

RRI's Bundle of Rights Methodology



Women gather to prepare food outside of Tebat Pulau, Sumatra, Indonesia. Photo by Jacob Maentz for Rights and Resources Initiative, 2022.

1 Scope of analysis

Figure 1 | Map of 35 Countries Assessed



This report provides a critical assessment of the status of the forest tenure rights of Indigenous Peoples, Afro-descendant Peoples, and local communities. The report examines the extent to which Indigenous Peoples', Afro-descendant Peoples', and local communities' collective forest tenure rights are recognized under national-level legal frameworks as of December 2024.

The analysis assesses 35 countries across Africa, Asia, and Latin America. Together, these countries cover 80 percent of total forest area in Africa, Asia, and Latin America, and 42 percent of global forest area.⁶⁸ Five countries are featured in the dataset for the first time: Ecuador, Ghana, Lao PDR, Madagascar, and Nicaragua.⁶⁹ These five new countries were selected for their geographical diversity, significant legal reforms relating to land and forest rights, availability of underlying data within RRI's Tenure Tracking database, and the presence of the RRI coalition and other grassroots partnerships.

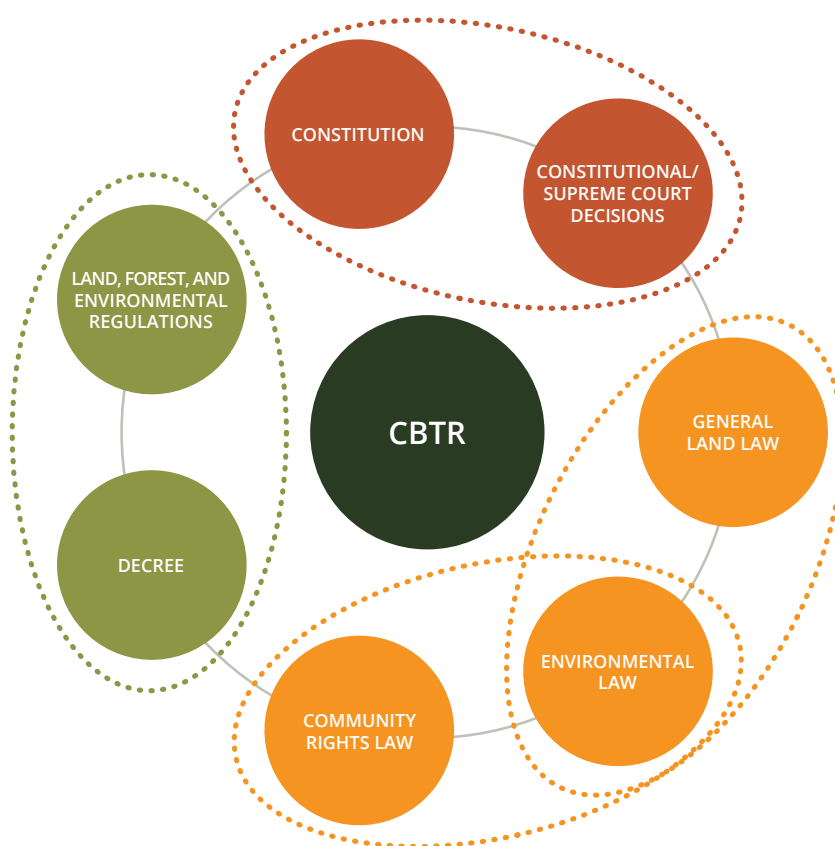
2 Unit of analysis

RRI's Tenure Tracking methodologies are united by their reliance on a common unit of analysis—the community-based tenure regime (CBTR)—that allows identification and comparative analysis of the distinct legal frameworks by which Indigenous Peoples', Afro-descendant Peoples', and local communities' tenure rights are recognized under national law. These distinguishable set of laws and regulations govern all situations by which rights to land and natural resources are held at the community level. As of December 31, 2024, this analysis identifies 104 CBTRs regulating community-based forest tenure across the 35 countries studied.

