

Asia Work Plan

Regional Overview

A. *Rationale for Regional Engagement*

With 60 percent of the world's population,¹ Asia has the largest number of poor people in any tropical forest region and 70 percent of the world's Indigenous Peoples.² Land and forest tenure regimes in Asia are undergoing important transformations, with positive and negative implications for the rights of local communities and Indigenous Peoples. Even though many countries are undertaking forest tenure reforms in favor of forest dependent communities, there is also an increasing trend of large-scale transfers of contested land to agribusiness and other investors, at the cost of communities and Indigenous Peoples. Accelerated economic growth in the region is putting tremendous pressure on forests and forest communities with issues of rights violations and dispossession being recurring problems.

Elections were held in 2014 in India and Indonesia, with India electing a right-wing, pro-growth government and Indonesia electing a more centrist, populist government. Post elections, there have been major shifts in India with an ongoing rollback of pro-community forest reforms whereas in Indonesia, the Government is more civil society friendly and has included tenure reforms in its agenda. In Nepal, the political conditions have become relatively adverse for community and customary rights. Laos has seen more strict control of civil society organizations (CSOs). In Myanmar, the relaxation of state control has increased the spaces available for democratic processes, and at the same time, the opening of the economy has exacerbated the conflicts over land. Regionally, the pace of cross country investments, especially in agribusiness, with a direct implication for rights of forest dependent people, has accelerated. At the same time, there has been increasing co-operation amongst civil-society across the region. RRI Partners and Collaborators have been most effective in advocating for forest reforms in China, Indonesia, and Nepal.

Agribusiness and other extractive projects continue to be the most significant drivers of deforestation in the region, especially in Indonesia and mainland South-East Asian countries. China remains the largest source of investments in the region. Domestic pressures on land and forests also continue to grow due to urban expansion and competing demands of the prevailing capital intensive model of development – favoring expanded mining, oil exploration, industrial-scale commercial crops, and megaprojects for infrastructure and energy, with continuing demand for timber and wood fuels.

In Indonesia, the election of Joko Widodo seems to have increased the space available to CSOs to influence policy making process, especially on issues related to resource rights and Indigenous Peoples. In contrast, Laos has further restricted the scope of CSOs, and land and natural resource rights remain an extremely contentious issue. The newly elected right wing government of India has started a rollback of protective legislations, combined with increasing scrutiny and restriction on civil society actors seen as impeding corporate-led development. In Nepal, the political shift following recent Constituent Assembly elections has reduced the space for including community and customary rights in the new Constitution.

¹ UN Department of Economic and Social Affairs: Population Division. 2013. World Population Prospects: The 2012 Revision.

² IFAD Rural Poverty Portal. www.ruralpovertyportal.org.

Regionally, in response to greater cross-border flow of investments in activities impacting resource rights of communities, there is increased cooperation among civil society actors on the issues of resource rights and human rights. Civil society actors, including Indigenous Peoples’ organizations, continue to leverage REDD+ towards the recognition of Indigenous Peoples’ rights. Additionally, National Human Rights commissions (NHRCs) are being brought on board on resource rights issues. One of the key activities that RRI has been supporting is the series of the Human Rights and Agribusiness Conferences, which are being hosted by National Human Rights Commissions and attended by NHRCs in the region as well as CSOs. In 2014, the Myanmar NHRC hosted the conference on Human Rights and Agribusiness attended by NHRCs from Thailand, Philippines, Indonesia and Malaysia as well as CSOs from these four countries and from Laos and Cambodia. The conference identified the strategies and actions for better co-ordination on using human rights instruments and institutions for protecting the resource rights of local communities across the region in view of threats posed by expanding agribusiness investments.

The key opportunities at the regional level lie in coordinated national and regional level initiatives based on shared lessons and knowledge of: i) Analysis and experience of the impact of domestic investment and FDI on rights and resources, including human rights, and ii) Use of participatory mapping, other local tools, legal instruments and human rights institutions and discourse to push for higher investment standards. A multipronged approach drawing from human rights, legal protections, financial analysis and tracking of investment risks posed by insecure tenure, and, voluntary standards needs to be developed on a regional basis to address the threats posed by large-scale land/resource based investments to the rights of forest dependent communities. In addition, RRI will continue to stay abreast of developments in Myanmar and assess the unfolding political situation there and in the larger SE Asia Region.

The RRI coalition plays a unique role in the region. It provides unique platforms to bring together regional research powerhouses such as CIFOR, ICRAF, RECOFTC; CSOs (Samdhana, Forest Action, Vasundhara, HuMA, Epistema, SPWD etc.), grassroots mobilizations (Coalition for Survival with Dignity, India; FECOFUN and NEIFIN, Nepal; AMAN, Indonesia etc.), and partners within government structures to facilitate and catalyze collective and customary rights. These platforms lead to engagements at the regional, national and local levels, with RRI being able to leverage its presence across scales to influence and catalyze diverse processes for improving rights and access across the region. In doing this, the RRI coalition also cross-fertilizes and influence rights linked policy level discourses in the region.

B. Regional Strategy and Areas of Intervention

The focus of regional activities is to leverage regional networks of civil society and national human rights institutions, as well as international networks working on financial accountability of cross-border investments to generate protection for communities vulnerable to land grabbing, displacement and loss of access to resources/land.

Table 1: Priority Outcomes; Associated Activities and Outputs; Implementers

Priority Outcomes	Associated Activities and Outputs	Implementers
1. Increased cross-border learning, co-operation and action on agribusiness impact on human and	Activity 1: Regional Conference on Human Rights and Agribusiness, 2015 Outputs: Convening Regional	FPP

<p>resource rights resource dependent communities</p>	<p>Conference on Human Rights, with participation of NHRIs, civil society and private sector. Improved co-ordination among NHRIs, CSOs, private sector on protecting resource and human rights of communities affected by large agribusiness investments, in country and across borders in the region.</p>	
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Country Overview: China

A. Rationale for Country Engagement

China is engaged in a deepening of collective forest reforms and contemplating tenure reforms on public forests, including those held by ethnic minorities, providing important lessons for other countries and potentially strengthening existing rights of a diverse range of individual and collective forest owners. These shifts are consistent with the “second-generation” reforms that RRI called for in 2012: 1) respect for the tenure rights of all individuals and collective, including women and ethnic minorities, to freely determine their tenure arrangements and land use without coercion by government or other vested interests; 2) implementation of a transparent, consultative due process and compensation system for rights-holders in cases of takings; and 3) establishment of accessible grievance and redress mechanisms.

