

## RRI's Bundle of Rights Methodology

For a core set of 30 countries, RRI maintains detailed qualitative data on the strength of forest tenure rights legally held by Indigenous Peoples, Afro-descendant Peoples, and local communities. This is also referred to as RRI's "Depth of Rights" Methodology.

The unit of analysis is the community-based tenure regime (CBTR) which is defined as 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, 2015). Countries may have no CBTRs, one CBTR, or many CBTRs. More than 80 CBTRs have been identified across the 30 countries currently covered by this database.

For each CBTR, RRI assesses the statutory recognition of the following rights:

**Access:** Do communities and their members have the right to enter a forest area?

- *Full credit:* The law guarantees the right.
- *No credit:* 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?

- *Full credit:* The law guarantees commercial rights that are subject to the terms and limits of management plans and/or licenses and environmental and other legislation.
- *Partial credit:* The law only guarantees a subsistence withdrawal right.
- *No credit:* 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?

- *Full credit:* 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.
- *Partial credit:* The law only guarantees a subsistence withdrawal right.
- *No credit:* 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?

- *Full credit:* The law guarantees the right to manage within the limits of management plans and environmental and other legislation.
- *Partial credit:* The law guarantees a community the right to participate on a management board.
- *No credit:* 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.

- *Full credit*: The law guarantees the right.
- *No credit*: The law does not guarantee the right.

**Due Process and Compensation:** Do communities have the right to judicially challenge a government's efforts to extinguish, alienate, or revoke one, several, or all of the communities' rights? If a community's challenge to the government's *expropriation* efforts fails, are rights-holders within the community entitled to compensation for the lost resources?

- **NOTE:** The right to compensation is not required for a full credit score if a community's rights can only be extinguished if a government finds that they have violated the terms of their forest management agreement. In the context of contract-based disputes, the right to judicially challenge the government's claim (i.e., the right to due process) is the only requirement.

- *Full credit*: The law guarantees the right.
- *No credit*: The law does not guarantee the right.

**Duration:** Are communities' rights time bound?

- *Full credit*: The law guarantees communities' rights for an unlimited duration of time.
- *No credit*: 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?

- *Full credit*: The law guarantees the right.
- *No credit*: The law does not guarantee the right.

**Alienation (Collateral):** Do communities have the right to transfer their land rights to others as collateral in order to access a mortgage or other line of credit?

- *Full credit*: The law guarantees the right.
- *No credit*: The law does not guarantee the right.

**Alienation (Sale):** Can communities sell their land rights?

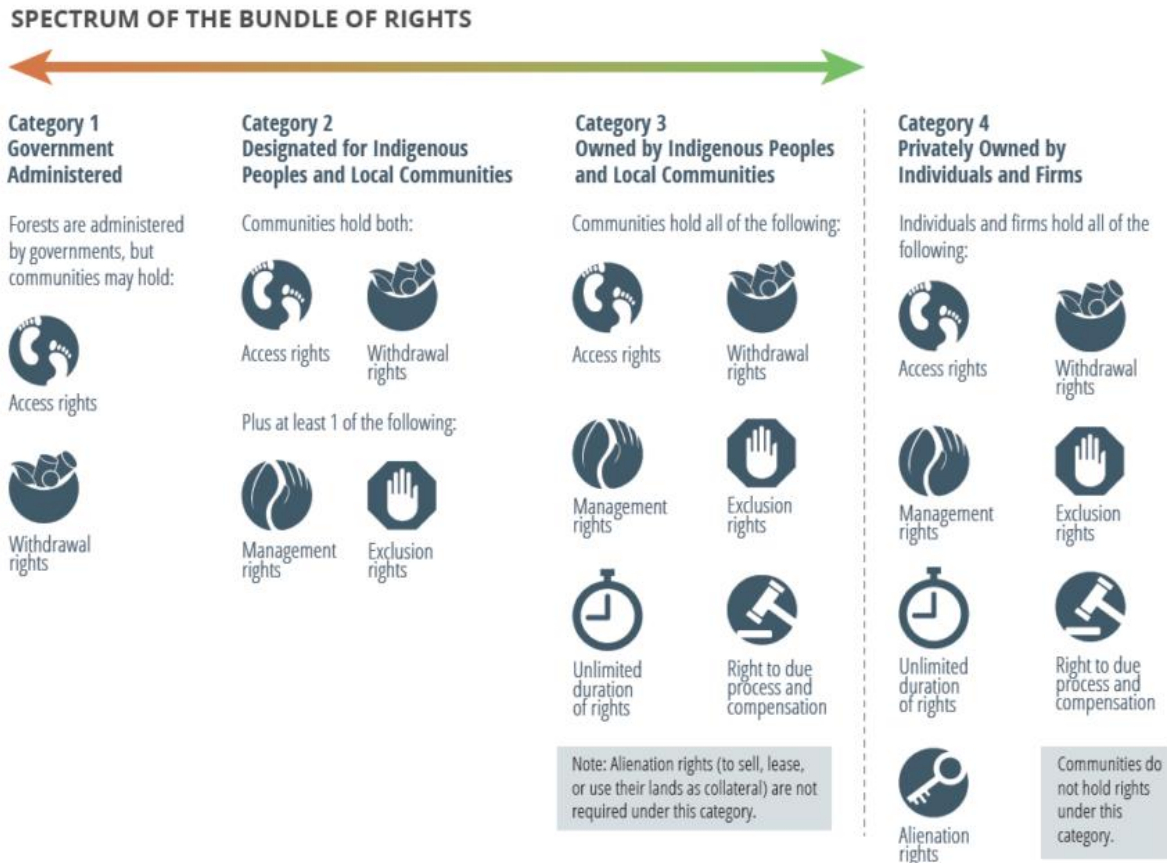
- *Full credit*: The law guarantees the right.
- *No credit*: The law does not guarantee the right.

### RRI's Statutory Forest Tenure Typology

Following analysis of the bundle of rights, RRI subsequently classifies each CBTR according to one of three categories based on the strength of their statutorily recognized rights:

- Government Administered
- Designated for Indigenous Peoples, Afro-descendant Peoples, and Local Communities
- Owned by Indigenous Peoples, Afro-descendant Peoples, and Local Communities

This allows RRI to aggregate and track data on the distribution of forest tenure among government, community, and individual rightsholders at the country level using the statutory forest tenure typology below:



More information on RRI’s statutory forest typology can be found on RRI’s [website](#).

We invite feedback on the methodologies employed and the data presented in RRI’s reports and website by contacting Chloe Ginsburg: [cginsburg@rightsandresources.org](mailto:cginsburg@rightsandresources.org).