The legal recognition and protection of the land and territorial rights of Indigenous Peoples (IPs), local communities (LCs), and Afro-descendants (ADs) offers one of the most reliable, efficient, and equitable solutions to the pursuit of global climate and biodiversity commitments and the realization of a safer and more resilient world for all. Backed by a robust body of research showing the transformative socio-ecological impacts of community-based tenure security, new analyses now confirm the global extent of community lands and the tangible opportunities within countries to dramatically accelerate the legal recognition and protection of the customary land and resource rights of communities.

Through locally adapted governance institutions, cultures, and traditional knowledge systems, Indigenous Peoples, Afro-descendants, and local communities have, for centuries, stewarded the world’s lands and forests. Yet, their ability to pursue their self-determined development and conservation priorities is threatened more than ever by the accelerating drive for land and natural resources to restart economic growth, and parallel efforts to set aside more high biodiversity areas and carbon-rich ecosystems. But as evidence shows, securing community-based tenure rights can in fact accelerate global progress towards local, national, and global development goals, whilst ensuring that intact and integrated landscapes, watersheds and coastal biomes are sustainably and equitably managed, used, and protected. More importantly, growing numbers of countries, companies, and investors are realizing that securing the rights of the most vulnerable yields benefits for all.

Opportunities for such transformative change have never been clearer nor more urgent. Strengthened collaboration between Indigenous and civil society organizations and their allies, governments, the private sector, and the broader international community could unlock urgently needed transformational change. As governments take actions to reboot their economies in the wake of the Covid-19 pandemic, many are rolling back social and environmental protections while simultaneously subsidizing industries and infrastructure that risk undermining the rights and livelihoods of local peoples and the lands and forests they stewarded—making actions to secure community rights urgent and critical. Securing the rights of local peoples and women in particular, and prioritizing their agency in the pursuit of sustainable development, represents one of the most assured means of eradicating poverty, strengthening equity, and achieving climate-resilient prosperity.

Understanding the Potential - Global Extent of Collective Lands & Territories

Using evidence and expert input on the customary rights of communities to lands and territories across 42 countries comprising one-half of the world’s land, analysis conducted by the Rights and Resources Initiative (RRI) demonstrates the significance of the total area held by communities, and the limited legal recognition of such rights. Specifically, independently validated data show that Indigenous Peoples, local communities, and Afro-descendants exercise customary rights to at least 49 percent (3,115 million hectares or mha) of the aggregate area assessed in the study, thus supporting prior estimates that they collectively hold rights to over half of global land area (see Recognition status by region in figure below). Of these territories, at least 46 percent (1,488 mha) have yet to be legally recognized, and half of these (789 mha) are in Low- and Middle-Income Countries (LMICs).

- In Africa, Indigenous Peoples and local communities hold customary rights to at least 70 percent of the total land area found in the 14 countries analyzed, and more than two thirds of this area (504 mha) has yet to be legally recognized. Of the three continents with a high concentration of LMICs, Africa holds the greatest proportion of unrecognized Indigenous and local community lands, and thus the greatest opportunity for the large-scale advancement of...
collective rights globally.

- In Asia, only 6 percent (9 mha) of the total land area held by Indigenous Peoples and local communities (152 mha)—outside of China—is legally recognized. Within China, communities have legal rights to 939 mha and assert rights to another 3.7 mha.

- Across Latin America, Indigenous Peoples, local communities, and Afro-descendants customarily manage at least 31 percent of land area (571 mha) found in the 12 countries studied. While 76 percent of these areas are legally recognized as owned or designated for communities, at least 1.97 mha remain unrecognized and the rapidly changing political-economic context within the region could result in the further rollback of previously recognized land and territorial rights.

A Framework to Assess Opportunities for Tenure Reforms

Since 2002, at least 14 countries have passed legislation or have new judicial rulings formally recognizing Indigenous Peoples’, local communities’, and Afro-descendants’ collective rights to forests, yielding a total of roughly 48 million hectares that have legal frameworks to respect these rights. And by implementing these frameworks in just 7 countries, the world could more than double the total forest area recognized as owned or designated for communities over the last 15 years by shifting an additional 1.76 million hectares of lands from public to Indigenous or community ownership, benefiting some 400 million people in the process. Unfortunately, the scope of emerging opportunities and the potential for impact is seldom understood or fully leveraged by those who can catalyze such changes. New analyses now clarify what can be done to advance tenure reforms in various countries, providing valuable information to governments, donors, and development partners on ways to collaborate with rightsholder groups and increase the impact of rights-based interventions for people and landscapes. Designed as an operational tool to assess opportunity readiness for investments to secure the land and territorial rights of Indigenous Peoples, local communities, and Afro-descendants, the Opportunity Framework relies on a due diligence protocol to assess opportunities for engagement on the basis of three interrelated variables: (i) the scope of existing legal frameworks; (ii) the degree of political will and support for tenure reforms; and (iii) the extent to which actors and institutions have the capacities, resources, and relational trust needed to support reforms and the implementation of effective regulations.

To facilitate right-based approaches in the land and forest sectors, the Opportunity Framework was applied to 29 countries, of which 23 are partners in the World Bank’s Forest Carbon Partnership Facility (FCPF). Results point to a range of immediate and actionable investments:

- At least 10 countries are ready for large-scale national-forest tenure reform investments
- 14 countries are ready for medium-scale projects to be led by local rights-holder organizations or CSO partners; and
- 5 countries are ready for smaller, strategic investments to build the enabling conditions for implementing tenure reforms.