As illustrated in recent examples below, over the past decade there has been a steady movement towards the recognition of strong household and collective land rights for farmers. There has also been a longstanding, yet unfulfilled (and currently process-stalled) commitment by the State Forestry Administration (SFA) to reform the forest law and State Forest tenure. However, the persistent lack of equal rights and protections for women and ethnic groups, inadequate due process and grievance mechanisms, the rise of land acquisitions by Chinese and multinational corporations and inappropriate intervention by local government leaders threatens rights and livelihoods of at least 100 million households, undermining progress to date.

In 2014, the SFA mentioned plans for the reform of local public forest farms, the beginnings of state forestry reform in the northeast of China, and a potential general logging ban in the northeast state forest area which would have significant implications on the lives and livelihoods of state forest workers and rural farmers. The SFA also echoed calls for a deepening of forestry reforms including the need for: addressing conflicts that have arisen in ethnic community and other areas, developing a system to manage forest, land, and timber transactions, providing financial insurance services, and developing policies regarding non-timber forest products (NTFP).

Large-scale land acquisitions (LSLAs) have persisted in being a source of instability and tenure insecurity for rural farmers. As a growing number of industrial companies operate in forested areas, the threats of land loss and livelihood deterioration have continued. Within this context the SFA has acknowledged not only the threats posed by LSLAs, but the major gap in forest compensation systems and the need to establish “forest land trading centers” to ensure transparent market practices.

In 2013, China announced several significant policy measures with major implications for collective and household tenure. The No. 1 Central Policy document set a five-year timeline to complete registration of forest farmers’ land rights and declared the guarantee of farmers’ property rights and interest as the central purpose of the country’s land system and a core element of long-term development.

In November 2013, during the Third Plenum of the 18th Communist Party of China (CPC) Central Committee meeting, Party leaders committed to further land reforms by establishing a rural land market to enable direct negotiations between farmers and those acquiring land, providing better compensation to rights-holders, and scaling up the market for land rights transfers. The belief is that allowing direct market transactions of rural land will abolish the role of local governments as middlemen in land transactions, which often led to elite capture by low-level Party cadres. Most importantly, the reform will allow farmers to negotiate for the true value of their land.

RRI has continued to build a body of credible research aimed at strategic advocacy informing government actors outside the SFA. Additionally, RRI has expanded its reach to the private sector in order to better enable second-generation reforms. Led by Landesa in 2014, this took the form of continuing to engage international paper and pulp companies Stora Enso and APP to acknowledge rights violations in the acquisition of land as part of their business practices. These companies subsequently agreed to engage in a process of improving their business practices and addressing rights violations on the ground.

International and Chinese investors are beginning to realize the financial risks of insecure tenure, and the possibility that their national and global image may be tarnished if continued violations of local land rights are exposed. Some leading companies are adopting international best practices of corporate social responsibility seeking to lessen environmental, social and governance risks. The realization that insecure tenure, and the associated risks of violating individual and collective land rights, cause social unrest – as well as undermining investors’ bottom line and global reputation – represents a significant opportunity for RRI to continue to advocate for second-generation reforms. Specific opportunities include:

- *No. 1 Central Policy and 18th CPC commitments*: The commitments made towards the guarantee of farmers’ property rights and further land reforms aimed at providing better compensation for rights-holders are largely promising for enabling landowners to use their rights as economic assets.
- *Signs of possible reform in State Forest areas*: RRI seeks to capitalize on political will to further State Forest reforms by focusing on regions with large ethnic minority populations, many of which are still dominated by State Forest Enterprises (SFEs).
- *New data on the extent and impact of collective forest reforms and evidence of remaining issues*: In 2006, Peking University began analyzing the impacts of collective reforms on household and community incomes, rural livelihoods, forest cover, and forest enterprises. The result has been a robust and unprecedented level of grassroots evidence on the status, process, and results of collective forest reform in China, and subsequent issues that have arisen post-reform. Thoroughly disseminating the results of this research has the potential to effectively influence future legal and policy frameworks if targeted correctly.
- *Demonstrated interest from large influential companies in reforming business practices related to land acquisition and developing guidelines for responsible investment*: Following reports jointly issued by RRI and Landesa leading companies have acknowledged the need for better business practices in the land, forest, and natural resource sector. Landesa will continue convening representatives from leading international companies, the SFA, and civil society with the goal of developing operational guidelines for companies investing in China.
- *Continued strengthened relationship with the SFA*: Over the past several years the RRI coalition has successfully built a positive relationship with the SFA regarding the process of collective forest reform, the importance of state forest reform, and the need of addressing the impacts of climate change.

B. Country Strategy and Areas of Intervention

In 2015, RRI will continue to capitalize on its proven ability to influence key policy processes through the presentation of rigorous research results and calls to deepen existing forest tenure reforms, while further expanding engagement with the private sector, through the following areas of intervention:

- Engaging various private sector actors, including multinational and Chinese companies working within China as well as Chinese companies and investors abroad, on developing best business practices related to responsible investment, raising awareness of tenure risks related to rights violations, researching alternative business models, and expanding research on investments abroad.
- Analyzing the current State Forest reform process on ethnic communities and property rights, to begin developing national best practice standards.
- Continued advocacy with legal and regulatory bodies for second-generation reforms.
- Capitalizing on forthcoming policy opportunities to advance gender justice and women's forestland rights in state and collective reforms, building on prior commitments.

