

ANNEX 1 CONCEPT NOTE

Rights and Resources Initiative

A global initiative advancing the land, forest, and resource rights of Indigenous Peoples, local communities, and Afro-descendants—and in particular the women within these groups—to reduce rural poverty, enhance sustainable resource governance, meet global climate goals, conserve and restore natural ecosystems, and achieve self-determined sustainable, social and economic development.

Why Does RRI Prioritize the Realization of Forest and Resource Tenure Rights?

June, 2020

Local communities,¹ Indigenous Peoples,² and Afro-descendants³ have legally-recognized ownership rights to just 10 percent of the world’s lands despite their customary ownership of over 50 percent.⁴ Despite this disparity in recognition of rights, communities continue to sustainably manage and protect the lands that form the basis of their livelihoods, ancestral knowledge systems, self-governance institutions, and cultural diversity. Disproportionately weak legal recognition and protection afforded by governments undermines their survival and self-determined development as well as global progress toward the Sustainable Development Goals (SDGs) and the climate change mitigation commitments of the Paris Agreement. In the absence of states’ capacity or willingness to secure land and resource rights at the scale and speed required, Indigenous Peoples (IPs), local communities (LCs), and Afro-descendants (ADs) remain the front-line defenders of their land rights and crucial stewards of the world’s environmental heritage and future.

Though collective tenure rights are intended to benefit all community members—regardless of gender and generation—the context within which the struggle for recognition occurs affects community members differently. In particular, IP, LC and AD women are disproportionately constrained by unjust laws and socioeconomic and political marginalization. The lack of formal recognition of and respect for women’s land and forest rights threatens not only their wellbeing but also the future of their communities and the resilient and locally-adapted institutions that have led to the successful stewardship of the world’s most important biomes for generations. In response, IP, LC and AD women are increasingly building leadership in national and global arenas, leveraging

¹ Recognizing that local communities are not formally defined under international law, RRI considers that they encompass communities that do not self-identify as Indigenous but who share similar characteristics of social, cultural, and economic conditions that distinguish them from other sections of the national community, whose status is regulated wholly or partially by their own customs or traditions, who have long-standing, culturally constitutive relations to lands and resources, and whose rights are held collectively.

² For RRI, the term ‘Indigenous Peoples’ follows the definition or ‘statement of coverage’ contained in the International Labor Organization Convention on Indigenous and Tribal Peoples in Independent Countries. Therefore, it includes:

- i. peoples who identify themselves as ‘indigenous’;
- ii. tribal peoples whose social, cultural, and economic conditions distinguish them from other sections of the national community, and whose status is regulated wholly or partially by their own customs or traditions or by special laws or regulations;
- iii. traditional peoples not necessarily called indigenous or tribal but who share the same characteristics of social, cultural, and economic conditions that distinguish them from other sections of the national community, whose status is regulated wholly or partially by their own customs or traditions, and whose livelihoods are closely connected to ecosystems and their goods and services.

While RRI recognizes that all people should enjoy equal rights and respect regardless of identity, it is strategically important to distinguish Indigenous Peoples from other stakeholders. They have a distinct set of rights linked to their social, political and economic situation as a result of their ancestry and stewardship of lands and resources vital to their well-being.

³ As per the Declaration of Santiago of 2000, the States of the Americas defined Afro-descendant as “the person of African origin who lives in the Americas and in the region of the African Diaspora as a result of slavery, who have been denied the exercise of their fundamental rights.” (See: [The Durban Conference and Program of Action](#); [The International Decade for People of African Descent](#)). In Latin America and the Caribbean, constitutional and legal recognition of Afro-descendants’ collective tenure rights is based on their special cultural, ethnic, and spiritual relationship with land. Colombia, Brazil, Ecuador, Nicaragua, and Honduras, including others, have such legislation.