A Solution - Confronting the Climate, Biodiversity, and Global Health Emergencies

Despite unprecedented awareness, favorable laws, and capable civil society organizations at national and sub-national levels, threats to community-held lands and territories are increasing globally. In tandem with the unfolding Covid-19 pandemic, the persecution of land rights defenders shows no signs of abating, and governments such as Indonesia and Brazil are enacting laws and policies that ease restrictions on extractive industries and agribusiness operating on lands claimed by Indigenous Peoples, local communities, and Afro-descendants.4 Over a hundred cases of collective tenure rights violations by extractive industries have been mapped and, for the first time, a baseline of 400 million people affected by these violations is known.

In Africa, forest-dweller communities continue to face forced evictions from the lands and forests they have resided in and conserved for centuries. Yet, as this brief demonstrates, significant change is happening, but much more could be achieved if resources, policies and actions were better coordinated and leveraged to advance the rights of the peoples. Securing collective rights to community-held forestlands in just 12 participant countries of the World Bank’s Forest Carbon Partnership Facility, for example, would help secure at least 1.53 billion tonnes of carbon. Over 85 percent of terrestrial biodiversity is found on community-owned and claimed lands and forests,5 and as shown in a forthcoming study by RRI, geo-spatial analysis of 9 forested countries covering 5.1 million km² shows that rates of deforestation in Indigenous Peoples’, local communities’, and Afro-descendants’ territories are comparable to those found in protected areas, and thus lower than national averages while still supporting the livelihood needs of millions of people. Further expansion of strict conservation efforts to cover 30 percent of the global land area, as called for in the post-2020 global biodiversity framework could affect up to 1.5 billion people, potentially triggering upwards of 4 million US$ in rehabilitation costs from forced displacement. Community-held lands and forests tend to be better protected and sustainably used—storing more carbon,6 holding yet more biodiversity,7 and generating more benefits for more people—than lands managed or protected by other entities.8 For their part, corporate, investor, and sub-biller of ensue leaders, confronted with the responsibility of ensuring the health and safety of communities and farmers in and around their operations during the pandemic, have found that clear and secure land rights directly contribute to improved local food security, more resilient supply chains, and reduced impacts on local livelihoods and incomes.9

Closing the gap in the legal recognition and protection of the customary land and forest rights of communities thus represents one of the most promising pathways to ensure the well-being of local peoples, mitigate climate change, protect vital ecosystems, and accelerate progress towards inclusive and sustainable development.

To achieve transformational change at scale, the RRI Coalition calls on governments, the international community, conservation organizations, and the private sector to actively collaborate with Indigenous and community organizations and communities.

1. Dramatically increase ambition and funding to secure the land and forest rights of Indigenous Peoples, local communities, Afro-descendants, and especially women within those groups, noting that such rights constitute a fundamental human right for all local peoples: Directly fund Indigenous Peoples’, local communities’, and Afro-descendants’ organizations and their allies at national levels, increase support to dedicated funding institutions, such as PRFs; Strategic Response Mechanism and the Tenure Facility, at the international level, and actively collaborate with RRI in the design of the Pathway Alliance — a new initiative to mobilize greater global ambition and coordination to achieve the global climate, biodiversity, and development goals.

2. Prioritize investments to ensure that by 2030, at least 50 percent of lower and middle-income forest areas are owned or designated for use by Indigenous Peoples, Afro-descendants, or local communities.

3. Increase baseline support for the realization of enabling environments for the legal recognition of community tenure rights, including efforts to develop and implement regulatory reforms; strengthen community awareness and capacities to engage; and build awareness, capacity and support for right-based reforms across relevant line ministries and departments at local and national levels.

4. Significantly scale-up investments in rightsholder organizations as a secure pathway to map and document community lands, implement tenure rights and strengthen resource governance—recognizing that more than political will, rightsholders are the driving force of implementation in most jurisdictions.

5. Prioritize the legal recognition of Indigenous and community land rights in the context of international climate, conservation and sustainable development commitments and priorities, including the rights of communities and women within these to govern their territories and pursue their self-determined priorities:

- Ensure Indigenous Peoples, Afro-descendants, local communities, and women within those groups — have legally recognized rights to self-determination, including rights to manage, conserve, use, and trade forest


6 For example, suggestions from the Barinas, there are about 124 million hectares of forests on the globe – protected PFC management. Yet hardly any are recognized officially; they may well be more important than the traditional. These areas are, however, highly threatened. For most cases the PFC institutions are in principle – though they are a matter of negative and many are degraded or eliminated have disappeared.

7 For example, the cases on the state of COVID-19 on global supply chains and community land rights. Available at: https://www.rightsresources.org/resource-type/in-depth-
The views presented here are not necessarily shared by the agencies that have generously supported this work, or all of the Partners or Affiliated Networks of the Coalition.

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The Rights and Resources Initiative

The Rights and Resources Initiative is a global Coalition of more than 150 organizations dedicated to advancing the forestland and resource rights of Indigenous Peoples, local communities, Afro-descendants, and women within these communities. Members capitalize on each other’s strengths, expertise, and geographic reach to achieve solutions more effectively and efficiently. RRI leverages the power of its global Coalition to amplify the voices of local peoples and proactively engage governments, multilateral institutions, and private sector actors to adopt institutional and market reforms that support the realization of rights. By advancing a strategic understanding of the global threats and opportunities resulting from insecure land and resource rights, RRI develops and promotes rights-based approaches to business and development and catalyzes effective solutions to scale rural tenure reform and enhance sustainable resource governance.

RRI is coordinated by the Rights and Resources Group, a non-profit organization based in Washington, DC. For more information, please visit www.rightsandresources.org.

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