Table 1: Priority Outcomes; Associated Activities and Outputs; Implementers

Priority Outcomes	Associated Activities and Outputs	Implementers
<p>1. Adoption of operational guidelines for responsible investment by 2-3 companies in China that respect local tenure arrangements, central legal and policy frameworks, international CSR standards, and existing investment guidelines from international companies and private sector institutions.</p>	<p>Activity 1: <i>Continued Engagement of International Companies Active in China on Responsible Business Practices</i></p> <p>Outputs: Chinese policy-makers receive field research and recommendations on domestic and international LSLAs, and engage in dialogue on improving investment standards; The development of operational guidelines for companies operating in the natural resource sector and the endorsement of these guidelines by 2-3 leading companies; Companies (2-3) researched by RRI/Landesda commit to revising internal and acquisition procedures, adopt new operational guidelines, and findings from this process are disseminated.</p>	Landesa
<p>2. New forest land and/or new State Forest reform program includes steps to better respect ethnic minority land rights, and to enable community livelihoods, improve forest conservation, and increase access to forest resources in ethnic regions.</p>	<p>Activity 2: <i>Research in Sichuan Province on collective forest tenure reform</i></p> <p>Outputs: Raised awareness among SFA and other officials on how current state forest policies affect traditional forest tenure and management in ethnic minority communities. Stated commitments to relax regulatory barriers to subsistence/SME-scale forest farming in ethnic regions.</p>	PKU
	<p>Activity 3 : <i>Workshop and Dissemination of 2nd Round Research Findings on Collective Forest Tenure Reform and Research on Tenure Reform in Ethnic Communities</i></p> <p>Outputs: Raised awareness among SFA and other officials on how current state forest policies affect traditional forest tenure and management in ethnic minority communities. Stated commitments to relax regulatory barriers to subsistence/SME-scale forest farming in ethnic regions.</p>	PKU

Country Overview: India

A. Rationale for Country Engagement

In the past few years, the pressure on resources, specifically land and forests, has intensified. A new investor-friendly government, with a majority, was sworn in 2014, and has vowed to eliminate all obstacles standing in the way of development. As laws protecting resource rights and the environment are seen by investors and the financial press as one of the most significant obstacles to growth, there is increased apprehension that the new regime is going to dismantle existing regulatory systems protecting resource rights and the environment.

The key laws under threat include the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (LARR) and the Forest Rights Act, 2006 (FRA) and various environmental protection laws. Both LARR and FRA, despite having many weaknesses, include provisions that provide some level of protection and voice to people affected by land acquisition or resource diversion for large projects. However, the dilution of these laws poses serious threats towards the progressive realization and protection of these rights. The new government has already taken administrative steps to reduce the effectiveness of these laws.

Specific provisions in the FRA, namely the community forest resource rights provision, provide the opportunity for the largest pro-forest dweller land and tenure reforms in Indian history. A 2014 RRI-SPWD study indicated that potentially more than 40 million hectares of forest lands (over half of India's forest lands) can come under community control through Community Forest Resource Rights provisions of the FRA. However, due to a lack of political interest and entrenched opposition from the existing forest bureaucracy, little progress has been made in the implementation of the FRA with less than five percent of the potential community forest resource rights area being recognized till date. There is little appreciation of the emancipatory potential of the FRA amongst both policymakers and CSOs, and without sustained efforts the FRA may not be utilized to its full potential.

Community Forest Resource Rights recognition (as defined by the FRA) has occurred only in isolated districts in Maharashtra, Odisha and Gujarat and in some pockets in other states. RRI Collaborator, Vasundhara, has developed community mapping as a tool to work with both district administrations and CSOs to support the CFR rights recognition process. While the administrations of two districts in Odisha have expressed commitment to seeing the process through to the recognition of rights, CSOs continue to face the hurdle of bureaucratic resistance. RRI will continue supporting development of mapping as a tool empowering communities to demand the recognition of their CFR rights. As *Gram Sabhas* (village-level governments) are empowered to manage their lands, forests, and resources, this opens the possibilities of further developing alternate forest governance regimes based on customary practices and local ecological knowledge of forest-dependent people. Yet, entrenched interests from the existing forest bureaucracy continue to be a challenge for the recognition of community rights under the FRA.

There is also the continued threat of the co-option of the FRA by the forest bureaucracy through using mechanisms such as Joint Forest Management committees, as has been observed in Andhra Pradesh and Maharashtra or to subvert CFRs through notifying village forest rules under the Indian Forest Act as done in Maharashtra which restore all control and authority over them to the forest department.

The NGO sector has been relatively ineffective at protecting land and resource rights and preventing dispossession. The most significant resistance to processes of dispossession comes from grassroots

mobilizations in different parts of the country. However, these grassroots movements remain under threat of state repression and are fragmented.

There is an opportunity to bring various political and grassroots actors together along with civil society organizations over issue of resource rights and environmental protection. RRI can provide support to the ongoing struggles of many movements by engaging in strategic research and engagement aimed at exploring new aspects and facets of the conflict over natural resources in the country.

B. Country Strategy and Areas of Intervention

In 2015, RRI will continue its efforts towards fully realizing recognition of CFR rights under the FRA, as well as supporting community-based management systems of forest land and resources. In the face of increased threats of weakening regulatory systems and environment and social safeguards, and the potential rollback of community land and resource rights RRI will continue to support efforts at responding to these mounting threats. RRI's strategy can broadly be seen as two-fold: i) Support strategic interventions aimed at introducing issues of resource rights into public debate and expanding the horizons of existing discourse around these issues; and ii) Support the realization of the full potential of community-based forest governance and the FRA.

Areas of intervention will include:

- Research studies on land acquisition and allocation practices, corporate revenue flows, and existing forestry-funding regimes to provide inputs to ongoing grassroots mobilizations
- Build grassroots capacities, especially legal capacities to address resource rights violations on the ground by improving locally available legal and paralegal resource services to support grassroots struggles of community-based organizations
- Scaling up participatory CFR mapping, Piloting GIS Application for Mapping, and continuing to document the ongoing process, successes, and challenges to build a credible base of knowledge and methodology that can be utilized in delineating customary CFR boundaries across India.
- Documenting FRA rights actually cover more than 50 percent of India's forests (over 40 million hectares) and highlighting FRA case studies with positive impacts on life, livelihoods, conservation, and development outcomes.
- Systematic analysis and advocacy for alternate community based forest governance in areas where CFR rights are being recognized under FRA in order to transform existing forest management systems from top-down to democratic bottom-up management.
- Studying and bringing out, in an appropriate form, the key features of financial institutions can focus the public debate on critical issues relating to government funding structures for forest management and the role of large private companies.