Figure 2 | How RRI Identifies CBTRs

1. Identify laws (**constitution**, **national laws**, and **subsidiary legislation**) that govern all situations by which rights to land and natural resources are held at a community level.
2. Group laws by applicability and terminology used to recognize community-based tenure and identify as a **CBTR**.

- Constitutional Level
- National Legislation
- Subsidiary Legislation



3 Depth of Rights Methodology and Statutory Forest Tenure Typology

RRI's Depth of Rights Methodology employs a **bundle of rights** approach⁷⁰ to assess communities' collective forest rights of access, withdrawal, management, exclusion, due process and compensation, and alienation, as well as the duration of these rights. The criteria for assessing each indicator is explained in Table 2.

Table 2 | Bundle of Rights Legal Indicators and Assessment Criteria

	Access	Do communities and their members have the right to enter a forest area?
✓	The law guarantees the right.	
✗	The law does not guarantee the right.	
	Withdrawal (NTFP)	Does the law guarantee communities' rights to benefit from harvesting non-timber forest products (NTFPs) for commercial or subsistence purposes?
✓	The law guarantees commercial rights that are subject to the terms and limits of management plans and/or licenses and environmental and other legislation.	
—	The law only guarantees a subsistence withdrawal right.	
✗	The law does not guarantee the right.	
	Withdrawal (Timber)	Does the law guarantee communities' rights to benefit from harvesting timber for commercial or subsistence purposes?
✓	The law guarantees commercial withdrawal rights that are subject to the terms and limits of management plans and/or licenses and environmental and other legislation.	
—	The law only guarantees a subsistence withdrawal right.	
✗	The law does not guarantee the right.	
	Management	Do communities have the right to regulate and make decisions about the forest resources and territories over which they have recognized access and withdrawal rights?
✓	The law guarantees the right to manage within the limits of management plans and environmental and other legislation.	
—	The law guarantees a community the right to participate on a management board.	
✗	The law does not guarantee the right.	
	Exclusion	Can communities refuse outsiders (other individuals, groups, or entities) access to and use of a particular resource? NOTE: Subsurface rights fall outside the scope of this analysis.
✓	The law guarantees the right.	
✗	The law does not guarantee the right.	

■ Full Credit
 ■ Partial Credit
 ■ No Credit

 Due Process	Does national law require communities to receive advanced notice and consultation when decisions or proposals could impact community rights? Does national law recognize the rights of communities to judicially or administratively challenge governmental decisions, proposals and actions that would extinguish or infringe upon community-based forest rights?
✓	National law guarantees communities' right to prior notice and consultation regarding decisions or proposals that could impact community forest rights. In addition, national law guarantees communities' right to judicially and/or administratively appeal a government's decision, proposal or action to extinguish or infringe upon community-based forest rights.
—	National law guarantees community rights to judicially and/or administratively appeal governmental decisions, proposals and actions that would extinguish or infringe upon community-based forest rights, but does not guarantee community rights of prior notice and consultation regarding proposals or decisions that could impact community forest rights.
✗	National law does not guarantee communities a right to judicially and/or administratively appeal a government's decision, proposal or action to extinguish or infringe upon community-based forest rights. Community-based rights of prior notice and consultation regarding proposals or decisions that could impact community forest rights may or may not be recognized for communities.
 Compensation	Does national law recognize that communities are entitled to compensation from the government for infringing upon or extinguishing their community forest rights?
✓	National law recognizes communities' right to seek and receive compensation for the infringement or loss of community forest rights where the government or a private entity is responsible for such harm.
✗	National law does not guarantee communities compensation for the infringement or loss of their community forest rights.
 Duration	Are communities' rights time bound?
✓	The law guarantees communities' rights for an unlimited duration of time.
✗	The law places time limits or other limits on communities' rights that would render them temporary.
 Alienation (Lease)	Can communities temporarily transfer their land rights to others?
✓	The law guarantees the right.
✗	The law does not guarantee the right.
 Alienation (Collateral)	Does national law guarantee FPIC rights for Indigenous Peoples, Afro-Descendant Peoples, or local communities—or their self-appointed representative institution—that are applicable to community forests?
✓	The law guarantees the right.
✗	The law does not guarantee the right.
 Alienation (Sale)	Does national law guarantee FPIC rights for Indigenous Peoples, Afro-Descendant Peoples, or local communities—or their self-appointed representative institution—that are applicable to community forests?
✓	The law guarantees the right.
✗	The law does not guarantee the right.

