Scaling-Up Strategies to Secure Community Land and Resource Rights

An International Conference to Take Stock of Current Efforts, Identify Promising Strategies, and Catalyze New Alliances and Action

September 19-20, 2013 | Interlaken, Switzerland

Final Report

Co-conveners of the Conference

The Rights and Resources Initiative is a coalition of 13 core partners who conduct work in specific areas of their regional and thematic expertise. Their mission is to support local communities' and Indigenous Peoples' struggles against poverty and marginalization by promoting greater global commitment and action towards policy, market and legal reforms that secure their rights to own, control and benefit from natural resources, especially land and forests. For more, visit the RRI website at **www.rightsandresources.org**.

The International Land Coalition is a global alliance of civil society and intergovernmental organizations working together to promote secure and equitable access to and control over land for poor women and men through advocacy, dialogue, knowledge sharing and capacity building. For more, visit ***www.landcoalition.org***.

Oxfam is an international confederation of 17 organizations networked together in more than 90 countries, as part of a global movement for change, to build a future free from the injustice of poverty. They work directly with communities and seek to influence the powerful to ensure that poor people can improve their lives and livelihoods and have a say in decisions that affect them. For more, visit **www.oxfam.org**.

The International Union for Conservation of Nature is the world's oldest and largest global environmental organization. Their mission is to influence, encourage and assist societies throughout the world to conserve the integrity and diversity of nature and to ensure that any use of natural resources is equitable and ecologically sustainable. For more, visit **www.iucn.org**.

HELVETAS Swiss Intercooperation's development projects are designed to improve the living conditions of women and men from disadvantaged communities in a direct and sustainable manner, to build capacities such that they can take control of their lives and to have the skills, resources and opportunities to secure a decent living. For more, visit **www.helvetas.org**.

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The Swiss Agency for Development and Cooperation (SDC) is Switzerland's international cooperation agency within the Federal Department of Foreign Affairs (FDFA). In operating with other federal offices concerned, SDC is responsible for the overall coordination of development activities and cooperation with Eastern Europe, as well as the humanitarian aid delivered by the Swiss Confederation. Learn more at ***www.sdc.admin.ch***.

Strategy Sessions Co-Organizers

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1 Introduction

The lack of clarity and recognition of community land and resource rights across the developing world has become a global crisis, undermining progress on social and economic development, human rights, peace, food security, environmental conservation, and our ability to confront and adapt to climate change. Ownership of roughly one-half of the rural, forest and dryland areas of the developing world is contested, directly affecting the lives and livelihoods of over two billion people. These lands, which contain the soil, water, carbon, and mineral resources that the future of all humanity depends upon, are the primary targets of rapidly expanding investments in industrial agribusiness, mining, oil and gas, and hydro-electric production.

Despite the challenges surrounding the global land crisis, with its roots in issues such as commodity markets, climate change, and weaknesses in governance, there are a range of opportunities for scaling up recognition and security of community land rights globally at present. These opportunities include the prominence of land tenure in relation to food security, climate change, and other development and human rights issues; shifts in practice within certain arenas, including the conservation sector and amongst many private sector investors and networks, towards greater support for community land tenure as a foundation for sustainability; and new policy frameworks such as the Voluntary Guidelines on Responsible Governance of Land, Forests, and Fisheries.

In order to strengthen collective efforts to address these challenges and capitalize on current opportunities to scale up community land rights around the world, from September 19-20, 2013, 180 participants came together in the town of Interlaken, Switzerland. The conference brought together a wide diversity of stakeholders-- governments, local communities, Indigenous Peoples' organizations, private investors, food and resource companies, and conservation groups—in order to promote new alliances and collaborations, scaled up efforts, and stronger connections from the local to the global scale on land issues.

The **specific objectives of the conference** were as follows:

- Collect, share, and synthesize leading strategies, experiences and bodies of knowledge for strengthening and scaling up community land tenure based on experiences by diverse actors in different parts of the world, in order to develop a better understanding of ‘best practice’ in investing in strengthened community land rights.
- Raise the public profile of community land rights as a global development, environmental and human rights priority issue, and generate information, ideas and practical plans to shape investments and policies in ways that better support local land and resource tenure.
- Provide a forum for the development of new collaborations and alliances among different actors and interests around community land tenure issues, including social justice and conservation NGOs, private investors and companies, social movements, multilateral institutions, and national policy makers.

This report provides a summary of the main outcomes and discussions from the Interlaken conference, with a focus on the priorities for action developed within five thematic strategy

sessions, which ran in parallel and provided the main structure and organization of the conference.

More information about the program, presentations, media coverage and related supplemental information including two short films made on the conference is available at the website: http://communitylandrights.org/.

Box 1: A Step in Strengthening Global Collaborations to Advance Community Land Rights

This conference was planned and executed as a significant step in a broader process which has been developing for the past year--led by the co-conveners of this conference--which is designed to strengthen global collaborations and alliances around advancing and strengthening community land and resource rights. This process includes an earlier workshop held in March 2013, which identified key strategies for advancing community land rights globally and the need for strengthening global alliances and collaborations.[1] The conference in Interlaken was the next step in a process of building wider support, collaboration and knowledge for greater global action on community land rights, and the outcomes of the conference will be taken forward by the co-organizers and other collaborating organizations into 2014.

[1] See joint statement issued by the participants at this workshop: http://www.rightsandresources.org/documents/files/doc_6041.pdf

2 Program Structure and Contents

The conference was organized as, essentially, five workshops which took place in parallel and were based on key thematic subjects in relation to the broader challenge of scaling up community land rights. Plenary sessions were held during the first morning of the conference to introduce the objectives and structure; and on the afternoon of the second day in order to enable collective discussion of key issues and findings across the different sessions and common themes and issues. See Annex 1 for the full conference program.

The five strategy sessions were as follows:

1. **Mapping and Documentation**
   - Co-organized by World Resources Institute, Instituto del Bien Comun, and AMAN.
2. **Legal Pluralism and Land Rights: Strategies for Community Empowerment and Legal Recognition**
   - Co-organized by Forest Peoples Programme, Namati, and International Institute for Environment and Development
3. **Expanding and Leveraging Private Sector Interest in Securing Community Land Rights**
   - Organized by Rights and Resources Initiative
4. **Consolidating Work to make Community Land Rights a Global Priority**
   - Co-organized by Oxfam and TEBTEBBA
5. **Deepening Synergies between Community Land and Resource Rights and Conservation Efforts**
   - Co-organized by IUCN, Conservation Initiative on Human Rights and Maliasili Initiatives

Box 2: Securing Community Land and Resource Rights: Definitions and Terminology

In describing the proceedings and outcomes of the Interlaken conference, it is important to frame the discussions and approach taken in the organization of the conference, in relation to two of the words and concepts in the conference's title.

The conference focused on **community** land and resource rights and tenure, meaning land and natural resources which are managed collectively, through communal property regimes. The reasons for focusing on such communal lands and resources, in the conference and in the broader alliance-building process around community land rights which the conference contributed to, are manifold. Communal lands tend to be those lands most vulnerable to alienation and expropriation by government and/or private investors. This is largely because in many countries legal regimes do not recognize local groups' rights to customary, collective lands and resources. This is particularly a problem in sub-Saharan Africa, where it is estimated that around 70 percent of the total land area—roughly 1.6 billion hectares—is managed communally through customary practices. The vast majority of this area is not legally recognized as local collective property by the state, which fuels conflict, alienation, and economic exclusion.

In focusing on **securing** community lands and resource rights, the conference framed its broad, global objective in terms of enabling local communities to achieve recognition of their land and resource claims and customary rights, to defend themselves from alienation and loss of their property and territories, and to strengthen the internal governance institutions that enable lands and resources to be managed in an equitable and accountable manner. In particular, the Legal Recognition and Empowerment strategy session explored different models of legal recognition and strategies for strengthening local tenure claims and institutions.

Several issues and concerns related to the choice of wording and terminology were noted during the conference. With regards to "community lands," a number of Indigenous Peoples' representatives noted the importance of recognizing Indigenous Peoples' unique territorial rights and claims, in relation to the wider scope of rural communities that exist around the world. In terms of the agenda to scale up 'security' of community lands globally, it was noted at a number of different points during the conference that there is a need to define more clearly what this means for different groups, particularly women, given questions that often exist around the security of women's individual property rights within the context of local customary tenure regimes. Going forward, it will be important to develop a more precise definition of 'security' in relation to community land and resource tenure, in terms of how security is achieved, and who security is provided to, in order to better address key questions around equity and governance.