Table 1: Priority Outcomes; Associated Activities and Outputs; Implementers

Priority Outcomes	Associated Activities and Outputs	Implementers
<p>1. Defending and enhancing legislations, policies, practices, and capacities which protect rights to forests and enhance environmental protection</p>	<p>Activity 1: Study on pre- and post-clearance process for acquiring land for mining with a specific focus on land allocation, financial backing and process, rights violations, Gram Sabha consent Outputs: Clear understanding of legal and procedural aspects which underlie the process of resource alienation, with emergence of potentials for legal and political interventions. Sharing of such understanding with movements, activists and CSOs through brief write-ups and brochures. Media articles seeking to expose the underlying problems affecting resource rights in these processes.</p>	<p>SPWD, Advisory Committee, Consultants</p>
	<p>Activity 2: Investigative Journalist Reports on Revenue Flows and Land Allocation Processes following 2-3 companies Output: Series of media reports</p>	<p>SPWD, Advisory Committee</p>
	<p>Activity 3: Continued Legal training for grassroots level advocates Outputs: Train lawyers who can legally defend resource and environmental rights, as well as legally address repression of activists and communities. Share practices and tactics for local legal actions to protect resource rights.</p>	<p>SPWD, Advisory Committee, Consultants</p>
<p>2. Actualize FRA's potential for large-scale transfer of forests to forest dwellers through rights recognition of community forest resources and habitat rights</p>	<p>Activity 4: Scaling up participatory CFR mapping and Piloting GIS Application for Mapping Outputs: Recognition of CFR rights and final maps for CFR in two districts of Odisha with possible extension to other districts. Development of experimental Android based application linked with server based mapping for CFRs. Sharing of learning from Odisha on CFR mapping in other states in India.</p>	<p>Vasundhara</p>

3. Enhance capacities amongst communities, support institutions and state actors for mapping and community based governance of forests	<p>Activity 5: Positive studies of FRA highlighting positive impacts on life, livelihoods, conservation, and development outcomes</p> <p>Outputs: Case studies and analysis of positive impacts of FRA. Media coverage on the positive FRA outcomes. Creation of an evidence based discourse on the positive impact of FRA within policy and political circles.</p>	SPWD, Advisory Committee, Consultants
	<p>Activity 6: Developing Strategic Intervention for Democratic CFR Governance</p> <p>Outputs: Development of community based forest governance models as potentially valid and viable alternative to dominant JFM based forest management. Ensure that community based adaptive forest governance becomes an alternative and legitimate discourse at policy level through media articles, publications and workshop and seminars.</p>	SPWD, Advisory Committee, Vasundhara
	<p>Activity 7: Synthesize existing data and literature on shortcomings of existing forestry-funding regimes with specific attention on plantation and mainstream donor-assisted projects</p> <p>Outputs: Develop a strong evidence based critique of the current forestry regime. Provide this critique to grassroots movements and CSOs so that they can use it to delegitimize the efforts of the forestry regime to subvert FRA and community forestry.</p>	SPWD, Advisory Committee, Consultants
	<p>Activity 8: Dialogue on Land, conflicts and Investment risks in India</p> <p>Outputs: Attendance at dialogue of key policymakers and journalists. High media coverage of event. Highlighting of the concept of uncertain tenure rights of local communities as a major investment and its incorporation into the dominant policy making narratives.</p>	SPWD, Advisory Committee, Consultants

Country Overview: Lao PDR

A. Rationale for Country Engagement

Lao PDR has one of the largest remaining forest areas in the region, as a highly authoritarian state with a poor population and a dramatic increase in FDI leading to increased land conflicts. Due to unclear tenure, a significant amount of the largely poor and marginalized population finds its livelihoods and customary land rights under serious threat. Over the past year, one of RRI's goals was to ensure that the final Lao National Land Policy (NLP) include language on protection of customary and community tenure security, FPIC, and fair compensation standards. With the support of RRI, the Land Issues Working Group (LIWG), a coalition of CSOs, issued specific policy recommendations to reinforce the principle of FPIC. These provisions on private purpose expropriations have triggered greater interest among the private sector actors that previously did not consider themselves concerned by the Policy's development, and who now feel that this lack of security could threaten their own investments in Laos.

The revised draft policy is improved, however clear provisions for community property rights are not enshrined and there are problematic clauses related to land acquisition processes. While there are some positive provisions to protect the rights of communities (related to access to information, prior consultations), the State has the right to expropriate land for private investment purposes. At the moment the current draft policy is in the hands of the government.

Unfortunately the trend in Laos is moving towards further restrictions on civil society organizations. While existing regulations for both local and international non-government organizations operating in Laos were already imposing a series of control and authorization mechanisms, a new set of provisions are proposed that might further restrict civil society associations' activity. RRI will support civil society actors in policy advocacy efforts, seek inputs from Partners and Collaborators on emerging strategic opportunities, and engage non-profit organizations in the country to keep the pressure on towards the realization of pro-community rights legal frameworks.

B. Country Strategy and Areas of Intervention

RRI's intervention in Laos in 2015 will focus on:

- Supporting Partners and Collaborators to meet and explore potential opportunities as they emerge.
- Supporting civil society advocacy efforts at influencing important policies related to land and forest tenure if critical and strategic opportunities arise.
- Engaging non-profit associations in order to keep the pressure on towards the realization of pro-community rights legal frameworks.