■ Full Credit
 ■ Partial Credit
 ■ No Credit

3.1 Bundle of rights

Based on assessment of the bundle of rights comprising each CBTR, RRI subsequently classifies the strength of such legal frameworks as “owned by Indigenous Peoples, Afro-descendant Peoples, and local communities;” “designated for Indigenous Peoples, Afro-descendant Peoples, and local communities;” or “government administered” according to its Statutory Forest Tenure Typology. Figure 3 shows the range of rights recognized by CBTRs that fall within each of these classifications.

Figure 3 | The Bundle of Rights by Tenure Category under RRI’s Statutory Typology



This analysis does not endorse the notion that recognizing the entire bundle of rights is always the optimal outcome for all CBTRs, especially in the case of the right to alienate. For instance, in certain cases, the restriction on alienation (including the right to sell, lease, or mortgage community lands or forests) can serve to protect the interests of Indigenous Peoples, Afro-descendant Peoples, and local communities as alienation of customary lands has often led to harmful consequences for the communities whose identity, culture, and livelihoods are deeply connected to it. In some cases, legally characterizing collective rights as inalienable and non-transferable may provide a higher level of protection for communities from threats against their territories such as land grabbing. For this reason, RRI’s Forest Tenure Typology does not consider communities’ rights to alienate their collective lands as essential for classifying a CBTR as owned by communities.



Sara Omi poses for a photo while planting seedlings in the Indigenous Ipeti Embera community in Panama. Photo by Asha Stuart for Rights and Resources Initiative, 2025.



Contextual indicators

4.1 Free, prior and informed consent

Alongside the 2024 update of the Depth of Rights, RRI introduced a contextual indicator on FPIC to provide further nuance regarding communities’ collective rights to self-determination. The right to FPIC ensures that community rightsholders have the authority to give or withhold collective consent to plans, initiatives, or projects affecting their lands, resources, or rights. It requires that communities’ consent be given freely and without coercion in a timely manner before decisions occur, and based on clear, context-specific, accessible, and comprehensive information.⁷¹ Because FPIC rights are fundamental for communities’ ability to govern their own lands and resources, this report provides an analysis of the recognition of FPIC under national laws in comparison to communities’ rights to management, exclusion, and due process and compensation.

In evaluating this indicator, RRI’s intention is not to evaluate the status of recognized FPIC rights for Indigenous Peoples, Afro-descendant Peoples, and local communities under international human rights law, but rather to examine the national-level legal recognition of FPIC rights within each CBTR. RRI’s analysis demonstrates that national laws recognize FPIC rights using a wide array of terms and without regard for communities’ self-identification. To capture the diversity of rightsholders and acknowledge that Indigenous Peoples, Afro-descendant Peoples, and local communities have distinct rights, the FPIC indicator assesses whether FPIC is recognized for all communities whose tenure rights are recognized through the CBTR, or if FPIC is recognized on a case-by-case basis according to the different types of communities whose rights are recognized through the CBTR.⁷²

	Free, Prior and Informed Consent (FPIC)	Does national law guarantee FPIC rights for Indigenous Peoples, Afro-descendant Peoples, or local communities—or their self-appointed representative institution—that are applicable to community forests?
✓	National law guarantees FPIC rights for all communities or their self-appointed representative institution regulated under the CBTR.	
C/C	FPIC rights are guaranteed but differ by community under the CBTR.	
✗	National law does not guarantee FPIC rights for Indigenous Peoples, Afro-descendant Peoples, or local communities—or their self-appointed representative institutions.	