⁴ Rights and Resources Initiative. 2015. Who Owns the World’s Land? A global baseline of formally recognized indigenous and community land rights. Washington, DC: RRI.

their legacies as managers of local forests, lands, livelihoods, and enterprises. If the world is to meet global commitments on inclusive development, especially those related to the climate and biodiversity crises, then the rights of IPs, LCs and ADs—including women—must be secured and protected.

Formal recognition of rights can drive stable social and economic development for the 2.5 billion people who have customary rights to rural lands and forests, while insecure tenure is a potential driver of displacement and political unrest. IP, LC and AD's lands and forests house the biodiversity, water, carbon, and other essential ecological resources the economy—and human society—depend upon. Their lands and forests contain a large portion of oil, gas, and minerals that are growing in global demand and are the preferred sites for many investments in renewable energy such as wind farms, solar, and geothermal power plants. The growing number of pipelines and transport infrastructure projects connecting production sites to urban areas often cross through Indigenous territories. The water that emanates from and flows through IP, LC and AD lands has become increasingly precious and sought after by external agents, both as a commodity and as a source of irrigation and hydropower. Together, these demands of the dominant economic system are leading to increased violence and criminalization of land and environmental defenders, forced evictions, the loss of customary land rights and governance systems, and large-scale disruptions of critical ecosystem services and functions, as well as maintaining systems of poor governance and weak rule of law. They also contribute to an increasing number of conflicts within communities, which further erode governance capacity. Worldwide, there is growing awareness that the gap in the recognition of customary land rights has become an unacceptable risk and source of conflict that governments, investors, and the broader global community can no longer afford to ignore.

Today, the need to secure the rights and livelihoods of IPs, LCs and ADs, prevent illegal land grabs, support sustainable resource use, strengthen community governance, and attract the technical and financial support communities urgently require constitutes one of the most pressing and necessary steps to achieving global progress toward sustainable and equitable development, as well as climate change mitigation and adaptation. With the rise of nationalist and populist governments, the closing of democratic spaces, and persistent structural racism, IP, LC and AD rights are being increasingly rolled back across the world. This trend is clearer than ever in the persistence of violence against communities: land defenders are increasingly criminalized and murdered, particularly in Latin America and Asia.⁵

There are also reasons for optimism. Various factors suggest that progress on community land and forest tenure and good governance is accelerating:

- There is growing recognition and empirical evidence that IP, LC and AD lands, territories, and resources are managed more effectively by communities themselves than those managed by external actors. IP, LC and AD communities are finally being recognized for their expertise in building local economies and livelihoods on the foundation of community-based governance: they manage forests, run community enterprises, and innovate through ancestral knowledge and interactions with the wider society and economy.
- In the past several decades, IP, LC and AD organizations have become much stronger organizationally and politically across the world. They have advanced agendas in international and multilateral fora, actively shaping and monitoring national and international policy. New alliances and solidarities have emerged across identity groups and continents, amplifying their collective impact and transforming institutions, policies, and spaces for representation. IP, LC and AD women and youth are also advancing their own agendas within organizations, shaping decision-making processes and being more

⁵ <https://www.globalwitness.org/fr/campaigns/environmental-activists/enemies-state/>

politically active.