2.1 Opening Plenary Highlights

The opening session of the conference provided the rationale for the event, discussed some of the expectations or hopes of a number of participants representing different groups of stakeholders, and described the structure and approach.

Andy White of RRI provided an overarching framing of the conference, highlighting the following points as central to the rationale, objectives and intentions of RRI and the other co-conveners of the gathering:

- Community land rights is a big problem; a global crisis. Most immediately and directly it is a crisis for the millions of local communities who risk losing land and resources. But it is also a crisis for all humanity- in terms of the implications for climate change, poverty, food security, survival of indigenous cultures, and diversity of life which brings beauty and meaning to all of our lives.
- In confronting this crisis, there are new opportunities and tools, such as the FAO Voluntary Guidelines, as well as movements such as Indigenous Peoples. There is heightened attention globally being paid to land rights issues by the G8 and others.
- The conference has been organized to search for the ways and means to scale up our collective impact, recognizing that business as usual has not delivered improvements at scale. Doing this is going to require efforts of all of us and uncommon allies and uncommon partnerships.

- This is the basic rationale for the conference--to provide space for key actors to come together, to make plans, to forge new partnerships, to create new alliances and relationships.
- We think we should set ourselves a goal of doubling the global area under secure community land tenure. It seems like we should be able to double the extent of community lands in the next five years. This would represent historic progress on this long-standing problem.
- The co-conveners are committed to continue to collaborate and follow up on what conference participants come up with. We have been working over the past year to prepare and get better organized as civil society networks and organizations.
- The conditions are right or at least better than ever for us to make massive progress, take a historic step in addressing this long-lasting threat. The present represents a major opportunity, but we can only achieve this if we are organized and coordinated. We need to develop our agenda on how we will collaborate, develop new ideas and new initiatives. Will squander opportunity if we in this room continue our business as usual.

Michael Taylor, from the Secretariat of the International Land Coalition, provided further elaboration on the rationale for the conference and the wider process of which it forms an important component:

- It is important to emphasize that this conference is not a one-off talk shop but part of a larger ongoing process. The good ideas that come from here will flow to something bigger.
- The four co-conveners got together about a year ago to explore priorities and opportunities for scaling up community land rights. Out of this process has emerged the idea that over the next five years we can double the amount of community land; this is a big goal, a big idea, we are committed to it, and now working to think through what needs to go into something like this, and how to construct a global call to action to double community lands as legally recognized and secure by 2018. What are the different strategies? How do we support different priorities in different regions? How do we develop the baseline? Discussions on this have resulted in the structure of this conference, and its five parallel sessions and key strategic areas.
- We are trying to achieve two things: 1) Create opportunities along key axes of action; 2) Generate a bigger global thrust to get more visibility, momentum on this urgent need on global policy level, regional and national level.

Box 3: Selected Perspectives from Representatives of Key Constituencies in a Panel on Setting the Stage

"*This is the first conference that brings together such a diverse group to look at land rights-hopefully this will help change existing paradigms. Secondly we have to be provocative to confront the global crisis of unsustainability, loss of ecosystems, and to confront the tensions and differences between us, such as relate to overlapping land claims or the way donors have been putting money through states to promote private property*."

-Vicky Tauli-Corpuz, Executive Director, Tebtebba, The Philippines

"*What's unusual about this conference is the diversity. There has been a recognition by the co-conveners that you can't leave the private sector out; it used to be we were the enemy and was easy to vilify the private sector. The difference now is we have a foot in the door and can be part of the dialogue and not outside of it. We may surprise some of you, may make you uncomfortable, as a mining company*."

-Chris Anderson, Americas Director, Communities and Social Performance, Rio Tinto

"*We don't yet know if this conference will wind up being important…we should use current momentum around land globally to get incremental commitments from some of the stakeholders translated into real action. In the development community this opportunity will not be open for very long. We need to overcome the silos and go outside of our comfort zone and rise to the occasion*."

-Iris Krebber, Food Security Advisor, Department for International Development (DFID), UK

"*Land which is not secured will be violated. Even if it is secured it may be violated- but if it is not secured we know it will be….At the end of the day it is not NGOs or companies or donors that change the law—it takes the state. Will we be in a position to influence land law reform which recognizes community land rights?*"

-Samuel Nguiffo, Executive Director, Center for Environment and Development, Cameroon

3 Strategy Sessions

3.1 Mapping and Documentation

3.1.1 Overview

This session explored the problems in mapping community lands, the use of maps to secure community land tenure claims and territories, the challenges involved in consolidating community land maps at the national and regional level, and opportunities for expanding adoption and scaling mapping and documentation efforts. The specific objectives of the session were:

1. Review community mapping experiences with a focus on the local and national social and political challenges and the use of maps as advocacy tools to secure community land and resource rights;
2. Review experiences of consolidating community land maps at the national and regional level, focusing on social hurdles, political challenges, and the importance of shared protocols and standards;
3. Consider and prioritize strategies for scaling-up community mapping, including efforts to map community lands and to consolidate this data at the national, regional and global level.

A full program description for this strategy session is provided as Annex 2.

3.1.2 Key Issues & Priorities

The following issues and developments were highlighted during the session as major opportunities for advancing the use of maps to secure and strengthen community land tenure:

- **Positive enabling legislative frameworks:** Around the world we see a growing openness within legal and regulatory frameworks that create the space for mapping community and Indigenous Peoples' land and resource rights.
- **Technologies and software bringing down the costs of community mapping:** The use of new technologies like smart phones, tablets, and the rapid expansion of mobile phone connectivity in remote parts of the world now open up enormous possibilities for lower cost mapping and transmission of geographical information.
- **Expanding platforms for norms and data storage of maps:** The presence of new software platforms like LADM, the Social Tenure Domain Model (STDM), and Open Cadastre are just a few examples of the many software applications now emerging. The LADM is trying to standardize norms and procedures for land rights information and maps. Much experimentation occurs at this time with these tools.
- **Incentives for community land rights mapping:** While incentives from the state are opening up the space to map community and Indigenous Peoples' land and resource rights, the private sector ought to encourage government to document and map the spectrum of rights as good business practice. Governments, the private sector, and local communities need to know the extent of overlapping land rights and especially concessions.
- **Weak government capacity to meet demand for mapping:** Governments sometimes have limited capacity to do community mapping. The state should be open to accepting community maps generated with the assistance of service providers (e.g. civil society

groups, consultancy services, businesses). Laws and regulatory frameworks are especially important to guide these service providers.

3.1.3 Next Steps

1. **Developing a global land tenure map of community lands.** At this time consensus exists to generate a global map of community lands, which may serve as a baseline source of data on community land rights at the global scale, with a minimum content data set including the "population present", "points of settlement," and "boundaries" of community and indigenous peoples' land. These three variables are the minimal data base; additional spatial data is more controversial and will require further discussion and exploration. Informed consent is required of indigenous communities themselves to present information beyond these variables. This is because data can be used, and abused, in ways unknown at this time.

2. **Commitments:** The International Land Coalition (ILC) and the World Resources Institute (WRI) agree to lead and support the convening of a core group to lead the development of this global community land tenure map or information platform, including finalizing agreement on what information this platform should contain.
    - ILC will commit some resources required to convene key actors around this task.
    - WRI will provide resources and staff to develop initial prototype maps/platforms but at a small scale.

3.2 Legal Recognition and Empowerment

3.2.1 Overview

This session examined the dynamics of legal pluralism and the opportunities and threats present in forms of legal recognition of customary law, customary land tenure and community land rights. Through discussions and presentations of various community struggles, legal advocacy cases and engagement with business contract negotiations, participants reviewed the use of various community empowerment strategies and legal tools in different national and regional contexts and developed priorities for the future.

The session began with an overview of different forms of legal recognition of local land rights and proceeded through two interactive panel sessions wherein participants considered a range of legal instruments and practical community-empowerment techniques being adapted and employed effectively across diverse contexts, in order to address diverse and competing pressures on the land and customary systems. The session concluded with a final interactive strategizing session on advancing the protection of local land rights and preservation of community lands.

A full program description for this strategy session is provided in Annex 3.

3.2.2 Key Issues & Priorities

There is a range of different models or pathways for legal recognition of community land rights, including:

- **Declaration:** Overnight change through legal reform. Create a national land policy that guides legal reform elements; embed land policy in constitutional reform/language of the Constitution. Find opportunities in existing law to recognize rights, active dialogue with CSOs and youth especially important.
- **Domain approach:** A "shell approach" that only comes into force when boundary defined, with other communities.
- **Governance approach:** More administrative
- **IP approach:** Native title; ethnically defined; often only usage rights; state keeps eminent domain powers, sometimes underlying title.
- **Titling approach**: Must be nested in community approach, otherwise perpetuates land grabs; is slowed down by a case-by-case approach; is linked to communities' applications.
- **'Back door':** focusing on particular resource (e.g. forest), e.g. land acquisition laws (India, Afghanistan).
- **Incremental**: Conservation trend.

