

At a Crossroads

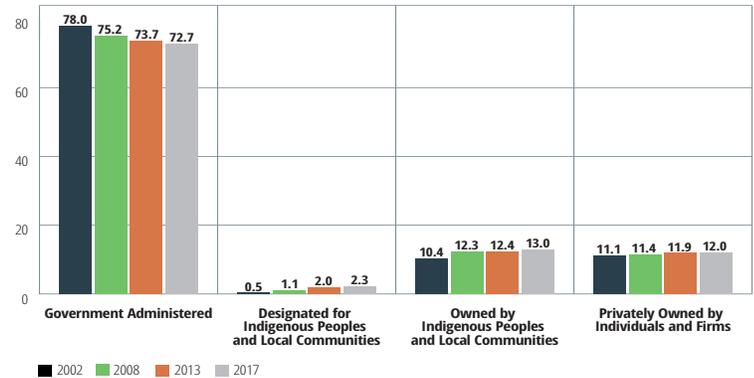
KEY TRENDS AND OPPORTUNITIES IN
COMMUNITY-BASED FOREST TENURE REFORM

November 2018

Insecure, contested, and unjust forest tenure arrangements undermine forest investment and protection, fuel conflict, and jeopardize Indigenous Peoples', local communities', and rural women's rights, livelihoods, and development prospects. With evidence from a global study of 58 countries covering nearly 92% of the world's forests showing that **over two-thirds of forests remain controlled by governments—a significant portion of which is contested by indigenous and local communities who traditionally own, manage, and depend on these forests**—it is all the more critical that governments support and advance communities' forest tenure rights.

Over the past 15 years, the forest area legally recognized for Indigenous Peoples and local communities in 41 countries with continuous data—covering 85% of the world's forests—has grown from 374 million hectares (mha) in 2002 (10.9%) to at least 521 mha (15.3%) in 2017. Over 98% of these gains occurred in 33 low- and middle-income countries (LMICs) in Africa, Asia, and Latin America.

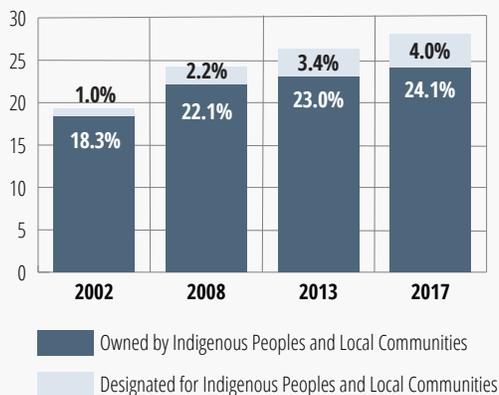
CHANGE IN GLOBAL FOREST TENURE FROM 2002-2017, BY PERCENT



Data drawn from 41 countries comprising 85% of the world's forests.

Read the full analysis: <http://bit.ly/rrirossroads>

Gains in Recognition of Community-based Forest Tenure in LMICs in Africa, Asia, and Latin America



Data drawn from 33 LMICs comprising nearly 85% of LMIC forests in Africa, Asia, and Latin America.

- As of 2017, 28.1% of forests in these countries were legally owned by or designated for Indigenous Peoples and local communities.
- Forest area owned by Indigenous Peoples and local communities increased from 18.3% (320 mha) in 2002 to 24.1% (415 mha) in 2017, while the area designated for communities increased from 1.0% (17 mha) in 2002 to 4.0% (69 mha) in 2017.
- Of the 26 mha of forests recognized for Indigenous Peoples and local communities between 2013-2017, nearly two-thirds were recognized as legally owned by them.[†] By contrast, two-thirds of community forests recognized during the 2008-2013 period constituted mere “designation” rights, which fall short of ownership.
- The continuation of this recent shift in favor of community ownership is essential for Indigenous Peoples, local communities, and rural women to meet their livelihood needs and protect their forests.

