

Seeds for Reform

INTERNATIONAL OBLIGATIONS AND STATUS OF INDIGENOUS PEOPLES', AFRO-DESCENDANT PEOPLES', AND LOCAL COMMUNITIES' FOREST TENURE RIGHTS IN NATIONAL LAW

GLOBAL FINDINGS | SEPTEMBER 2025

- Following decades of national and international advocacy by rightsholders and their allies, **land tenure security** for Indigenous Peoples, Afro-descendant Peoples, local communities, and the women within those communities **is now recognized as an integral component of international human rights law**, but **national legislation still requires significant reform** to ensure protection for communities' tenure rights.

The report offers an updated assessment as of 2024 of the status and strength of Indigenous Peoples', Afro-descendant Peoples', and local communities' statutory forest tenure rights across **104 legal frameworks (CBTRs) in 35 countries**, covering about **80 percent of forests in Africa, Asia, and Latin America**.



WHAT IS A COMMUNITY-BASED TENURE REGIME (CBTR)?

A distinguishable set of national, state-issued laws and regulations governing all situations under which the right to own or manage terrestrial natural resources is held at the community level.

RRI uses the CBTR as a unit of analysis to identify and compare the distinct legal frameworks by which communities' tenure rights are recognized under national law.

RRI's Depth of Rights Methodology employs a **bundle of rights** approach to assess the strength of communities' collective forest rights. This report also assesses **two contextual indicators** that provide additional nuance regarding community rights.



Category 1: Government-Administered

At least 1

Category 2: Designated for Indigenous Peoples, Afro-descendant Peoples, and local communities

Category 3: Owned by Indigenous Peoples, Afro-descendant Peoples, and local communities

Note: Alienation rights (to sell, lease, or use lands as collateral) are not required.

104 CBTRs, by category

10%

48%

42%

Contextual Indicators

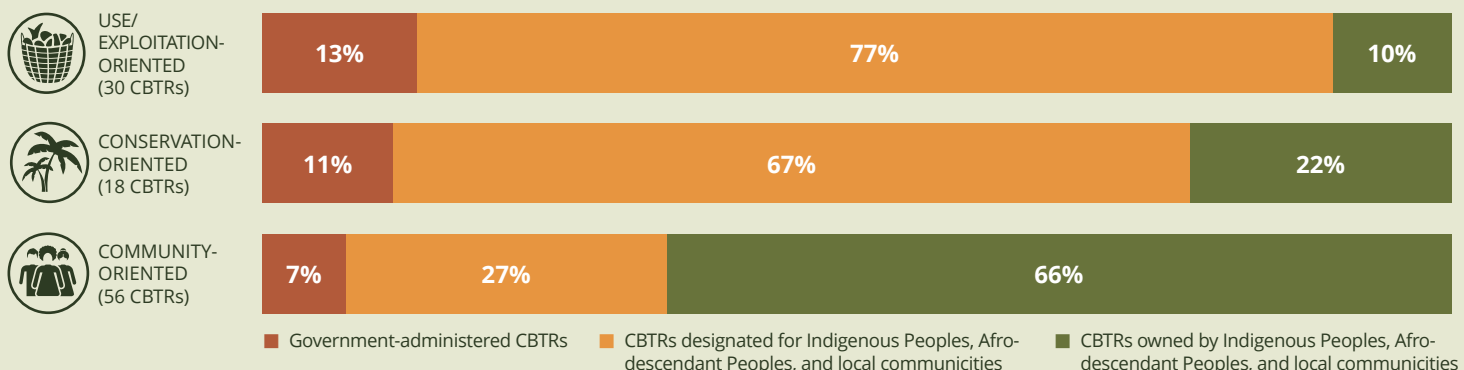


CULTURAL/RELIGIOUS USE



FREE, PRIOR, & INFORMED CONSENT (FPIC)

CBTRs aimed at recognizing customary or community-based rights provide the most robust protection of the bundle of rights, followed by use/exploitation-oriented CBTRs and conservation-oriented CBTRs.