Legal recognition and empowerment must be geographically specific and oriented towards supporting the needs of particular groups, for example it must respond to the needs of Indigenous Peoples, immigrants, women, and in contexts of diverse and competing pressures on the land (resource extraction, in-migration, speculation, and degradation) and areas seeing rapid urbanization and post-conflict situations. Private and collective forms of recognition need consideration based on context. Overall, participants observed that legal recognition of local land rights cannot be separated from the political nature of land issues, and legal approaches may not necessarily address all community needs. A focus on empowering citizens through

effective community governance is likely to strengthen protection of community lands and developing capacities to engage with the political dimensions of legal recognition. Community empowerment is key. Importantly there are many definitional issues around legal recognition of local land rights to be worked out including defining "community," forms of land stewardship and customary tenure and issues of ethnicity.

> *"Community governed and upheld lands comprise 6 billion hectares and are home to about 2 billion people. This is the largest tenure system operating in world today."*
>
> ***Liz Alden Wily, international land tenure expert***

3.2.3 Successful Strategies – what we know works well

Strategies discussed included documenting and strengthening local customary tenure and land governance systems, improving investor and state accountability and reforming national policy and legal frameworks. Some successful policy reform processes were discussed but speakers and participants put emphasis on the uphill challenges of transforming recognition in policy and law to implementation on the ground.

- Building representative democracy and accountability in local decision-making structures and recognition of existing customary/traditional systems and institutions through documenting existing structures and developing community constitutions and by-laws based on customary systems and institutions – e.g. LEMU's PPRR, Natural Justice's Bio-cultural protocols as possible first steps towards formally registering claims.
- The emphasis in all these efforts is on the process of communities debating and documenting their evolving customary systems in response to new pressures.
- Documentation of land claims: testimonies, mapping, video, formal processes can all result in recognition – including mapping resources, history of land use by communities, etc.
- Decentralization strategies can also reform the statutory system and create mechanisms to establish the legal personality of customary communities within a decentralized governance system.
- Pushing the boundaries of law – making use of existing legal provisions but pushing the boundaries to protect rights.
- Expanding legal provisions as opportunities for advocacy allows through legal analysis and reforms. Examples shared include judicial review – such as the case of AMAN and the Constitutional Court ruling on the Forest law. Asserting customary law has a role to play here. Policy reforms recognizing customary lands and land tenure have successfully come about through well-coordinated advocacy drawing on community consultations and citizens movements for change (Liberia, Kenya).
- Making community land rights a political issue. This has happened in many countries through:
    - Coalition building - creating NGO alliances, build and strengthen national CSOs, share strategies.
    - Creating alliances between communities (struggling with investments that cover their areas.
    - Building consensus amongst all political parties.

- Focusing on developing principles over strategies.
- Dealing with context-specific challenges as they arise.
- Undertaking evidence-based advocacy.
- Influencing public opinion, via: media, religious institutions, artists/cultural troupes, youth/student groups, academics, responsible private operators/actors. → Using art, music, and other creative forms to express the urgency and importance of community land rights.
- Leveraging a single big case to push reform of land laws (e.g. Herakles case in Cameroon).

- Improving state and investor accountability through public information systems to share information (e.g. Bolivia) and create watch-dogs engaged in documentation of abuses, due diligence assessments, name and shame in the companies' home countries.

3.2.4 Priority Strategies—what we need to step up efforts on

1. Reinforce inclusion as a fundamental principle in resource governance, including the voices of women and vulnerable groups like pastoralists – at the centre of land reform efforts.
2. Support the creation of strong community governance structures that are backed up by external support/capacity-building.
3. Build on local tenure and governance systems to gain legal recognition from the bottom-up, led by communities.
4. Promote recognition of existing customary/traditional systems and institutions:
    a. Document existing structures – (Community by-laws, constitutions, conventions, bio-cultural protocols).
    b. Educate/raise the awareness of government officials about customary norms, of the legal recognition of customary land claims.
    c. Help outsiders understand terms and definitions of customary principles.
5. In addition to Indigenous Peoples' rights to land, address rights for all local/place-based communities.
6. Address intra-community power and equity → identity, ethnicity, class: equity and justice across groups.
7. Get women's mandatory representation in local, regional and national governance structures.
8. Build the capacity of local institutions, including access to information, legal awareness (national law, international law, and customary law), organizational training, governance training, etc.
9. Train junior lawyers to understand customary land law/paradigms (integrated into law school curricula), as well as to read and negotiate community-investor contracts.
10. Build community capacity to engage with incoming investors – e.g. to read and understand contracts.
11. Document and share success stories/good, effective strategies that have proven successful (e.g. examples of resistance by communities good policy advocacy, successful court cases).
12. Target and mobilize donors to commit funding to implementation and enforcement of community land claims, policy advocacy work on legal recognition and knowledge sharing across regions.
13. Aid agencies to hold IFIs accountable to deliver according to commitments on human

rights, democratic governance, developmental effectiveness, etc.

14. Engage the private sector through: Capacity-building and constructive dialogue, legal action and alterative conflict resolution, and campaigns.
15. Document how ODA is being influenced by foreign direct investment, and develop assessment tools for this.
16. Build better investor accountability mechanisms. Tracking individual companies and their operations in multiple locations. Improve systems for tracking investors up the investment chain and assessing/monitoring private sector compliance with safeguards and guidelines (IFC performance standards, OECD, Equator Principles, etc.) including by watchdog organizations (Banktrack, Corpwatch, Bankwatch, the Bretton Woods Project).
17. Develop better guidance for countries engaged in land reform/policy reform.
18. Pursue implementation of international agreements at the national level: e.g. ILO, CBD, UNCCD, UNFCCC and FAO's Voluntary Guidelines into national frameworks.
19. Monitor and engage with international trade and investment agreements and advocate for better laws that rebalance rights afforded to companies, governments and local communities.
20. Given that militarism and war are the biggest drivers of land grabs – find ways to address land grabs in treaties, ceasefires, peace agreements, etc.
21. Ensure that the social movements that helped drive/support community land rights recognition (e.g. through policy reforms) are sustained and kept strong even after recognition in law, policy or individual cases, so as to avoid fragmentation of the movement and maintain momentum.
22. Address the political space in which CSOs are operating, including state violence against advocates in order to build systems for greater protection for land rights defenders.
23. Strengthen alternative dispute resolution strategies for conflict management (relevant to all conflict types - within communities, between communities, and between communities and government or investors).
24. Determine how to best use mapping and map-based information to support legal recognition and community empowerment.
25. Track what land has been legally recognised, using mapping and other mechanisms
26. Develop a baseline and indicators of recognition for customary land rights to allow for tracking of progress.
27. Develop campaigns on new development paradigms targeting multi-laterals in particular, especially one that values place-based/indigenous/customary/local systems of knowledge.

3.2.5 Next Steps

Priorities going forward were identified and discussed through parallel brainstorming sessions, which developed the following combined list:

- Create systems of investor accountability
- Address the CSO environment, including state violence against advocates àneed to protect advocates
- Determine what kinds of legal recognition are good strategies to take forward? Typologies of recognition:
    - Map out who is doing what, and undertake a comparison/benchmarking of

different strategies, e.g. legislative advocacy, litigation, international processes, etc.

- Create guidance for countries engaged inland reform/policy reform.
- Determine how to best use mapping and map-based information to support legal recognition and community empowerment
- Hone, improve and use alternative dispute resolution strategies for conflict management (all kinds of conflict - within communities, between communities, and between communities and government or investors)
- Mobilize resources: create strategies and tactics to share information across regions
- Create opportunities for cross-expertise exchange (with information easily searchable).
- Pressure multi-laterals to recognize a total new paradigm of development. Once based on place-based/indigenous/customary/local systems of knowledge
- Create or strengthen platforms for:
    - Communities to share their knowledge and expertise - in person and on-line.
    - Advocates/NGOs to share their knowledge and expertise - in person and on-line.
- Document how individual companies are abusing cross-nationally.
- Trace investments, follow the money, build relevant accountability systems
- Determine how NGOs and global actors can support local movements generated at the grassroots (rather than coming in with our own projects) à providing resources, funds, capacity-building as requested – feeding and strengthening local movements for community land protection, as *they* want to be supported.
- Create various platforms and tools for knowledge sharing that link and cross-reference each other (i.e. to help with investor accountability, sharing of best practices, etc.)
- Track what land has been protected, using mapping and other mechanisms.
- Mobilize resources to jointly fundraise across disciplines; get donors to commit to funding implementation and enforcement of community land claims, as well as policy advocacy.
- Develop a baseline and indicators of recognition for customary land rights to allow for tracking of progress.