4.2 Cultural and/or religious use

This report also introduces a new contextual indicator designed to assess the extent to which communities are explicitly permitted to use resources or areas for cultural and/or religious purposes under national law. In doing so, the indicator offers valuable insights into the ways in which national laws protect or fail to protect the intrinsic cultural and religious dimensions of forests that are essential for many communities. Cultural/religious use or access rights may also be indicated by reference to “traditional,” “customary,” “spiritual,” “sacred,” or other similar terms in national legislation.

	Cultural/Religious Use	Does national law recognize community-based rights to use any resources (timber, non-timber, water, and/or other) or areas for cultural and/or religious purposes?
✓	The laws comprising the CBTR guarantee the right to use at least some resources or areas for cultural/religious purposes.	
✗	The laws comprising the CBTR do not guarantee the right.	



Caveats

In keeping with RRI's past Tenure Tracking analyses, the following caveats should be noted:

- Analysis is limited to the formal content of written, government-issued national laws and regulations and, where applicable, decisions of the highest national court. Sub-national legal instruments are not analyzed. While the report may reference community practices in context-specific cases, it does not systematically track or aggregate data on the realization of Indigenous Peoples', Afro-descendant Peoples', and local communities' tenure rights in practice, nor does it evaluate the extent to which customary laws guarantee such rights.
- This report's focus on government-issued laws does not imply or endorse the notion that community-based rights emanate from the state or that the state possesses a legitimate authority to deny or revoke the customary, Indigenous, or community-based rights of Indigenous Peoples, Afro-descendant Peoples, local communities, or the individual members of these same communities.
- References to "Indigenous Peoples, Afro-descendant Peoples, and local communities" and/ or "community/ies" are not meant to equate or conflate these distinct rights-holding populations or to ignore the differentiated rights that specific communities may hold under national or international law.⁷³ Rather, this terminology is used by RRI to encompass the immense diversity of Peoples and populations that exercise their own forms of community-based tenure around the globe, and that self-identify in a myriad of ways that also may or may not correspond to the manner in which their rights are recognized or acknowledged by national governments. National governments may recognize any number of CBTRs, and CBTRs may or may not recognize community-based tenure rights based on a particular identity. While Indigenous Peoples, Afro-descendant Peoples, and local communities (or Indigenous, Afro-descendant, and local community women) are thus generally referenced together in overarching discussions of the methodology or global and regional findings, country or CBTR-level discussions employ context-specific terminology.
- The focus of this report on Indigenous Peoples, Afro-descendant Peoples, and local communities (through the CBTR as a unit of analysis) should be understood as inclusive of the individual and collective rights of youth. While this report and its underlying data do not entail an isolated analysis of the challenges and obstacles faced by community youth that may differ from those of their broader community, the rights of youth in these communities are considered within certain aspects of RRI's Depth of Rights and complementary Gender Methodologies. The CBTR-specific Inheritance indicator under RRI's Gender Methodology and the Duration indicator under RRI's Depth of Rights Methodology, for instance, have been analyzed jointly in Section 4.8 to provide insights into the protection of future generations by the legal regimes assessed.
- While the primary focus of this report, as well as the underlying data collected, is on forests and forest tenure rights, some of the CBTRs identified by RRI may also pertain to collective land tenure more broadly. **This overlap reflects the integrated nature of land and forest governance in many contexts. Users of this report should be aware that certain findings may extend beyond forested areas to include other types of land but should not assume they do.**

Methodology Note – Depth of Rights

Sources of Law

This analysis tracks the recognition of Indigenous Peoples', Afro-descendant Peoples', and local communities' collective rights to forestlands and resources. As in other RRI analyses, the results of this study rely on analysis of national-level, legally binding sources of law, including national legislation and regulations addressing the recognition of Indigenous Peoples', Afro-descendant Peoples', and local communities' rights; land, forests, and agriculture (where forestry is considered). Non-legally binding documents are referenced where they add to or clarify the manner in which binding sources of law are to be implemented or interpreted. Expert opinions and information found in the literature provided guidance on the interpretations and interactions of laws cited in this report. Laws entering into force after December 31, 2024, were not considered.