Table 1: Priority Outcomes; Associated Activities and Outputs; Implementers

Priority Outcomes	Associated Activities and Outputs	Implementers
1. Civil society actors convene and explore potential opportunities to influence important policies related to land and forest tenure the national and/or sub-regional level	Activity 1: Convening civil society actors to address to influence important policies related to land and forest tenure the national and/or sub-regional level.	LIWG (through Helvetas)

Country Overview: Nepal

A. Rationale for Country Engagement

After the second Constituent Assembly³ elections in November 2013, the Nepali Congress and United Marxist Leninist (UML) parties formed a coalition government in early 2014 with a mandate to complete a new Constitution for Nepal. The shift in power in the Constituent Assembly has affected priorities in national discourse. Salient issues raised by Indigenous Peoples, Madheshis, Dalits and marginalized communities have been relegated down in priority, as the national debate has been largely focused on the structure of federalism in the new government. Continued political instability and conflict of power sharing between political parties in 2014 has led to further uncertainty in building consensus and promulgating a new Constitution by the current deadline.

In 2014, the RRI coalition further strengthened its partnership beyond civil society actors, government officials, and private sector institutions, by engaging members of Parliament from various political parties as well as representatives from local government. This expansion of alliances is aimed to strengthen advocacy efforts seeking to ensure the recognition of community and customary property rights in the new Constitution, and highlight the role of community forestry in rural poverty alleviation, job creation, and revenue generation, which contribute to the country's national economic development goals. As part of larger policy advocacy efforts, the RRI coalition also engaged with influential policymakers as the Government of Nepal revised and drafted a host of policies and strategies including: Forestry Sector Master Plan for the next 25 years, the Biodiversity Strategy, and the Gender Strategy. These efforts have largely been positive as part of larger reform in the forestry sector in Nepal.

However, the weak political process in the country has emboldened the established bureaucracy to dilute existing policies, regulations and procedures in order to advance their own interests. Furthermore, 2014 brought significant setbacks in the movement towards realizing community and Indigenous Peoples' land and forest rights. In June 2014 the Government of Nepal declared the geologically-fragile area of Chure a conservation area which restricts local access without prior consultation with local communities, Indigenous Peoples, local government, and civil society. The declaration of the Chure Environmental Conservation Area is a major rollback of community rights on forests, directly affecting forest based livelihoods of more than five million people. In response, the RRI coalition organized a massive mobilization across the country which included a series of protests, dialogues, and advocacy meetings with relevant, influential government officials with the explicit goal of the declaration of the Chure Environmental Conservation Area to be rescinded.

RRI continued to build alliances with women's, Indigenous Peoples', and land and water rights groups. Most notably, a working relationship was established between FECOFUN, Nepal Federation of Indigenous Nationalities (NEFIN), Green Foundation, Rastriya Dalit Network, and the Multi Stakeholder Forestry Programme (MSFP) in order to amplify existing advocacy work on the recognition of community and Indigenous Peoples' rights over their land, forests, and natural resources. Going forward, joining these historically separate movements as part of one platform will prove a powerful advocacy tool, given the ongoing political developments in Nepal.

³ The Constituent Assembly of Nepal is a unicameral body that serves as the country's Parliament and is tasked with drafting a new Constitution.

As the Constitution-drafting process moves forward, continuing advocacy efforts aimed at securing a Constitutional guarantee for community property rights – specifically customary land and forest rights – will be of critical importance. The partnerships, coalitions, and alliances built between the Community Forestry, Indigenous, Women’s and Dalit movements will be instrumental in securing such legislative victories. The mobilization processes organized in 2014 towards legislative advocacy, as well as in response to the Chure Environmental Conservation Area declaration, provide important momentum for sustained campaigning to build a larger movement to secure local communities and Indigenous Peoples’ land and forest rights in 2015.

The government’s development agenda to create rural employment and address poverty creates opportunities for the sustainable development of community forest enterprises. In this process, it will be valuable to engage the private sector alongside local communities in order to illuminate existing legal and institutional barriers preventing community forest enterprises (CFEs) from being viable, with the goal of developing policy recommendations to create a more enabling environment.

B. Country Activity Strategy and Areas of Intervention

In 2015, RRI will advocate at the national level for the recognition of community property rights in the forthcoming Constitution, as well as revised policies, laws, and regulations. RRI will engage with political parties, members of Parliament, and other high level decision-makers at the national level to raise awareness on rights-based approaches to sustainable development of forest resources and Green Growth. RRI will further expand and strengthen its alliance and advocate for the rights of Indigenous Peoples, local communities, women, Dalits and other marginalized groups, particularly in the Chure area. There is significant potential to lower rural poverty by promoting sustainable management of community forests and forest-based enterprises in order to generate jobs and revenue. RRI will facilitate community forest user groups (organized as a federation through Partner FECOFUN) to work closely with the private sector, government, and financial institutions to establish community forest enterprises models that can illuminate policy recommendations for removing barriers to CFEs development. RRI will fight against the rollback of community forest rights, while promoting sustainable community management of land, forests, and natural resources. RRI will also analyze Nepal’s international obligations through relevant treaties and conventions signed in a step towards greater accountability.

Table 1: Priority Outcomes; Associated Activities and Outputs; Implementers

Priority Outcomes	Associated Activities and Outputs	Implementers
1. Withdrawal/ modification of Chure Environmental Conservation Area declaration	<p>Activity 1: <i>Produce and disseminate Socio-economic analysis of Chure Region.</i> Outputs: 6-8 case studies of good practices in Chure Management; Analytical report covering the dynamics on local innovations in Chure management; Policy brief on the local social dynamics of environmental change in Chure will be developed and shared among concerned actors. FECOFUN and other citizen networks will use this analysis as tool in their campaign for tenure reform in favor of stronger community rights in Chure management.</p>	Forest Action, FECOFUN
	<p>Activity 2: <i>Develop strategy for mass mobilization and grassroots campaign to protect rights of Chure people and secure their livelihoods.</i> Outputs: Mass mobilization on the Chure issue. Media coverage of the Chure Issue in newspapers, electronic and online media. Expected rollback or dilution of the Chure Conservation Area with a more pro-community outcome.</p>	FECOFUN, HIMAWANTI, Nepal Chure Conservation Joint Movement Committee
2. Ensuring Community Property Rights (CPR) in forthcoming Constitution	<p>Activity 3: <i>Organize mass mobilization and strategy to ensure community property rights in new Constitution.</i> Outputs: Mass mobilization for inclusion of community rights in constitution. Expected inclusion of community and customary rights in Constitution.</p>	Green Foundation, FECOFUN, HIMAWANTI, Natural Resources Peoples Parliament
	<p>Activity 4: <i>Identify key interlocutors to convey advocacy messages around community property rights to relevant policymakers, committee members, and parliamentarians.</i> Outputs: A list of champions in policy making circles and In Constituent Assembly who will support community rights.</p>	RDN, ASMITA Nepal, Dalit NGO Federation
3. Government incorporation and recognition of international conventions in forthcoming Constitution and other relevant	<p>Activity 5: <i>Document, analyze, and share Nepal's commitments and responsibilities on human rights and the rights of Indigenous Peoples under international conventions and treaties.</i> Outputs: Publication of an analysis of Nepal's status of compliance with International treaties on HR and Indigenous rights. Identification of gaps and strategies to ensure compliance.</p>	NEFIN