The group recognized the importance of continuing to build knowledge sharing platforms on these three arenas that:

- Enable communities to share their experiences, knowledge and expertise.
- Enable rights advocates and CSOs to share strategies and expertise in person and online.
- Locate expertise easily through sites showing which organizations are doing what.
- Cross-reference each other and enable thematic expertise to be exchanged.

A number of portals and initiatives exist to share legal empowerment tools and strategies for recognition (Namati, International Institute for Environment and Development (IIED), Landesa, Forest Peoples Programme). These should continue to be built and opportunities for cross-referencing and consolidating could be looked into. It is not always possible to get all information in one place, and it is also healthy to have multiple actors generating similar information as they see different things and enrich what one database has with another. The multiple databases on land grabs are another case in point.

3.3 Expanding and Leveraging Private Sector Interest in Securing Community Land Rights

3.3.1 Overview

This session examined current efforts from leading companies to respect and help secure community land rights as well as the work of civil society organizations to hold business to account and to push the land rights agenda across the private sector. It took stock of promising business models standards, consultation processes that are undertaken by companies, as well as their efforts to ensure that land rights are respected throughout their supply chains. The session discussed the status of sector-wide initiatives such as role of commodity platforms and the potential of engaging the financial institutions to take into account the financial risks of insecure tenure. The discussion also reviewed civil society initiatives aimed at establishing standards, monitoring performance, and promoting transparency.

A full program description for this strategy session is provided as Annex 4.

3.3.2 Key Issues & Priorities

- New research shows that companies engaging in industrial concessions in developing countries have a significant exposure to the financial risks of insecure tenure.

- There is a greater level of interconnectedness between national operations and domestic firms and global markets and finance than often anticipated: regional investment is often financed by international capital; local level investments are often guided or exposed to safeguards implemented for the deployment of international finance. (Indicated by the experience reported by Global Witness in engaging medium-scale, domestic enterprises involved in rubber plantations in the Mekong region – showing that they too were linked to international capital markets and open to engagement. (It had often been assumed that this type of firm was beyond the influence of international norms or scrutiny from civil society.)

- Companies are increasingly considering investments in the context of how the investment may relate to land rights and land reforms.

- Companies generally lack an understanding of the customary, and often informal, rights of local communities and people.

- There has been an evolution in the roles of NGOs and increasing recognition that they can be engaged in both “naming and shaming” and constructively engaging with private actors.

- There have been major changes in the operational landscape for companies over the recent years: communities are more organized and can expose company actions to national and international media; extractive and agribusiness industries increasingly recognize that communities must be engaged with; international standards are become better known and accepted.

- Room for engagement with private sector has expanded because: (1) organized communities and Indigenous Peoples, (2) private sector recognition of the problem, (3) there are new normative frameworks that require private sector due diligence on this issue.

- Growing awareness and attention to supply and value chains are connecting communities to every part of businesses.

- There is an expectation that leading, socially responsible, companies should introduce best practices around land use at the landscape level – though again, this can be difficult if the government is not supportive and the company cannot address or redress land rights issues on their own.

- Critical issues for private sector: (1) The idea that companies have an obligation to respect human rights; understanding and knowing their impacts on labor and environment; (2) growing expectations for transparency and open reporting force companies to look across operations; (3) knowing your supply chains/sphere of influence; (4) participation and engagement with communities; the social license; (5) designing grievance mechanisms.

- The issue of land rights is relatively new to many companies, investors, and civil society organizations. Much more attention has been put on environmental performance in the past (e.g. "no deforestation", or "only legal/sustainable" sources in the supply chains). Need to now add "no exploitation" standards (i.e. land rights, women's rights, etc.) to standards and monitoring.

- IFC, and others promulgating frameworks and standards, look to clients to operationalize the standards.

- There is increasing recognition of the "social license" for all companies to operate, and vulnerability of that license.

- "Open contracting" was discussed but there were different opinions as to how realistic this is considering company needs for not revealing their intentions to the competition before the deals have been done.

- Challenges include not only "cleaning-up" supply chains to ensure "no exploitation", but also adjusting business and production models to respect local land rights (and community desires).

- With regards to encouraging small business/outgrower schemes/etc., of course some communities and individuals are better entrepreneurs than others – and this fact makes the adoption of different business models more challenging.

3.3.3 Next Steps

To effectively "expand and leverage private sector interests in securing community land rights," two challenges need to be addressed simultaneously:

1. Develop and expand "responsible business models" that systematically integrate land rights issues into operations, supply chains, and finance.
2. Find ways to close the door for those operators unwilling to change to "responsible business models" - i.e. those ignoring community rights and handling the related risks through corrupt or other illegal/unethical means.

The groups' work focused on the first challenge with the assumption that the second would be mainly tackled by the other groups, although some of the actions identified help to address both 1 and 2.

The group identified the following **four key critical areas for action**:

1. Make the business case for companies to respect and invest in systematically addressing local/community land rights' issues;
2. Mobilize business "leaders" and companies engaged and developing best practices to influence other key players, including other companies and governments at different levels;
3. Build transparency regarding land rights into land deals and supply chains; and
4. Leverage change in both respecting and advancing land rights through supply chains.

Under the **first critical area** the group identified the following concrete actions (without order or priority):

1. Build local/community land rights into a risk assessment tool that quantifies the cost implications of land tenure issues - to make them understandable to investors and company directors (i.e. translating the issues into a language and methodology they are familiar with);
2. Clarify and explain what actions are needed to avoid or mitigate land tenure risk (consultations, mapping, EIA/SIA) and quantify their cost; and
3. Develop case studies demonstrating best practices with regard to land tenure risk.

Under the **second critical area** the following actions were identified:

1. Use the political influence of industry "leaders" to influence other companies and sector(s) – mining, agriculture, forestry etc. to do more on land rights at the national and international levels. Make use of multi-stakeholder platforms, trade associations, roundtables etc., to engage those who have not yet adequately dealt with this issue;
2. Share experience from sectors that are further ahead on these issues (e.g. forestry) to inform and raise awareness in other sectors (e.g. agriculture);
3. Work with the investment community to frame land rights as "property rights" which is more understandable to the investment community and risk analysts. Work with the Equator Banks to develop more compelling "stories" and approaches to influence investors on this issue;
4. Promote lessons learning and information/best practice sharing within big international companies where one part of the company may be well ahead of others in this respect;
5. Develop targeted action towards key individuals (e.g. CEOs and Chairs of Boards) who can bring a broader perspective on these issues and make changes happen quickly in company policies and operations; and
6. Expand the level of effort to monitor and engage medium and domestic-focused enterprises on land rights issues and invest more in developing methods to influence

regional firms--especially bad actors--who do not rely upon international capital markets, and generate sales locally and regionally.

Under the **third area** the following actions were identified:

1. Make maps of concessions, boundaries and supply chains publicly available, and easily accessible: a key step towards transparency and product traceability. This requires cooperation between companies and governments;
2. Mobilize industry leaders and civil society to promote greater transparency - a powerful tool for marketing by the industry "leaders" - e.g. related to issues such as food safety and brand image. There could be partnerships between companies and NGOs to promote transparency;
3. During investment planning processes (i.e. before the concession is assigned or the business model is decided), make information available to communities in a way they can use for their internal consultations and discussions. The capacity of communities to use and disseminate such information needs also be strengthened. These are preconditions for FPIC. NGOs can have a major role in this; and
4. Strengthen community level monitoring of implementation, with support from the private sector and NGOs.

Under the **fourth area** the following actions were identified:

1. Put land rights issues visibly into supplier codes, commitments, and policies;
2. Follow up implementation with impact assessments and make the results of such assessments publicly available;
3. Work with export credit agencies to put these issues visibly in their agendas;
4. Use the power of big brands to put pressure on their more "invisible" (to the consumer) big intermediaries and suppliers (e.g. Cargill, ADM); and
5. Expand the use of scorecards (e.g. Oxfam, Behind the Brands initiative) to encourage a "race to the top" and extend these to all critical sectors. Build the business case for integrating land rights issues in supply chain management with companies from less transparent but important countries dependent on external supply of commodities (China, Korea) through: (i) the sustainability of supply argument, and (ii) the "country brand" argument. Use the Embassies and other politically important "entry points" for influence.