Data Collection and Review

Data was collected in several phases over a period of approximately 24 months. Existing “bundle of rights” (also referred to as “Depth of Rights”) data regularly updated through various RRI analyses was updated for 30 countries to reflect the status of national laws addressing the recognition of community-based forest tenure between as of December 31, 2024. Five additional countries (Ecuador, Ghana, Lao PDR, Madagascar and Nicaragua) were reviewed for the presence of CBTRs, and Depth of Rights assessments were conducted for each of the CBTRs identified.

A desk review of national constitutions and legislation broadly concerning land and forests was also conducted to inform the assessment of the indicators and identification of CBTRs in the study.

The desk review was followed by an expert review process during which preliminary data for the bundle of rights assessment was submitted to individuals with country-level expertise to verify their accuracy and completeness. Overall, reviews of country data were solicited from nearly 280 people globally in 2023–2024, and reviews of data for individual countries were received from more than 80 experts. All efforts were made to include the most up-to-date laws and regulations in the study and to ensure that its legal interpretations reflect country-specific contexts and nuances; however, legal interpretations can vary and may be subject to debate. RRI welcomes feedback concerning its approach, data sources, and data.

Although RRI makes every effort to include in our dataset only information that achieves minimum standards of reliability and consistency across periods and countries, we may have made errors. We welcome feedback that would help improve our approach, data sources, and data. This is important not only for retrospective corrections, but also for improving our monitoring and analysis in the future.

Depth of Rights Methodology

RRI's Tenure Tracking data monitors the legal recognition of Indigenous Peoples', Afro-descendant Peoples', and local communities'—including women's—rights to forests, land, and natural resources through databases that examine both quantitative and qualitative aspects of community rights recognition.

The current analysis relies on RRI's methodology on the **Depth of Rights** to assess the strength of the CBTRs identified based on the extent to which they recognize the bundle of rights. The Depth of Rights Methodology employs a bundle of rights approach to assess communities' collective forest rights of access, withdrawal, management, exclusion, due process and compensation, as well as the duration of these rights and communities' recognized authority to alienate them across distinct legal frameworks recognizing community-based forest tenure rights. It subsequently classifies the strength of such legal frameworks as "owned by Indigenous Peoples, Afro-descendant Peoples, and local communities"; "designated for Indigenous Peoples, Afro-descendant Peoples, and local communities"; or "government administered" under RRI's Forest Tenure Typology.

This study does not endorse the notion that recognizing the entire bundle of rights is always the optimal outcome for all community tenure regimes, especially in the case of the right to alienate. The restriction on alienation can serve to protect the interests of Indigenous Peoples and local communities. The alienation of customary lands has often led to harmful consequences for the communities whose identity, culture, and livelihoods are deeply connected to it.

While the methodology assesses the rights that communities hold under national laws, neither methodology systematically assesses the realization of those rights in practice.

CBTRs Assessed

RRI has assessed communities' forest tenure rights in two main ways in this report: 1) By assessing the 104 CBTRs existing as of December 31, 2024; and, 2) by reviewing the progress made in the quantity of CBTRs across the 35 countries assessed and the legal rights recognized therein since 2016. This allows RRI to publish data both on the status of rights and the progress made by countries in recognizing the forest tenure rights of Indigenous Peoples, Afro-descendant Peoples and local communities under national laws. This study assesses progress since 2016, to analyze to what extent advances have been made in the period since the SDGs were adopted.