laws/policies		
4. Removal of legal, regulatory and institutional barriers towards successful community forest enterprises through engagement with the private sector	<p>Activity 6: <i>Establish 2-3 implementable pilot projects for CFEs in collaboration with the private sector to highlight policy and regulatory changes necessary to support development of CFEs.</i></p> <p>Outputs: The establishment of 2-3 pilot projects on community forest enterprise. An analysis and compilation of policy and regulatory changes needed based on experience with the CFEs.</p>	Green Foundation, FECOFUN, Asmita Nepal, FENFIT, Nepal Herbs and Herbal Products Association
5. Prevention of dilution of community forest rights in future policies and laws	<p>Activity 7: <i>Conduct oversight of government bureaucracy operations as related to forests and environment, and provide insights to environmental committee of Constituent Assembly.</i></p> <p>Outputs: Establishment of a formal or informal mechanism for providing inputs on oversight of bureaucracy to the Environmental Committee of the Constituent Assembly. Regular monitoring of bureaucracy and regular provision of information/feedback to Environmental committee of the Constituent Assembly.</p>	FECOFUN, Green Foundation, Natural Resources Peoples Parliament
	<p>Activity 8: <i>Ensure representation of all (CFUGs, Indigenous Peoples, Dalits, women, and marginalized communities) in the formation and revision of forest policies, strategies and designing and implementation of large program and projects related to forest and environment.</i></p> <p>Outputs: Establish formal and informal mechanisms which ensure representation of marginalized communities in policy making processes relating to forests. Ensure effective participation of marginalized communities in the formation and revision of forest policies and implementation.</p>	COFSUN, FECOFUN, HIMAWANTI, RDN, Green Foundation
6. Strengthening platform, advocacy efforts, and sharing of lessons learned of RRI Coalition	<p>Activity 9: <i>Strengthen platform, advocacy efforts, and sharing of lessons learned between RRI Coalition actors.</i></p> <p>Outputs: Widen the RRI coalition in Nepal; Publications issued by RRI coalition and widely disseminated in Nepal.</p>	HSI, Green Foundation, Consultant

Country Overview: Indonesia

A. Rationale for Country Engagement

In Indonesia, up to 70 million indigenous people claim 116.6 million hectares of forests holding 42 gigatons of carbon. In 2013, customary rights recognition gained momentum with the Indonesian Constitutional Court decision no.35/PIU/2012 (MK 35) declaring that customary forests are outside of State managed forests. In 2014, Indonesia became the first country in Asia to sign the Voluntary Partnership Agreement (VPA) under EU-FLEGT. It remains a key member country in the REDD+ related programs including the UN-REDD+ Program and the Forest Carbon Partnership Fund (FPCF), and major interventions on REDD+ in co-operation with Norway.

In 2014, the RRI Coalition's primary focus was on influencing the inter-Ministerial NKB 12 (NKB 12 refers to collaboration under a MoU on forest governance signed between 12 Ministries). The NKB12 is now finalizing important regulations for forestry gazettement and Indigenous Peoples (IPs)' lands registration. Human Rights Commission hearings are giving more visibility to the discrimination and rights insecurity of IPs, strengthening public understanding of the scale of the problem and the urgency to address it. The members of the RRI coalition has also been actively and closely engaged with the openings offered by the shift in political regime post elections.

The Indonesian National Indigenous Peoples Association (AMAN) is now engaged in the National Initiative on Recognition of the Rights of Indigenous Peoples Campaign, which it launched in September with representatives from seven key ministries and agencies, for IP protection, legal reform and collective rights legislation (national and local), compensation for all forest related cases, reparations and strengthening of indigenous institutions, including an IP Trust Fund.

The new cabinet remains responsive to the above priority issues that formed part of President Jokowi's campaign platform. The newly consolidated Ministry of Environment and Forestry recently emphasized key strategies, including:

- Improving forest governance which emphasizes accelerating implementation of TAP MPR IX (People's Consultative Assembly Decree on Agrarian reforms and Natural Resource Management), and realization of forest management by IPs through Village Forests (Hutan Desa) and Community Forests (Hutan Kemasyarakatan),
- Law enforcement and ecological disaster preparedness and
- Climate change and REDD+.

Using the legal and policy framework under MK 35 (the Indonesian Constitutional Court decision no.35/PIU/2012) and one-map policy, AMAN continues to expand the number of hectares mapped as customary land areas. Yet the lack of a robust legal framework for collective land registration, technical portals to receive customary territory geospatial data, and conflict resolution threatens to slow that momentum. Another challenge is the increasing conflicting agendas between IP movement and agrarian reform movement, with potential competing claims on same land.

Indonesia needs to learn from other countries' experience with common issues (recognition of IPs, collective rights land registration, conflicts resolution and land registration courts options, overlapping and contradicting laws and rules, palm oil sector).