Seeds for Reform

GLOBAL AND AFRICA FINDINGS

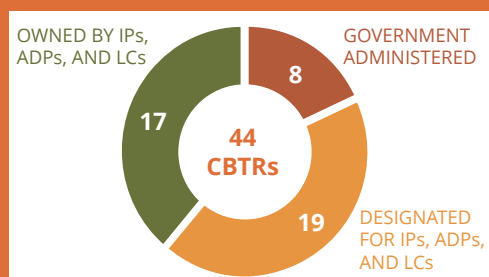
SEPTEMBER 2025

NEW DEVELOPMENTS BY THE NUMBERS

11 new CBTRs have been established globally since 2016 in **7 of the 35 countries** analyzed.

54% of all 104 CBTRs underwent some reform in 2016–2024, but these reforms resulted in both rollbacks and improvements.

Increasing number of CBTRs ≠ stronger recognition of tenure rights. In **Africa**, despite substantial legal reforms, **more than half of 44 CBTRs** still do not recognize ownership



71% of global CBTRs recognize management rights, but these are frequently subject to state approval of management plans.



- ☐ In **Africa**, **24 of 44** CBTRs protect management rights, but only **9** do so based on customary rights.
- ☐ Management rights for Zones/Forests of Historical and Cultural Use and Value in **Mozambique** have yet to be defined by implementing legislation.
- ☐ **Ghana** is the only country included in the analysis where no CBTR recognizes communities' forest management rights.

FREE, PRIOR, AND INFORMED CONSENT

Africa is the region with the least protection of FPIC rights, with just **30%** of CBTRs guaranteeing these rights for at least some communities.

In comparison, half of CBTRs globally recognize FPIC rights for at least some types of communities.



DUE PROCESS AND COMPENSATION

- ☐ Globally, **82% of all 104 CBTRs** recognize rights to due process and compensation.
- ☐ In **Africa**, **75% of CBTRs** recognize the right to due process and compensation.



AFRICA IS THE REGION WITH MOST DEVELOPMENTS

- ☒ **9 of 11** new global CBTRs are in **Africa**:
 - **Liberia**: Groundbreaking recognition of Customary Lands in 2017.
 - **DRC**: Recognition of the tenure rights of the Indigenous Pygmy Peoples in 2022.
- ☒ **44% of CBTRs** that underwent legal changes globally are in **Africa**, including:
 - 13 of 23 resulting in progressive reforms
 - 11 of 15 rollbacks
 - 2 CBTRs improved bundle of rights recognition

2 CBTRs

Cat. 1



Cat. 2

Gabon
Senegal

EXCLUSION AND DURATION ARE THE LEAST RECOGNIZED RIGHTS



- ☐ **65% of 104 CBTRs** recognize exclusion rights.
- ☐ **66% of 104 CBTRs** recognize rights in perpetuity.
- ☐ In **Africa**, communities only hold exclusion rights in **50% of CBTRs (22 of 44)**.

Across regions, nearly all CBTRs (**97 of 104**) allow at least some form of forest resource use.

In **Africa**, **41 of 44 CBTRs** recognize rights to withdraw timber or non-timber forest products, and **38 of 44 CBTRs** allow use of forest resources for religious/cultural purposes.



LIVED REALITIES VS. REFORMS ON PAPER

Gabon and the DRC: Despite having approved Community Forests in law, communities rarely exercise their rights because these are contingent on a simplified management plan that, without government support, requires costly external consultants to prepare.

CALL TO ACTION

- ☐ **Governments** ➔ Recognize tenure rights and ensure consistency across sectors, guarantee FPIC, and ensure meaningful community participation in law and policy making.
- ☐ **Donors and allies** ➔ Provide technical assistance to ensure respect for communities' tenure and governance rights. Develop direct, flexible, accessible, and long-term funding mechanisms.
- ☐ **Private sector** ➔ Ensure all investments respect and advance communities' tenure rights, uphold FPIC, and comply with the highest international human rights and environmental due diligence standards.