- There has been significant progress on governments' recognition of IP, LC and AD collective tenure rights in low- and middle-income countries (150 MHa since 2002).⁶ On the legal front, there are many more countries that have instituted adequate legislative reforms that enable recognition. An additional 170 MHa of community lands would be recognized should existing legislation be implemented in just seven countries. Furthermore, 14 countries have passed at least one legal framework recognizing IPs, LCs and ADs as forest-owners or designated rights-holders since 2002, for a total of 54 countries with such laws out of 58 examined. Many progressive court decisions have ruled in favor of IP, LC and AD rights. Forthcoming research shows that at least 15 countries have conditions in place for large-scale funding to implement land rights.⁷
- Governments, investors, conservation organizations, and the broader international community increasingly recognize the importance of respecting IP, LC and AD land and resource rights, demonstrated by the adoption of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) in 2007, the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in 2012, and the New York Declaration on Forests in 2014, the Sustainable Development Goals, the Intergovernmental Panel on Climate Change (IPCC), and Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) reports and other recent global commitments and initiatives (e.g., Green Climate Fund). This offers opportunities to highlight the collective rights recognition agenda through frames such as economic prosperity, regional peace, innovated climate change initiatives, biodiversity conservation, and reduced investment risk and conflict.
- New instruments like the Tenure Facility have already demonstrated the possibility of scaled-up implementation and impact by securing land and forest rights over more than four MHa in the last three years—all of which builds on the decades of struggle and strengthened influence and operational capacity of IPs, LCs and ADs and their allies.
- IPs, LCs and ADs are using new technologies to secure and defend their lands, dramatically reducing the cost of mobilizing communities, mapping, and monitoring community lands. This brings significant opportunities for community rights to be formally recognized, registered, and made visible to the outside world. It also enables communities to network across regions, amplify their campaigns and advocacy, and leverage global platforms for solidarity.
- There is a growing opportunity for IPs, LCs and ADs to pursue self-determined development and participate in the broader economy to improve their livelihoods. Reforming the prices and structure of markets for timber, non-timber forest products and ecosystem services would provide benefits both for the people who live in and around forests and for governments to implement recognition of IP, LC and AD rights. The global push for ecological restoration presents additional opportunities for IPs, LCs and ADs to advance their agenda and benefit from their efforts to address climate change.
- Private investors in agribusiness, infrastructure, and extractive sectors are increasingly recognizing the substantial financial and reputational risks of investments that do not take account of the land and forest rights and economic interests of IPs, LCs and ADs. Investors are increasingly applying ESG (environment, social, governance) standards to their investments that have a land component, including commodities such as palm oil, soy, and beef that drive extensive deforestation.

⁶ Rights and Resources Initiative. 2018. *At a Crossroads: Trends in Recognition of Community-Based Forest Tenure from 2002-2017*. Washington, DC: RRI.

⁷ Early findings of the Opportunity Framework to be published by RRI in 2020.

The Rights and Resources Initiative

The historical injustice of widespread government failure to recognize and respect the human, civil, and political rights of Indigenous Peoples, rural communities, and Afro-descendant peoples has long undermined the culture, survival, development, and dignity of not only those peoples, but of their countries and the world. This abuse has also led to widespread environmental degradation and violent conflict between these communities and the external actors threatening their lands and livelihoods. Despite the depth of suffering and harm, these issues have been largely ignored by the international development community, deemed too political for their intervention. Though local resistance was widespread and indigenous and community organizations have grown in strength and political power, until the 1990s there were only a few, small, international organizations who were actively engaged in supporting these local organizations and their agendas. Actors in the international development community, who were aware that the lack of respect for these people and their customary land rights were major drivers of deforestation, rural poverty, failed conservation, and conflict, were generally skeptical of the possibility of international organizations intervening in a manner that would help position local actors to right the injustices and achieve major, transformational changes in laws and policy at the national level.

Starting in 2000, strategic collaboration between international activists, researchers, and local champions revealed the ability to achieve large-scale, globally significant, tenure reforms to reduce the tenure gap, and that these reforms would indeed enable major progress on development, conservation, and climate goals. This was demonstrated by the collaboration with research organizations and government agencies led by Forest Trends and the Center for International Forestry Research that resulted in the Chinese government advancing forest tenure reforms across the country, strengthening the land rights of hundreds of millions of people and leading to reduced poverty and increased reforestation. Similar collaboration took place in Indonesia and Nepal to strengthen the political position of Indigenous Peoples and local communities, and the imperative of undertaking forest tenure reforms to recognize their rights in the national and international policy discussions. About the same time, Forest Trends published a pathbreaking analysis of global forest tenure which showed that IPs and LCs had formal rights to 22% of the forests in developing countries, and that this had roughly doubled in the prior 15 years. It also made the case that this was still only a portion of the legitimate claims held by IPs and LCs and identified opportunities for scaling-up recognition even further. These findings surprised the forest and land sectors, gave some hope for greater progress, and established a baseline for all to monitor that progress.