Specific opportunities include:

- *Positioning Rights and Ecological Justice in Economic Master Plan Strategic Environmental Assessment (SEA):* MP3EI (Master Plan for the Acceleration of Economic Development) is a powerful engine for more land based investments, especially in the context of a newly integrated Environment and Forestry Ministry. The on-going Social and Environmental Assessment (SEA) provides ground for opening debate and feed more evidence on the negative impacts of development on community rights and environment.
- *Influencing land registration processes in the New Agrarian Ministry and Spatial Planning:* to be a privileged interlocutor in pushing for community and adat land rights, governance and collective land registration.
- *CSO tenure coalition continues to advocate for rights and governance:* CSO have gained credibility with the government and are able to work within this system. There is an on-going reflection within CSO on how to get better organized, improve sharing information and get more effective in engaging with external actors, private sector (i.e., Chamber of Commerce), including government.
- *Cooperation with supportive local level authorities:* While local governments are perceived as not being very responsive to rights agenda, there is an opportunity to work with the willing ones (on-going piloting by CSO on local regulations to recognize IP rights) to get adat communities and territories recognized, following CSO-sponsored mapping process.
- *Creative use of legal framework at national and sub-national levels:* numerous sectorial laws and regulations are overlapping and contradicting, while more laws are still to be issued. The state of the legal framework-‘in-flux’ can to certain extent be creatively used to push legal and institutional tenure arrangements ‘in transition’.
- *Creative use of the support for REDD+ and the new VPA* from the government and donors to push for recognition of customary and collective rights over land and forests.

B. Country Strategy and Areas of Intervention

In 2015, RRI Partners and Collaborators will work to influence key policy processes through presentation of rigorous research results, options to deepen implementation of existing forest tenure reforms, and activities that strengthen support to CSO movements. A new Indonesia RRI coalition advisory committee will coordinate joint prioritization of actions, allocation of roles, budgets and fundraising. The lead implementer will ensure that indicative activities and budgets involve other key partners/collaborators in Indonesia.

Specific activities will include:

- Collaborate with relevant new Ministries to initiate the Agrarian Reform Agenda, building on outcomes of the 2014 National Conference on Agrarian Reform;
- Conflict resolution: Take advantage of the newly signed joint Ministries’ regulation on procedures to resolve people’s land tenure issues in forest areas;
- Advocate for rights and governance of land and natural resources using the findings of the Indonesian Human Rights Commission’s national Inquiry;
- Work at sub-national level to achieve recognition of IP and their territories, while paying attention to the strategic openings provided by REDD+ and VPA.

C. Supporting Documentation and Publications

- “Kembalikan Hutan Adat Kepada Masyarakat Hukum Adat, Anotasi Putusan Mahkamah Konstitusi Perkara No. 35/PUU-X/2012 mengenai Pengujian Undang-Undang Kehutanan”, Yance Arizona, Siti Rakhma Mary Herwati, Erasmus Cahyadi, HuMa, September 2014
- “Masyarakat Hukum Adat adalah Penyandang Hak, Subyek Hukum, dan Pemilik Wilayah Adatnya, Memahami secara Kontekstual Putusan Mahkamah Konstitusi Republik Indonesia atas Perkara Nomor 35/PUU-X/2012”, Noer Fauzi Rachman, Mia Siscawati, INSISTPress, October 2014

- Jurnal LAND REFORM, Volume i/Mei 2014, Konsorsion Pembaruan Agraria (KPA)
- Kemajuan dan Capaian Reforma Kebijakan Penguasaan Tanah dan Kawasan Hutan di Indonesia, Evaluasi, Asep Yunan Firdaus, Emila Widawati, September 2014
- In relation to the National Conference on the Agrarian Reform/Konferensi Nasional Reforma Agraria: Laksanakan Reformasi Agraria Guna Mewujudkan Kemandirian dan Kedaulatan Bangsa, Resolusi Konfersendi Nasional Reforma Agraria, Jakarta, 23 September 2014

Table 1: Priority Outcomes; Associated Activities and Outputs; Implementers

Priority Outcomes	Associated Activities and Outputs	Implementers
<p>1. Land rights of local and adat communities recognized and governance of land use decisions secured</p>	<p>Activity 1: <i>Initiate implementation of Agrarian Reform Agenda with the Agrarian and Spatial Planning Ministry</i> Output: Steps are taken to address the numerous land conflicts (contribute to Outcome 2); Redistribution of land is put on the agenda of new Ministry.</p>	<p>KPA (partners TBD)</p>
	<p>Activity 2: <i>Support development of Policy and regulatory framework for CBFM</i> Output: Steps are taken to promote effective implementation of CBFM (in particular hutan desa and hutan adat).</p>	<p>Safir (Partners TBD)</p>
	<p>Activity 3: <i>Operationalization of full recognition of participatory mapping and gazettement and/or land use rights at district level.</i> Outputs: Transitional models of community forest management creatively secure access to land, based on communities' choices; Issuance of local regulations designating adat communities and territories, with verified maps.</p>	<p>HuMa (partners TBD)</p>
	<p>Activity 4: <i>Learning visits and exchange for local decision-makers on IP land tenure recognition.</i> Output: Half of visiting decision-makers engage in preparing legal recognition of adat territories.</p>	<p>Epistema (partners TBD)</p>
<p>2. Analysis of legality and criminalization, and direct handling of cases: provision of timely, accessible, and accountable grievance mechanisms</p>	<p>Activity 5: <i>Contribute to produce analysis and disseminate Recommendations of KOMNAS HAM's National Inquiry Recommendations of KOMNAS HAM's National Inquiry.</i> Outputs: Recommendations to address criminalization against IP; recommendations disseminated to CSOs, Komnas HAM, Government and Media. Evidence-based advocacy to set-up grievance mechanisms and address criminalization of people claiming their rights (including amnesty for people sentenced for claiming their land rights). Repressive provisions/regulations in key landscapes including conservation areas changed/revised. Moratorium on new concessions and conversion of adat forests advocated for.</p>	<p>Sains (partners TBD)</p>
	<p>Activity 6: <i>Support operationalization of regulation of 4 Ministries on conflict resolution.</i> Outputs: Number of cases solved to the satisfaction of local communities; Precedent set for cancellation/review of major existing abusive/illegal licenses.</p>	<p>Epistema (partners TBD)</p>