In the analysis underpinning this report, RRI has identified a total of 97 CBTRs recognized across 35 countries as of October 2016, and 104 CBTRs recognized across the same countries as of December 2024. The 97 CBTRs identified by RRI as of 2016 are made up of:

1. **76 CBTRs** that were recognized as of October 2016 that still exist as of December 2024 and are therefore included in this analysis;
2. **4 CBTRs** that were legally recognized in 2016 but have since been repealed or replaced as a result of legal reforms;
3. **8 CBTRs** identified in the 5 new countries analyzed in 2024 (Ecuador, Ghana, Madagascar, Lao PDR and Nicaragua). Since all 8 CBTRs were created prior to 2017, to be able to provide information on progress or setbacks in rights between 2016 and 2024, RRI analyzed these 8 CBTRs both retroactively to 2016 and in 2024. Among these 8 CBTRs, 1 CBTR corresponds to a customary regime that was already somewhat recognized in common law but was formalized in statutory law post-2016 (Allodial Interest in Ghana formalized in 2019); and,

- 4. 9 CBTRs retroactively added to RRI's Database:** As a result of expanded analysis of legal instruments and identification of new information through the expert review process, RRI has identified 9 additional CBTRs that existed under national law in 2016 but were not previously included in RRI's database. These 9 CBTRs have been added to RRI's Depth of Rights and Gender Databases and assessed for the strength of protections they provided for communities' and community women's rights retroactively as of 2016, as well as for progress or setbacks between 2016 and 2024.

The 104 CBTRs recognized as of 2024 are made up of:

1. The **93 CBTRs** described in numerals 1), 3) and 4) above; and,
2. **11 CBTRs** that were created by laws that entered into force between October 2016 and this study's cut-off date (December 2024).

Changes to the Bundle of Rights Methodology Legal Indicators

Since 2012, RRI has tracked national-level legal recognition of the bundle of rights—including rights of access, withdrawal, management, exclusion, due process and compensation, alienation, and the duration of these rights—legally held by Indigenous Peoples, Afro-descendant Peoples, and local communities.

Due Process Indicator and corresponding change to the Bundle of Rights

RRI's Depth of Rights methodology has evaluated the recognition of due process and compensation rights for impacts on communities' tenure rights since its inception. As part of the Depth of Rights analysis underpinning both this report and the forthcoming Depth of Rights report, RRI carried out a review of this indicator to ensure the bundle of rights properly reflected different legal realities and international human rights law perspectives on the right to due process of communities.

Changes to the indicator

As part of the 2024 update of its Depth of Rights database, RRI revisited the scope of its Due Process and Compensation indicator to reflect, a) the different components of the right to due process under international human rights law; and, b) the diverse legal regimes that RRI analyses in its Depth of Rights analysis. The revamped Due Process indicator reflects human rights standards requiring that States consult and cooperate in good faith with communities, provide effective mechanism for just and fair redress for use of their resources. Similarly, the expanded Due Process indicator also captures the right of Indigenous Peoples, Afro-descendant Peoples and local communities to access to and prompt decisions through just and fair procedures for the resolution of conflicts as well as to effective remedies for all infringements of their individual and collective rights. As a result, the revamped Due Process & Compensation indicator now asks both whether a community must receive advanced notice and consultation when decisions or proposals could impact community forest rights and whether they have a recognized right to judicially or administratively challenge governmental decisions, proposals and actions that would extinguish or infringe upon community-based forest rights. Whereas in past iterations of RRI analysis, only the latter question has been posed.