Regarding how to take these forward, the group suggested in general:

1. Sharing these ideas widely with colleagues
2. Building/strengthening networks between the different constituencies;
3. Helping all actors in these constituencies to identify where their input would be critical.

More specifically the group agreed that this good start should be immediately followed by actions to:

1. Develop a summary of the groups' recommendations for action, and review and comments from the panel and the participants;
2. Further develop action items and agree on responsibilities;
3. Define how the each of the participating organizations can be most useful in moving these conclusions forward;
4. Develop a website and list-serve for sharing information on this topic - RRI will lead;
5. Identify useful areas of research;
6. Identify case studies for use by different interest groups; and
7. Schedule another face-to-face meeting of the panel after assignments and responsibilities are identified.

3.4 Making Community Land and Resource Rights a Global Priority

3.4.1 Overview

More than 30 professionals and activists from civil society, Indigenous Peoples' groups, multilateral organizations and Northern governments participated in this session to discuss strategies for generating greater global attention and collective action on community land rights, identifying the key global policy processes, devising ways to influence those policy processes and to more effectively influence public opinion on the issue. The session participants identified a number of key steps to advance this issue, focusing on ways to take advantage of existing international processes.

The session took stock of past experiences with processes, movements or campaigns aiming to secure community land rights at different scales, exploring what has been effective, where there are tensions between different right holders and interest groups, and what opportunities exist for scaling up, building on these experiences. The session also heard from individuals personally involved in major relevant international processes, including the CFS Voluntary Guidelines (VGs), the African Union's Land Policy Initiative, United National Framework Convention on Climate Change (UNFCCC) and related Reduced Emissions from Deforestation and Forest Degradation (REDD) programs, the European Union Forest Law Enforcement, Governance and Trade initiative, the World Bank's Safeguard Review, the recent G8 land initiatives, and the discussion on the post-2015 global development framework and the Sustainable Development Goals.

In addition, considerable effort was made to identify and debate those key issues that may slow down or impede consensus-building on community land rights issues, and to find common ground.

A full program description for this strategy session is provided in Annex 5.

3.4.2 Key Issues & Priorities

Firstly and foremost, participants agreed on and strongly reiterated the common message that brought them together, i.e. the need to secure community land and resource rights worldwide and upscale efforts to do this. They generally welcomed the idea of a global call to action on community land and resource rights, centered on **doubling the global area under community tenure systems**, although a range of questions about the basis for this exact goal and the underlying data on which it is based remain to be addressed**.** A global call to action around this sort of goal would have value in raising the profile of these issues in international fora such as the G8 and the G20. At the same time, participants recognized the diversity of strategies, struggles, and agendas that may contribute to this goal. Particularly important points discussed and agreed were as follows:

- Land tenure alone is not enough; rights to the resources on and below the ground (that is, control over them) are crucial.
- The gains in self-determination made by Indigenous Peoples are important and must be upheld.
- The rights of other resource-dependent communities must also be recognized.
- There are many potential synergies and opportunities for mutual collaboration between Indigenous Peoples and other resource-dependent communities, which should be maximized.

- Understanding of local contexts is essential; for example, the widespread occurrence of economic out-migration within many poor resource-dependent communities needs to be factored into interventions. Similarly, ways need to be found to support women and men's voices in a culturally appropriate manner.
- Emphasis must be placed on supporting good local governance to ensure sustainable and equitable resource use.

Broad consensus was expressed on better linking policy and practice and focusing on the **enforcement** of existing international tools--including reviewing them or devising appropriate enforcement mechanisms--at national and local levels. This was identified as the most critical space for achieving change on the ground. Participants commented frequently on the need for national governments to adopt and implement the **Universal Declaration on the Rights of Indigenous Peoples** (UNDRIP), the related ILO convention 169, and the **Voluntary Guidelines on the Responsible Governance of Tenure**, recognizing also the impact these should have in bilateral cooperation agreements. Similar attention was given throughout the session to national multi-stakeholder platforms and the urgency to equip rights-holders and civil society organizations with the information, skills and resources to adequately participate, monitor governments' actions, and advocate for change, in both the global South and North.

3.4.3 Next Steps

Participants reviewed and discussed possible areas of engagement for the coming months and also started exploring potential for collaboration. Priority was given to specific processes, including:

- **The post-2015/SDGs framework**. The group highlighted the importance of integrating land and resource rights in the post-2015 / SDGs framework--as a stand-alone goal or, more likely, under the range of overarching targets--and to work immediately on defining indicators and targets. It was widely perceived that community land and resource rights fit squarely with a transformative agenda that bring together human rights, equality and sustainability. It was also suggested that efforts should be made to identify and approach the actors who are both influential in the post 2015 / SDGs debate and sensitive to these issues.

- **The human rights agenda**. Several participants suggested working more extensively with the system of Special Rapporteurs and Individual Experts of the United Nations system to deepen their work on violations related to land and resources, especially in relation to food security and housing. The possibility of having a Special Rapporteur on Land Rights was also raised. A strong need was voiced for making investors and States accountable for implementing the UN Guiding Principles on Business and Human Rights and for using existing reporting systems, starting with the Universal Periodic Review and the associated shadow reporting by civil society, to advance community land and resource rights at national level.

- **International Financial Institutions (IFIS)' and other institutions' safeguards**. With special emphasis on the on-going World Bank's Safeguard Review, participants recommended that development actors fully incorporate the VGGT in their safeguards and operations. In addition, the possibility to continue this particular discussion through

other meetings and events was proposed, and the suggestion made to build a repository of relevant policy documents, cases and literature.

- **Climate change negotiations**. Participants suggested a greater engagement in climate change negotiations for the inclusion of community land and resource rights in a possible 2015 international agreement. Whilst discussions on this track appear particularly complex, the crucial nature of land and resource issues in climate change negotiations was recognized. Civil society representatives suggested mobilizing citizens and movements around this specific process.

- **International Strategic Litigation**. Several participants already involved in international strategic litigations reflected on the need to develop a common strategy so as to improve coherence in their work and better act to secure community land and resource rights.

The group also took some very concrete resolutions, agreeing to:

1. **Collaborate in advocacy efforts through the following mechanisms:**
    - Set-up a contact group on relevant policy processes to bridge the information gaps between different sectors;
    - Build a shared map of actors and policy processes at both regional and global levels that are relevant to the global debate (timing of meetings, deadlines for decision making, etc.) in order to identify windows of opportunity to contribute to them;
    - Invite all present in the group to submit ideas on who, how and when to influence global policy debates; and
    - Support the building of grassroots civil society organizations capacities to advocate effectively.

2. **Work on building the evidence through the following measures:**
    - Review and connect existing evidence to build the case for a global call - including a better articulation of the linkages between community land and resource rights and global challenges such as food security, environmental stewardship and conflict management;
    - Develop a narrative on community land and resource rights that includes both success stories and an identification of risks;
    - Package the message in a form that is appropriate for different audiences; and
    - Ensure effective communication to reach out to media, governments, multinational processes, etc.

3.5 Deepening Synergies between Conservation and Community Land Rights

3.5.1 Overview

This strategy session examined ways to deepen synergies between community land rights and conservation efforts around the world, exploring both challenges and opportunities for active collaboration and new alliances. Specific objectives of the session comprised the following:

1. To explore the links and synergies between community land and resource tenure and nature conservation.
2. Discuss the challenges and opportunities and map out the critical routes for enhancing land tenure security and conservation outcomes, using a rights-based approach.
3. Make recommendations for action and collaboration on specific opportunities and entry points for scaling up conservation sector support to community land rights over the next 12-18 months.

A full program description for this strategy session is provided as Annex 6.

3.5.2 Key Issues & Priorities

- Session participants shared the recognition that there are strong synergies between community land rights and conservation because of the important roles and contributions of Indigenous Peoples and local communities to conservation.

- Participants also recognized that conservation has historically been a part of the process of land alienation, often at hands of the state and outside forces.

- Global conservation practice has changed substantially during the past 20 years and there are widespread examples of conservation advancing community land rights interests in different contexts and settings, through alliances with rural communities, Indigenous Peoples, and others. Indigenous and Community Conserved Areas (ICCAs) and other forms of community-based conservation have entered the mainstream and been adopted through global conservation policy and strategies. Indigenous peoples and local communities have engaged with conservation initiatives and organizations to advance their own interests. This has created much more space and many examples of collaboration between conservationists, indigenous peoples, rights groups, and others.

- Despite the changes that have taken place, conservation approaches that support community land and resource rights remain inconsistent around the world, largely reflecting wider patterns of recognition--or lack of recognition-- of community rights. Standards for conservation practice need to be stronger and more widely or uniformly applied across countries. Stronger internal consistency also needs to be promoted within conservation organizations and networks.

