestation in Latin America, Asia, and Africa. The Environmental Justice Atlas documented over 1,880 conflicts worldwide, many caused by extractive projects that have polluted or damaged the land, air, water, forests, and livelihoods of communities.

Amid these realities, there was growing recognition in 2016 that the land rights of Indigenous Peoples and local communities are key to ensuring peace and prosperity, economic development, sound investment, and climate change mitigation and adaptation. Despite equivocation by governments, a critical mass of influential investors and companies now recognize the market rationale for respecting community land rights. There is also increased recognition that ignoring these rights carries significant financial and reputational risks; causes conflict with local peoples; and almost always fails to deliver on development promises.

2016 in Depth: Five Developments that Characterize the Year

First, despite growing awareness of tenure risk worldwide, Indigenous Peoples and local communities faced ever increasing levels of violence and criminalization when they stood up for their rights, with women and Indigenous Peoples disproportionately victimized. A June 2016 report by Global Witness named 2015 the worst year on record for the killing of environmental and land rights activists: it documented 185 deaths, 122 of them in Latin America. The violence showed no signs of abating in 2016, with the high-profile murder of Berta Caceres one of many tragic stories of murdered activists.

Second, despite sometimes violent opposition, these groups achieved major breakthroughs in securing rights on the ground. At least 400,000 hectares of forests shifted to their control in 2016, and global mobilization successfully resisted new investments that threatened their lands and resources. 300,000 of these were secured with support from the International Land and Forest Tenure Facility. Tenure Facility

pilot projects—all led by communities and Indigenous Peoples in Cameroon, Indonesia, Liberia, Mali, Peru, and Panama—are on track to secure over one million hectares by mid-2017.

Third, many development finance institutions (DFIs) emerged as potential leaders in the land rights arena. These investors have significant leverage over investments in the developing world, heralding a potentially broader change in the financial sector. They include the International Finance Corporation (IFC), the European Investment Bank (EIB), the UK's CDC Group, and Germany's Deutsche Investitions-und Entwicklungsgesellschaft mbH (DEG). DFIs are now actively sharing and improving best practices and tools to support these practices along with their implementation experiences. DFIs are also commissioning and contributing to valuable research for investors on how to respect tenure.

Fourth, it became obvious that many of the companies that pledged to both prevent deforestation and respect human rights have not successfully implemented these commitments, often struggling with complex supply chains and local suppliers who are less reputationally exposed. Much more effort will be required to change long-standing business models that often ignored the rights of local peoples. New tools are emerging to help multinational corporations clarify their supply chains and get local suppliers on board.

Finally, enough governments ratified the Paris Agreement for it to come into effect in 2016, but very few capitalized on community rights recognition as a key climate change strategy. Only 21 of 188 countries—representing 13 percent of the tropical and subtropical forest area—included forest peoples in their Nationally Determined Contributions (NDCs) to the Paris Agreement. And the Green Climate Fund (GCF), which was created to respond swiftly to climate change with increased funding, bypassed civil society consultation and safeguards in a rush to approve projects in 2016, resulting in high-risk investments.

Priorities for Progress in 2017

Amid political and economic uncertainties, one source of hope for our shared future is the very real possibility to make great gains in securing the land rights of 2.5 billion community members who protect and conserve the forests, water, biodiversity, minerals, and ecosystems on which the rest of humanity depends. Priorities for progress in 2017 include:

1. **Ensure no rollback of Indigenous Peoples' and communities' land rights.** Those dedicated to protecting the environment, mitigating the effects of climate change, and ensuring that human rights and Indigenous Peoples' rights are respected must resist rollback.
2. **Strengthen indigenous and community organizations' ability to advance their messages and hold rights violators accountable through networking and strategic communications.** NGOs, legal aid organizations, and donors need to increase direct support to communities and the tools they use to secure their rights and combat criminalization.
3. **Support Indigenous Peoples' and communities' efforts to develop and defend their own forest management and enterprise models.** Companies need to consult with local peoples to develop new rights respecting business models that reflect communities' development goals.
4. **Accelerate the recognition of rights on the ground by consolidating and connecting the existing platform of tenure-related instruments.** In 2017, communities can secure at least another five million hectares with the effective mobilization of already existing tools.
5. **Mobilize greater effort by the private sector to secure community land rights as a way to minimize business and climate risks.** Securing community land rights is in these actors' self-interest, as mounting tenure and climate risk threaten their own supply chains and businesses.
6. **Prioritize women's rights to community land and forests, promote recognition of their role in forest management, and champion their political leadership across the developing world.**