 Due Process	Does national law require communities to receive advanced notice and consultation when decisions or proposals could impact community forest rights? Does national law recognize the rights of communities to judicially or administratively challenge governmental decisions, proposals and actions that would extinguish or infringe upon community-based forest rights?
 Full Credit	National law guarantees communities' right to prior notice and consultation regarding decisions or proposals that could impact community forest rights. In addition, national law guarantees communities' right to judicially and/or administratively appeal a government's decision, proposal or action to extinguish or infringe upon community-based forest rights.
 Partial Credit	National law guarantees community rights to judicially and/or administratively appeal governmental decisions, proposals and actions that would extinguish or infringe upon community-based forest rights, but does not guarantee community rights of prior notice and consultation regarding proposals or decisions that could impact community forest rights.
 No Credit	National law does not guarantee communities a right to judicially and/or administratively appeal a government's decision, proposal or action to extinguish or infringe upon community-based forest rights. Community-based rights of prior notice and consultation regarding proposals or decisions that could impact community forest rights may or may not be recognized for communities.
 Compensation	Does national law recognize that communities are entitled to compensation from the government for infringing upon or extinguishing their community forest rights?
 Full Credit	National law recognizes communities' right to seek and receive compensation for the infringement or loss of community forest rights where the government is responsible for such harm.
 No Credit	National law does not guarantee communities compensation for the infringement or loss of their community forest rights.

Under RRI's statutory Tenure Typology, the right to due process and compensation is required for RRI to classify a CBTR as "owned by Indigenous Peoples, Afro-descendant Peoples, and local communities." For purposes of classifying CBTRs, RRI aggregates the separate assessments of communities' rights to due process and compensation. Under this revised methodology, CBTRs are eligible for classification as owned by communities where due process rights receive at least partial recognition and compensation rights are fully recognized, as defined above.

RRI's Legislative Pathways Methodology

As discussed in [Chapter 4](#), RRI categorizes CBTRs according to their distinct policy motivations in order to analyze the way in which such motivations impact the recognition of Indigenous Peoples', Afro-descendant Peoples', local communities', and community women's rights. These three legislative pathways are described on the following page:

Legislative Pathways for securing the Tenure Rights of Indigenous Peoples, Afro-descendant Peoples, and Local Communities

Legislative Pathways		Definition
	Community-oriented CBTRs: CBTRs established to recognize customary or community-based rights	Legal provisions in these CBTRs seek to recognize the community-based land rights, customs, practices, and cultural identities of Indigenous Peoples, Afro-descendant Peoples, and local communities. Laws may acknowledge the legitimacy of community-based laws, customary governance structures, and cultural practices, define “Indigenous persons” or other ethnic identities, and/or explicitly recognize “community lands” or “customary land tenure.” Such laws may be found in national constitutions, land and forestry laws, or specific regulations targeting Indigenous Peoples, Afro-descendant Peoples, and local communities.
	Conservation-oriented CBTRs: CBTRs established to further the conservation of land and natural resources	Legal provisions in these CBTRs recognize community rights to land and natural resources as part of a broader effort to achieve conservation objectives. Conservation laws are often enforced through time-bound conservation and management contracts between communities inhabiting protected areas and government bodies responsible for forests and natural resource management. Some conservation-oriented laws recognize the rights of Indigenous Peoples, Afro-descendant Peoples, and/or local communities to protected lands and/or natural resources, provided communities abide by the imposed environmental and conservation provisions. These requirements may be found in conservation laws, protected-area laws, and other laws imposing environmental regulations.
	Use/Exploitation-oriented CBTRs: CBTRs established to regulate the use and exploitation of land and natural resources	Laws comprising these CBTRs provide rights to natural resources that are not necessarily limited to Indigenous Peoples, Afro-descendant Peoples, and local communities and are not primarily intended to recognize customary rights or enhance conservation. Such provisions are typically motivated by resource use or exploitation-oriented objectives, may acknowledge the rights of Indigenous Peoples, Afro-descendant Peoples, and/or local communities to use and benefit from specific natural resources, and often emphasize commercial exploitation for private actors and/or communities. Community rights conveyed in this category tend to be temporary in nature and may be subject to time-bound management contracts or concession agreements—in addition to more detailed management plans—between communities and government bodies.