- Ultimately governments are responsible for conservation policy and for recognition of community land rights. However, conservation organizations can play important engagement and advocacy roles. Where local communities' land tenure interests are in conflict with the state, aligning with and supporting rights-based approaches may require shifts in previously strong relationships with central governments. .

- Major global conservation targets and initiatives now recognize the importance of community land and resource tenure. REDD, notably, has played an important role in highlighting the importance of community land and forest tenure and integrating this, to some degree, in its policy approaches. ICCAs have been increasingly highlighted by policy targets under the Convention on Biological Diversity (CBD), including the recent Aichi Targets for 2020. There is a strong case to be made that the Aichi Targets for expanding protection of an increasing global area of land and seas can only, or best, be achieved through community-based or co-management since there is limited scope for expanding exclusive government protected areas. For communities to practice conservation effectively, tenure issues must be addressed. This creates a strong strategic imperative for conservation efforts to invest more resources in strengthening community land and resource tenure.

- At the global level, these realities create a strong imperative for strengthened collaborations, alliances, and synergies between land rights and conservation initiatives and policies.

- In supporting efforts to advance community land tenure, the issue of local and national civil society capacity is critical, since strong civil society organizations and networks must play a central role in supporting and facilitating communities to secure land and resources and achieve policy changes that reform existing tenure arrangements.

- An important priority for global conservation efforts is investing more resources in strengthening Indigenous Peoples' and community organizations. Greater funding and support should flow to those groups, to support their planning process, to link to civil society coalitions in which conservation groups need to increasingly play a role.

3.5.3 Next Steps

1. **Strengthen the conservation voice on community land and resource rights in global policy processes and fora,** including through new alliances. Specific entry points and platforms for further developing these discussions identified by the group include the 2014 World Parks Congress, the World Conference on Indigenous Peoples, the post-2015 Sustainable Development Goals, UNFCCC and UNESCO World Heritage. Concrete action points focused on the upcoming (November 2014) World Parks Congress and included to:
    - Organize a dialogue on protected areas and community land rights at the WPC.
    - Prepare a discussion paper on the case for protected area reforms, linked to broader legal reforms recognizing community land rights.
    - Engage with/contribute to national-level planning and reviews of protected area governance.
    - Advocate for relevance of community land rights to achievement of the Aichi Targets.

2. **Develop the evidence and analytic base linking community land tenure and conservation outcomes**, including capturing changes in conservation practice and alliances on the ground. Recommendations included to:

- Compile and disseminate information on the evidence base for the role of community land rights in conservation outcomes.
- Document and share experiences with synergies between community land rights and conservation, including at the local level to build CSO capacity.

3. **Engage in supporting legal recognition of community land rights as they relate to conservation**, in keeping with local understanding of rights**.** Recommendations included to:
    - Organize country level dialogues in a diverse range of countries on standards of practice for conservation efforts, in terms of support for community land rights, to promote conflict resolution and greater consistency in conservation practice in relation to land tenure issues.
    - Support national coalitions to provide inputs to tenure and conservation reform processes, linked to international obligations.
    - Use landscape designations as a tool to increase tenure security in the face of threats.

4. **Support land/territorial planning and management efforts of indigenous and community organizations**.

5. **Build alliances to address corporate private sector threats**--integrating land rights/social and environmental issues in efforts to promote standards and better practices.

4 Concluding Plenary

The afternoon plenary session on the second day of the conference was devoted to reporting back from the five strategy sessions in order to provide an opportunity for sharing the main outputs of these sessions (as detailed in the previous section of this report). General discussion around key points and observations arising from the different sessions followed. The conference concluded with a panel comprising the representatives of key constituencies who spoke at the opening panel session (see Box 4).

A selection of particularly significant points which were made and discussed during the plenary session is included here:

- One participant noted the conference had highlighted the need to bring the human rights community closer together with this community around land rights. Why is the human rights movement separate from the land/forest rights movement? There are a lot of commonalities: livelihood and rights focus, challenges relating to abuses against defenders of community lands which is a major issue in some countries.

- One participant raised the issues of linkages between conservation and community land rights, and proposed that beyond development of synergies and collaboration between conservation and land rights, and support for securing community land rights as a key strategy for conservation, it was time to consider the issue of restitution of community land rights in state protected areas created out of past alienation of community lands, and proposed that this should be a part of agendas and targets as well.

- A spokesperson for the Indigenous Peoples caucus at the conference provided some feedback on the conference from that group's perspective. This highlighted the fact that indigenous groups continue to be on front line on land rights struggles around the world, with a clear constituency. The IP efforts over the years had brought land rights issues into the formal global human rights framework. Through sustained advocacy with different stakeholders the IP movement has created mechanisms related to rights of IPs- including the 2014 conference where land and resource rights are high on the agenda. These efforts are critical to link with, build on, and respect in approaching community land rights through global processes such as this conference. It will also be important to achieve greater clarity around language, in terms of what is meant by 'community land rights'; IP representatives would prefer 'community and indigenous peoples' land and natural resource rights' (see Box 4 below).

- Discussion and representation of industrial agriculture actors and investors is generally a gap at this conference with respect to participation by key actors in global land tenure issues. Thinking about different models of agriculture and food production in terms of industrial versus small-scale farming is a critical part of how land is used and governed globally.

A final wrap up of major themes and issues emerging from the conference, and follow up commitments from the co-conveners, was made by Duncan Pruett of Oxfam on behalf of the other conference co-conveners:

- The enthusiasm for the challenge of scaling up work on community land rights and excitement about the target of doubling the amount of land under community tenure was clear.
    - Governments are regarded as the 'elephant in the room' by many, and key to achieving this objective.
    - The organizers heard a clear call to restore community lands from conservation areas and concessions.
- Indigenous Peoples have played a key role in helping assert community land rights, and the willingness to deepen dialogue with Indigenous Peoples' movements on the issues of community and indigenous people´s land rights was welcomed.
- There was a general acknowledgement of how powerful maps can be and how they can lead to important legal reforms.
- There is a need to engage the private sector in a language it can understand.
- There is consensus that the door should be closed to investors that don't change practices and adhere to standards.
- There is a clear need to communicate on the issues of the conference to the outside world.

The co-conveners further noted that there is a role for them in immediate follow up:

- To help lead efforts to develop baseline data and more precise definition of community land rights.
- To map the many entry points to influence related processes and use related instruments.
- To produce a conference report and video, and put the presentations online.

Box 4: Concluding Thoughts from the Final Panel

"*This conference has been a good start but its achievements will depend on timely follow up on many fronts. This should begin immediately*."

-Iris Krebber, Food Security Advisor, Department for International Development (DFID), UK

"*As Indigenous Peoples we have the lands that we are talking about here; if IPs hadn't fought for their lands and forests for the past decades we would not be talking about REDD or lands and resource rights- all those lands and resources would be gone. It is our responsibility to continue fighting that fight- for future generations, for nature. That's why we come to these kinds of meetings, to explore how we can all walk together to conserve what is remaining and restore what has been lost and build a model that can achieve the transformative shifts we are talking about. We are providing the solutions, please work with us to work together and then we can have hope. We want you to be part of that. The most important part of this kind of conference is the alliance-building work on the side. That produces the kind of energy we want and need.*

-Vicky Tauli-Corpuz, Executive Director, Tebtebba, The Philippines

"*Doubling community lands is not enough- this is not a technical issue, it is a political issue and as such securing community land rights requires more than recognition. It takes engaging in political action, changing minds and perceptions of governments. And it takes organizing governance at the local level which is probably the most challenging element. Doubling the area under community land tenure globally in the next five years seems like it is impossible in light of all the challenges;* ***so let us proceed to do it because it is impossible.*****"**

-Samuel Nguiffo, Executive Director, Center for Environment and Development, Cameroon