Partners



Affiliated Networks



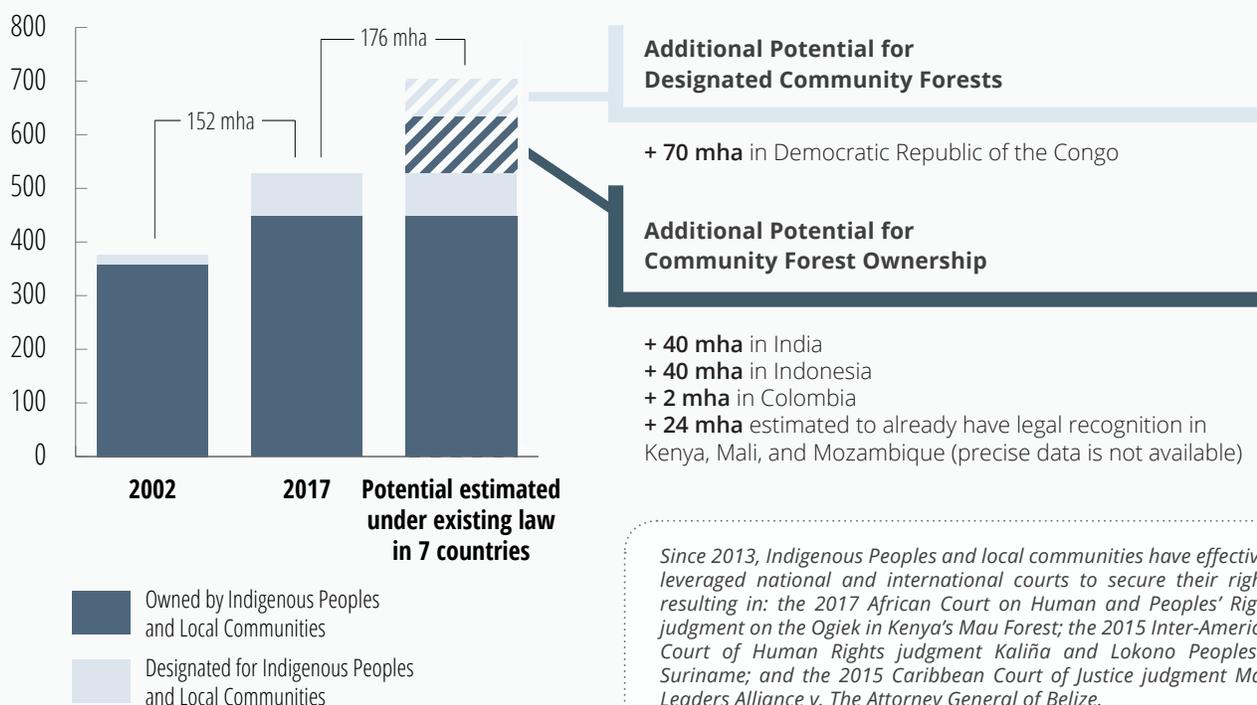
[†] For more information on Rights and Resources Initiative's methodology, see *At a Crossroads: Consequential Trends in Community-Based Forest Tenure from 2002-2017*.



Emerging Opportunities for Scaling Up Recognition of Community-based Forest Tenure

Since 2002, the total area designated for and owned by Indigenous Peoples and local communities across 58 countries has increased by at least 40% or 152 mha—approximately three times the size of Spain. Whereas only 40 countries had legal frameworks establishing communities as forest owners or designated rightsholders in 2002, at least 54 countries established such legal instruments by 2017, with new pathways for community forest ownership established in Indonesia, Kenya, Mali, and Zambia since 2013. **By simply implementing existing legislation in Colombia, the Democratic Republic of the Congo, India, and Indonesia, the world could double the gains made in the past 15 years, and much more could be achieved if other countries followed their lead.** This would dramatically scale up tenure security for millions of forest people, in addition to strengthening progress towards national and international climate and sustainable development priorities.

MINIMUM COMMUNITY-BASED FOREST TENURE RECOGNIZED FROM 2002-2017, COMPARED TO POTENTIAL RECOGNITION UNDER EXISTING LAW IN 7 COUNTRIES (MHA)



Since 2013, Indigenous Peoples and local communities have effectively leveraged national and international courts to secure their rights, resulting in: the 2017 African Court on Human and Peoples' Rights judgment on the Ogiek in Kenya's Mau Forest; the 2015 Inter-American Court of Human Rights judgment *Kaliña and Lokono Peoples v. Suriname*; and the 2015 Caribbean Court of Justice judgment *Maya Leaders Alliance v. The Attorney General of Belize*.

Despite the strength of these holdings on paper, national governments must proactively implement and enforce them for communities' tenure rights to be recognized in practice.

Propelled by noteworthy legal and policy advancements in countries around the world, governments have never been better positioned to make Indigenous Peoples and local communities an essential part of their national development pathways. By strengthening collaborations with Indigenous Peoples, local communities, rural and indigenous women, civil society organizations, the private sector, and the broader international community—governments have the power to significantly reduce tenure risks for all, bring an end to deforestation and forest degradation, and accelerate progress towards the Paris Climate Agreement and the Sustainable Development Goals. By supporting the realization of communities' tenure rights, governments effectively have the power to create a more just, prosperous, and verdant future for all.

* For more information on the potential for additional recognition of community-based forest tenure in Colombia, Democratic Republic of the Congo, India, and Indonesia, see *Securing Community Land Rights: Priorities and Opportunities to Advance Climate and Sustainable Development Goals*. An estimated minimum of 50% of the total forest areas of Kenya, Mali, and Mozambique are legally recognized as owned by communities. See *At a Crossroads: Consequential Trends in Community-Based Forest Tenure from 2002-2017*.

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