To build on these gains and catalyze greater strategic coordination, the Rights and Resources Initiative (RRI) was established in 2005. RRI is a global coalition dedicated to advancing the forest, land, and resource rights and self-determined development of IPs, LCs and ADs and the women within these groups. Members capitalize on each other's strengths, expertise, and geographic reach to maximize collective action and achieve solutions more effectively and efficiently. RRI leverages the power of its global coalition to amplify the voices of IPs, LCs and ADs and proactively engages governments, multilateral institutions, and private sector actors to adopt institutional and market reforms that support the recognition of their rights and self-determined development. RRI advances global strategic analyses of the threats and opportunities resulting from insecure land and resource rights, develops and promotes rights-based approaches to business and development, and catalyzes solutions to scale rural tenure reform and enhance sustainable resource governance.

RRI was created by leaders of Forest Trends, the Center for International Forestry Research (CIFOR), the World Conservation Union (IUCN), RECOFTC-The Center for People and Forests, Asociación Coordinadora Indígena y Campesina de Agroforestería Comunitaria Centroamericana (ACICAFOC), and the Foundation for People and Community Development (FPCD). The following organizations subsequently joined as Partners: the Forest Peoples Programme (FPP), World Agroforestry (ICRAF), Intercooperation (HELVETAS Swiss Intercooperation since July 2011), Civic Response, Federation of Community Forestry Users Nepal (FECOFUN), the Samdhana Institute,

Prisma (Programa Salvadoreño de Investigación sobre Desarrollo y Medio Ambiente), Tebtebba (Indigenous Peoples' International Centre for Policy Research and Education), International Forestry Resources and Institutions (IFRI), the Center for Environment and Development of Cameroon (CED), the Instituto Socioambiental (ISA), and Landesa. ACICAFOC, IUCN, and FPCD have since withdrawn as Partners.

Beyond Partner organizations, RRI is comprised of a large network of Collaborator organizations, individuals, networks, and initiatives actively promoting tenure and policy reforms to advance the rights of IPs, LCs and ADs. RRI also strategically engages with other key allies and networks based on opportunities to achieve its mission.

The Rights and Resources Initiative is guided by a set of **core beliefs**.

- The rights of IPs, LCs and ADs to their lands, territories, and resources, as well as their rights to self-determined governance, land use, and economic development, must be recognized and strengthened. We believe these rights are fundamental to the compatible goals of alleviating poverty, conserving forests, meeting global climate goals, and encouraging sustainable economic growth in forested regions. In addition to enhancing cultural and ethnic diversity and traditional knowledge, we believe that the political processes for securing and defending these rights must be grounded in grassroots and rights-holder organizations.
- We believe urgent and collective action are critical in a changing and extremely challenging world. The next few decades represent a historic period during which there can be either dramatic gains, or losses, in the lives and well-being of forest-dependent people and the conservation and restoration of the world's threatened forests—with impacts for the broader global community.
- We believe that securing the equal rights and roles of women to community lands and governance is the most promising path to achieve local, national, global development, climate, and biodiversity goals. Given that over 50% of the world's land area is under customary systems, and that women represent over half of the world's population and are often the managers of community lands and forests, achieving gender justice will contribute to better land stewardship than any other land reforms to date.
- We believe that to make progress on tenure and policy reforms and ensure their durability, constructive collective efforts by communities, governments and the private sector are required. To support these efforts, the global community would greatly benefit from research and analysis of policy options in this field along with new mechanisms to share learning between communities, governments, and the private sector.
- Deforestation reduction, carbon emission goals, forest landscape restoration, and sustainable supply chains, as well as the SDGs and climate change adaptation, are less likely to be met in many developing countries unless forest tenure and land rights are significantly reformed and IPs', LCs' and ADs' rights and leadership are respected. A new, clearly focused and sustained global effort by the global climate, development and conservation communities is needed.