Annex 1: Full Conference Program

Program

Thursday, September 19, 2013

Time	Activity	Location
8.30-12.30	**Registration**	
09.00-09.45	**Opening Plenary:** Welcome by Co-organizers	La Salle Côté Jardin
09.45-10.30	**Setting the stage:** Insights from core constituencies **Panelists:** • Ms. Vicky Tauli-Corpuz, Executive Director, Tebtebba, The Philippines • Mr. Chris Anderson, Americas Director, Communities and Social Performance, Rio Tinto • Ms. Iris Krebber, Food Security Advisor, Department for International Development (DFID), UK • Mr. Samuel Nguiffo, Executive Director, Center for Environment and Development, Cameroon	La Salle Côté Jardin
10.30-11.00	Coffee break	Les Colonnades
11.00-12.30	**Strategy sessions:** • Mapping and Documentation • Legal Recognition and Empowerment • Expanding and Leveraging Private Sector Interest in Securing Community Land Rights • Making Community Land Rights a Global Priority • Deepening Synergies between Community Land and Resource Rights and Conservation Efforts	La Salle Seiler La Fontaine La Salle Davinet La Salle Ruchti Le Conseiller
12.30-14.00	Lunch	La Terrasse
14.00-15.30	**Strategy sessions:** • Mapping and Documentation • Legal Recognition and Empowerment • Expanding and Leveraging Private Sector Interest in Securing Community Land Rights • Making Community Land Rights a Global Priority	La Salle Seiler La Fontaine La Salle Davinet La Salle

	• Deepening Synergies between Community Land and Resource Rights and Conservation Efforts	Ruchti Le Conseiller
15.30-16.00	Coffee break	Les Colonnades
16.00-17.00	**Plenary:** First Day Reflections and Learning	La Salle Côté Jardin

Friday, September 20, 2013

Time	Activity	Location
09.00-10.30	**Strategy sessions:**	
	• Mapping and Documentation	La Salle Seiler
	• Legal Recognition and Empowerment	La Fontaine
	• Expanding and Leveraging Private Sector Interest in Securing Community Land Rights	La Salle Davinet
	• Making Community Land Rights a Global Priority	La Salle Ruchti
	• Deepening Synergies between Community Land and Resource Rights and Conservation Efforts	Le Conseiller
10.30-11.00	Coffee break	Les Colonnades
11.00-12.30	**Strategy sessions:**	
	• Mapping and Documentation	La Salle Seiler
	• Legal Recognition and Empowerment	La Fontaine
	• Expanding and Leveraging Private Sector Interest in Securing Community Land Rights	La Salle Davinet
	• Making Community Land Rights a Global Priority	La Salle Ruchti
	• Deepening Synergies between Community Land and Resource Rights and Conservation Efforts	Le Conseiller
12.30-14.00	Lunch	La Terrasse
14.00-15.30	**Reporting back on strategy sessions**	La Salle Côté Jardin
15.30-16.00	Coffee break	Les Colonnades
16.00-17.00	**Closing Plenary:** Wrap-up and Closing statement	La Salle Côté Jardin

Annex 2: Mapping and Documentation Strategy Session Program

Co-Organizers:
Peter Veit, World Resources Institute
Richard Smith, Instituto del Bien Comun
Rukka Sombolinggi, AMAN

Sept. 19	**Community mapping experiences from around the world**	***Morning Session:*** *Mapping Community Lands* *- What are some of the social and political challenges to mapping community lands?* *- How have community maps been used by communities, NGOs, governments and donors to secure tenure?*	**Structure:** Panel Presentation: - Bertrand Noire from Solidarites/Afghanistan - Raquel Zingapan, PAFID: Using community maps to secure land rights in The Philippines - Rukka Sombolinggi, AMAN: Getting to 40M ha in Indonesia – challenges and opportunities - Mark Freudenberger, ARD/TetraTech. Experiences from Kenya, Liberia, CAR, and Sahelian countries	**Outcome:** Inventory of achievements, challenges, lessons learned and best practices
		Afternoon Session: *Consolidating Community Land Maps at National and Regional Level* *- Challenges to consolidating community maps and protocols* *- Social and political issues* *- How have broader scale maps been used in efforts to secure tenure?*	Panel Presentation: - John Nelson, FPP: Developing a regional map of community lands in Central Africa - Richard Smith, IBC: Developing the Amazon map of indigenous territories - Crystal Davis, WRI: On the use of a global map of community lands - Robin McLaren, Know Edge Ltd: OpenCadastreMap initiative	**Outcome:** Inventory of achievements, challenges, lessons learned and best practices in consolidating community maps at national and regional level
Sept.20	**Scaling-up strategies: Opportunities & Challenges**	***Morning Session:*** *Brainstorming Alternative Scaling-Up Strategies.* *- How to get more community lands mapped* *- How to bring the various mapping efforts together at the national, regional and global level* *- What sorts of maps would be most effective at the*	Working Groups: - 2 working groups to brainstorm ideas to achieve scale. One group will focus on how to map more community lands and the other on how to develop a common platform for all the community maps. - Report back in plenary. - Who will lead each working	**Outcome:** Short lists of scaling-up strategies

		national level for securing community land tenure? At the regional level?	group?	
		Afternoon Session: *Next Steps.* *- Develop workplans for priority scaling strategies* *- What are the near- and medium-term activities?* *- Which institutions should be engaged?* *- Which institutions will be tasked with what responsibilities?* *- What is the timeline?* *- Which donors are likely funders of these efforts?*	Working Groups: - 2 working groups to develop a workplan on the top scaling-up strategy. As in the morning session, one group will focus on mapping more community lands and the other on developing a common platform for community maps. - Report back in plenary. - Who will lead each working group?	**Outcome:** 2 workplans for priority scaling strategies

Annex 3: Legal Recognition and Empowerment Strategy Session Program

Co-organizers:
Joji Cariño, Forest Peoples Programme
Emily Polack, International Institute for Environment and Development
Rachael Knight, Namati

<table>
<tr><td colspan="3">September 19</td></tr>
<tr><td colspan="3">Session 1: 11.00-12.30

Legal Pluralism: Advantages and disadvantages of different forms of legal recognition</td></tr>
<tr><td>Facilitator:

Joji Carino, Forest Peoples Programme (FPP)</td><td>Session objective: To 1) define and set out the various possible methodologies and modalities that may be employed to secure recognition of community land rights and 2) establish an analytical framework for understanding how to most effectively craft efforts to recognize community land claims.</td><td>Keynote: Liz Alden Wily, Independent Consultant

Discussant: Mina Setra, AMAN</td></tr>
<tr><td colspan="3">Session 2: 14.00-15.30

Tackling the legal frameworks: How and to what ends?</td></tr>
<tr><td>Facilitator:

Emily Polack, International Institute for Environment and Development (IIED)</td><td>Session objective: To identify ways in which legislation has been and can be reformed and legal frameworks used to secure progressive forms of legal recognition and community empowerment. The session is as interested in the ‘how’ as much as the ‘what’ and to understand the extent to which the engagement has translated into genuine recognition, respect and protection of community land rights.</td><td>Panelists:

Ali Kaba, SDI

Grace Villaneuva, LRCKSK

Micheal Odhiambo, PLRD

Samuel Nguiffo, CED</td></tr>
<tr><td colspan="3">September 20</td></tr>
<tr><td colspan="3">Session 3: 09.00-10.30

Community-based strategies: Strengthening community land and natural resource governance from the bottom-up</td></tr>
</table>

Facilitator: Rachael Knight, Namati	*Session objective: To share strategies on how communities are protecting their land and natural resources claims and defining the course of their own development. The panel will address concrete strategies and processes to build communities' capacity to actualize increased tenure security, improved sustainable natural resources management, good governance, leaders' accountability, community-based protections for women's and other vulnerable groups' land rights, and more equitable community-investor negotiations.*	Panelists: Gino Cocchiaro, Natural Justice Jagdeesh Puppala, FES Theresa Eilu, LEMU Edward Lekaita, UCRT
Session 4: 11.00-12.30 **The way forward: Community Empowerment and Legal Recognition**		
Facilitators: All Session Co-organizers	*Session objective: To craft strategies for scaling and replicating effective actions and advocacy efforts for community empowerment and legal recognition of customary land rights. Participants will jointly brainstorm and create plans for how best to translate the strategies identified in the previous sessions into tangible national and global action.*	All participants

Annex 4: Private Sector Strategy Session Program

Chairs:
Andy White – Rights and Resources Initiative
Mark Constantine – International Finance Corporation

Panel:
Scott Poynton – The Forest Trust
Anne Roulin – Nestlé
Terhi Koipijarvi – Stora Enso
Chris Anderson – Rio Tinto
Chris Jochnick – Oxfam
Megan MacInnes – Global Witness
Lou Munden – The Munden Project
Sunrita Sarkar – International Finance Corporation

Session purpose:

To identify strategic opportunities and develop practical actions for increasing private sector support to secure community land rights in line with the wider objectives of the conference. The session intends to enable all participants to both develop concrete ideas of their next steps to advance this agenda in their own work, as well contribute to the identification of a larger set of new initiatives and ideas to scale up efforts in this domain.

Session background:

The premise of this session is the acknowledgement that the private sector is an increasingly large and determinant force in shaping local land rights, livelihoods and development pathways in rural areas of developing countries and that in order to scale-up the recognition of these rights, expanded support by the private sector, at both national and global levels, is required.