	<p>Activity 7: <i>Training for multi-stakeholder for conflict mediation process (support to DKN)</i></p> <p>Outputs: Clarification of respective roles in conflict mediation process.</p>	ASM
<p>3. Equitable active representation & participation of local leaders (incl. women) and other marginalized groups, at multiple levels and processes</p>	<p>Activity 8: <i>Monitoring of participatory land use planning in Tanah Papua, including licensing moratorium</i></p> <p>Outputs: Local organization cooperates with local leaders and involves fair representation of women; Problematic concessions are being identified and strategies to address these discussed with communities.</p>	<p>Local Org. from Papua TBD (facilitated by Samdhana)</p>

Annex 1: Table of Country and Regional Program Asia Activities/Actors/Budget
2015 Budget by Activity - Detail

Activities to achieve priority outcomes	Actors	Proposed Budget (Funded)
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China		
1	Continued engagement of international companies through Informal Forum for Guidelines on Land Acquisitions and Business Practices	Landesa \$110,000
2	Research in Sichuan Province on collective forest tenure reform	PKU \$50,000
3	Workshop and dissemination of 2 nd round research findings on collective forest tenure reform and research on tenure reform in ethnic communities	PKU \$50,000
China TOTAL:		\$210,000
Nepal		
1	Produce and disseminate socio-economic analysis of Chure region	Forest Action, FECOFUN \$20,346
2	Develop strategy for mass mobilization and grassroots campaign to protect rights of Chure people and secure their livelihoods	FECOFUN, HIMAWANTI, Nepal Chure Conservation Joint Movement Committee \$50,000
3	Organize mass mobilization and strategy to ensure community property rights in new Constitution	Green Foundation, FECOFUN, HIMAWANTI, Natural Resources Peoples Parliament \$25,000
4	Identify key interlocutors to convey advocacy messages around community property rights to relevant policymakers, committee members, and parliamentarians	RDN, ASMITA Nepal, Dalit NGO Federation \$15,000
5	Document, analyze, and share Nepal's commitments and responsibilities on human rights and the rights of Indigenous Peoples under international conventions and treaties	NEFIN \$40,000
6	Establish 2-3 implementable pilot projects for CFEs in collaboration with the private sector to highlight policy and regulatory changes necessary to support development of CFEs	Green Foundation, FECOFUN, Asmita Nepal, FENFIT, Nepal Herbs and Herbal Products Association \$25,000
7	Conduct oversight of government bureaucracy operations as related to forests and environment and provide insights to environmental committee of Constituent Assembly	FECOFUN, Green Foundation, Natural Resources Peoples Parliament \$25,000
8	Ensure representation of all CFUGs, Indigenous Peoples, Dalits, women, and marginalized communities in the formation and revision of forest policies, strategies and designing and implementation of any large programs and projects related to forest and environment	COFSUN, FECOFUN, HIMAWANTI, RDN, Green Foundation \$20,000
9	Strengthen platform, advocacy efforts, and sharing of lessons learned between RRI Coalition actors	HSI, Green Foundation, Consultant \$10,770
Nepal TOTAL:		\$231,116
India		

**Annex 1: Table of Country and Regional Program Asia Activities/Actors/Budget
2015 Budget by Activity - Detail**

Activities to achieve priority outcomes		Actors	Proposed Budget (Funded)
1	Study on pre- and post-clearance process for acquiring land for mining with a specific focus on land allocation, financial backing and process, rights violations, Gram Sabha consent	SPWD, Advisory Committee, Consultants	\$10,000
2	Investigative journalist reports on revenue flows and land allocation processes following 2-3 companies	SPWD, Advisory Committee, Consultants	\$14,000
3	Continued legal training for grassroots level advocates	SPWD, Advisory Committee, Consultants	\$48,000
4	Scaling up participatory CFR mapping and piloting GIS Application for mapping	Vasundhara	\$85,000
5	Positive case studies of FRA highlighting positive impacts on life, livelihoods, conservation, and development outcomes	SPWD, Advisory Committee, Consultants	\$14,000
6	Developing strategic intervention for democratic CFR governance	SPWD, Advisory Committee, Vasundhara	\$40,000
7	Synthesize existing data and literature on shortcomings of existing forestry-funding regimes with specific attention on plantation and mainstream donor-assisted projects	SPWD, Advisory Committee, Consultants	\$12,000
8	Dialogue on Land, conflicts and Investment risks in India		\$60,000
India TOTAL:			\$283,000
Indonesia			
1	Initiate implementation of agrarian reform agenda with the Agrarian and Spatial Planning Ministry	KPA	\$40,000
2	Support development of Policy and regulatory framework for CBFM	Safir	\$30,000
3	Operationalization of full recognition of participatory mapping and gazettement and/or land use rights at district level	HuMa	\$50,000
4	Learning visits and exchange for local decision-makers on IP land tenure recognition	Epistema	\$25,000
5	Contribute to produce analysis and disseminate Recommendations of KOMNAS HAM's National Inquiry Recommendations of KOMNAS HAM's National Inquiry	Sains	\$40,000
6	Support operationalization of regulation of 4 Ministries on conflict resolution	Epistema	\$25,000
7	Training for multi-stakeholder for conflict mediation process (support to DKN)	ASM	\$30,000
8	Monitoring of participatory land use planning in Tanah Papua, including licensing moratorium	Samdhana	\$50,000
Indonesia TOTAL:			\$290,000

Annex 1: Table of Country and Regional Program Asia Activities/Actors/Budget
2015 Budget by Activity - Detail

Activities to achieve priority outcomes

Actors

**Proposed
Budget
(Funded)**

Lao PDR			
1	Convening civil society actors to address to influence important policies related to land and forest tenure the national and/or sub-regional level		\$20,000
Lao PDR TOTAL:			\$20,000
Regional			
1	Regional Conference on Human Rights and Agribusiness, 2015	FPP	\$50,000
Regional Activities TOTAL:			\$50,000
Total Activities: ASIA REGIONAL PROGRAMS			\$1,084,116