The experience and beliefs of the founding Partners are the basis for RRI's focus on rights and governance. They are also the basis for its **mission**: to support Indigenous Peoples', local communities', and Afro-descendants' struggles against marginalization and for self-determined sustainable development by promoting greater global commitment and action towards policy, market, and legal reforms that secure their rights to own, control, and benefit from natural resources, especially land and forests.

RRI will continue to encourage governments, private companies, investors, donors, and international institutions to join forces with IPs, LCs and ADs and their allies to advance three **global goals**:

- To substantially increase the forest area under local ownership and administration, with secure rights to manage, conserve, use, and trade products and services;
- To increase the adoption of progressive laws, regulations, and practices that promote the customary and statutory forest land rights of IPs, LCs, ADs, and women within those groups, and simultaneously reduce efforts that weaken these; and
- To dramatically improve the self-determined socio-economic status of IPs, LCs and ADs.

RRI will advocate for **two targets** as global indicators of progress—both situated within the framework of the SDGs:

1. At least 50% of lower- and middle- income country forest area is owned by or designated for use by IPs, LCs and ADs by 2030.
2. IPs, LCs, ADs, and women within those groups, have recognized rights to manage, conserve, use and trade forest products and services in 100% of the area under their ownership or designated use by 2030.

Guided by the motivation to maximize collective impact in advancing the recognition and realization of collective land rights and catalyze action, **key activities** of RRI will include:

- **Catalyzing and mobilizing all relevant actors to raise awareness, ambition, and action on RRI's Mission, Goals, and Targets, challenging conventional development, conservation, and business practices and inspiring new ideas, narratives, and rights-based development models at all levels to advance collective rights and self-determined development.** RRI will encourage major global institutions to support and adopt new targets and initiatives for tenure reforms and to act upon them.
- **Generating new analysis and research on key issues and opportunities to encourage the recognition of rights and self-determination of IPs, LCs, and ADs.** RRI will monitor and regularly report on global progress on the RRI targets, as well as conduct strategic analyses and syntheses that will encourage action to achieve those targets, inform policymakers of the lessons learned when implementing reforms, present new data and tools to scale up rights recognition, and better equip leaders with new concepts and comparative experiences.
- **Supporting policy, market, and legal reforms and their implementation by governments, private companies and investors, conservation organizations, and international organizations at the local, country, and regional levels.** Unjust policies across scales continue to constrain IP, LC and AD rights and livelihoods, particularly women. RRI will foster dialogues and other efforts to overcome constraints to solutions and action, advance strategic policy and market reforms, build bridges between unlikely allies, and expand its reach to new allies and constituencies to scale up efforts and effectiveness.
- **Catalyzing strategic networks, initiatives, and institutions to engage more effectively at the national, regional, and international levels and to promote change in key regional and global dialogues and institutions.** RRI will strengthen and complement strategic networks and initiatives by: (1) collaborating with them to elevate the profile and feasibility of tenure and land reforms in priority arenas; (2) providing them with new strategic analyses, data, and narratives to help advance their positions; and (3) collaborating with them to engage governments and private sector actors in legal, policy, and business reforms.

As part of its *modus operandi*, the RRI coalition seeks to be:

1. A global leader (not “the” leader) that will focus the world’s attention on the land, forest, and resource rights of IPs, LCs and ADs and their key role in reducing rural poverty, enhancing sustainable resource governance, meeting global climate goals, conserving and restoring natural ecosystems, and achieving self-determined, sustainable, locally-led social and economic development;
2. Strategic, in its choice of issues and areas of intervention—quickly able to mobilize and leverage its vast open network to maximize collective impact and foster dramatic, structural change;
3. A premier global source of analysis and provider of accessible and user-friendly information, data and messages to IP, LC and AD organizations to strengthen their capacity to successfully engage global and domestic policy makers;
4. A credible, balanced and constructive advocate for institutional reforms that increase protection and recognition of IP, LC and AD rights reflecting their priorities; and
5. A convener able to bring together unlikely allies in key initiatives, dialogues and events.