There is a long history of civil society actions to shape consumer and government behavior and hold businesses to account, via the judicial systems or by "naming and shaming" in the media. The emergence of safeguards and standards as well as transparency and accountability mechanisms testifies to, and has encouraged, a move by leading members of the private sector towards more consideration of communities and their rights to land and resources within their business models and supply chains. At the same time, this more promising behavior is far from mainstreamed across the spectrum of private sector actors and many investors continue to seek out investment opportunities where governance is weak and abuses can occur with little risk of accountability.

In sum, the starting points for this session include recognition that:

1. The private sector has an direct footprint that can directly and indirectly affect the status of local rights where they locate their operations, and that these effects can be both positive or negative depending on how they engage local people and the type of business models that governments promote and the company chooses to adopt;

2. Consumers, their demand for natural resources, and the international nature of supply chains and finance, drive investments and shape business models, and are powerful levers of change, particularly where these consumers and sources of finance are more aware and discriminating of land rights and associated risks; and
3. Ignoring, or failing to leverage, the profound political influence that the private sector exerts at the national and international levels would signal a major missed opportunity. The private sector's unique position in this regard makes it a powerful agent of change, one that can steer governments in adopting policies that strengthen communities' rights to land and resources and, by the same token, push this agenda at the global level.

The session will include discussion of the following five categories of action to scale-up private sector contributions to securing local land rights:

1. Company efforts to adjust their business models, community relations, and supply chains and ensure they support community land rights;
2. Civil society initiatives to monitor company actions and improve accountability;
3. The role of industry associations and roundtables in promoting community land rights;
4. The financial architecture and the supply and cost of capital, including the role of credit ratings agencies, political risk insurance, etc.
5. New efforts to leverage private political and financial support to secure community land rights.

Session overview:

	Session 1 (Sept.19)	**Session 2 (Sept.19)**	**Session 3 (Sept.20)**	**Session 4 (Sept.20)**
Purpose	Establish the nature of the relationship between private industry and community rights and the "state of play" of improving this issue; enabling all panelists to introduce their experiences, lessons, sense of the opportunities.	Present the status of current effort in each of the 5 categories of action, and consider the recommended steps to strengthen existing initiatives, and the initial ideas regarding new opportunities and possible initiatives.	Assess the suite of work presented in Session 2, identify gaps, proposed actions to strengthen existing initiatives, and new initiatives, begin to organize into "low-hanging fruit", medium and stretch goals.	Review options and recommended steps for intervention identified in Sessions 2 and 3, along the lines of the five strategies, or as deemed most useful by the group. Identify final recommendations and proposed next steps.
Structure	Introduction to sessions + opening comments by each panelist + open forum	Short presentations from panelists on different categories of action + open forum	Comments from panelists + open forum	Comments from panelists + open forum
Outputs	Shared understanding of the different	Common understanding of status of existing	A rough list of proposed priorities, and recommended	Recommendations regarding goals, timelines, actions

	perspectives on the nature of the problem, the major challenges and possible opportunities.	initiatives and initial proposals for expanding impacts.	actions.	to be taken, and new collaborations or initiatives.

Annex 5: Making Community Land Rights a Global Priority Strategy Session Program

Co-organizers:
Duncan Pruett, Oxfam
Vicky Tauli-Corpuz, Tebtebba

Sept. 19 **Progress so far in securing community land rights around the world**	***Morning session:*** *What is the state of the global debate on community land rights? What inspires us? What divides us?*	*Introduction to this track* (Duncan and Vicky) 3 short interventions to kick off: - a 20 year perspective – where have we come from in the global debate (Ruth Meinzen Dick) -The achievements of Indigenous Peoples (Vicky Tauli Corpuz) -Building a truly integrated land tenure security movement (Rachael Knight, Namati) *Discussion*	**Outcome:** Inspiring milestones in terms of political achievements Ideas on what can help shift the debate and help push CLR up the agenda
	Afternoon session: *What has been achieved in terms of global policies? Challenges faced, and what is still missing*	*Workshop to be kicked off by 5 short interventions:* -REDD (Arvindh Khare, RRI) -Accountability mechanisms (Kristen Genovese, CIEL) -CFS Voluntary Guidelines on Land (Alexander Mueller, IASS) -Global Donor Group on Land and the G8 Land Transparency Initiative (Iris Krebber, DFID) - What the World Bank can bring to the table (Jorge Munoz, World Bank) -The experience of FLEGT (Penny Davies, Ford Foundation) *Break out groups* Headlines from groups shared with group (also for report to plenary)	**Outcome:** An inventory of achievements and lessons learned, and opportunities

Sept. 20	***Morning session:*** *Looking forward: Which emerging opportunities have real potential to strengthen community land rights? Where are the gaps?*	*Workshop to be kicked off by 6 short interventions* - How and where to exercise political influence on the debate on land rights (Liz Alden Wiley) -The inclusion of land rights in the post 2015 discussions (Vicky Tauli Corpuz, Tebtebba, Bee Wuethrich, LANDESA) -Opportunities to promote community land rights in the UNFCCC process (Tony Lavina) -Opportunities for Community Land Rights at the World Committee on Food Security (Alexandre Ghelew, SDC) -Human rights mechanisms and strategic litigation (Jessica Evans, Human Rights Watch) *Break out groups*	**Outcome:** Consensus about priority opportunities of relevance to community land rights, including widening the community of actors engaged in this debate -pinpointing international policy processes with the greatest potential to have impact moving forward.
	Afternoon session: *Prioritizing the opportunities for CLR* *Are their opportunities for greater collaboration between stakeholders?*	-Report back from morning sessions. -Address any pending issues, or gaps in what we have considered. -Look practically at where there is energy for collaboration or further work or coordination in relation to the areas considered and prioritized. -Agree upon feedback to the plenary.	**Outcome:** Agreement on feedback to plenary Agreements to collaborate in certain areas

Annex 6: Deepening Synergies between Conservation and Community Land Rights Strategy Session Program

Co-organizers:
Gonzalo Oviedo, IUCN
Fred Nelson, Maliasili Initiatives
Jenny Springer, RRI

Session 1: Setting the Stage

This session will provide an initial overview of current state of play on interaction between community land rights and conservation, changes in the conservation movement/practice in the past several decades in terms of addressing community land rights, work around collaborations with Indigenous Peoples and other local constituencies, etc. Function would be to highlight areas of progress/synergy, some key challenges to scaling this up, and some initial opportunities.

- Challenges and realities around rights-based conservation approaches and community land rights: what opportunities for greater synergies? -Jennifer Mohamed-Katerere, Chair CEESP Theme on Environment, Conflict and Security and Co-chair IUCN Natural Resource Governance Framework working group.
- Evolution of conservation approaches in relation to natural resources governance and community land rights- IUCN perspective. -Gonzalo Oviedo and Gretchen Walters, IUCN.
- Conservation and Indigenous Peoples- building alliances and synergies. -Kristen Walker Painemilla, Conservation International.

Session 2: Emerging Opportunities and Challenges for Scaling up Support for Community Land Rights in the Conservation Sector

- Advancing a community land and resource rights reform agenda through ICCAs. -Grazia Borrini-Feyerabend, ICCA Consortium.
- Progress and challenges in mainstreaming approaches to community land rights: The experience of WCS. -Michael Painter, Wildlife Conservation Society.
- Practical collaboration between conservation and human rights actors and interests at the national scale: The case of the Tanzania Natural Resource Forum. -Geoffrey Mwanjela, WWF Tanzania.
- Towards an agenda for conservation-based land tenure reform for drylands. -Pedro Herrera, World Initiative on Sustainable Pastoralism (IUCN-WISP).

Session 3: Strategic Entry Points- Major Opportunities

- Major environmental policy opportunities for addressing community tenure- including REDD as an entry point for collaboration around conservation and land rights. Jill Blockhus, The Nature Conservancy (TNC).

- Accountability mechanisms for conservation in relation to community rights: Piloting the Whakatane mechanism. Peter Kitelo, Chepkitale Indigenous Peoples' Development Programme
- Opportunities to strengthen Indigenous Peoples' and local communities' tenure security in forest landscapes. Jeffrey Campbell, FAO Forest & Farm Facility (FFF).

Session 4: Identifying Major Opportunities/Next Steps/Recommendations for Planning

Facilitator: Jenny Springer, RRI

Guiding Questions for Group Discussion

- What are the opportunities to scale up action
- What are the milestones you need to reach in the next 3-5 years to have long-term impact? Who needs to be involved?
- What are the next steps participants or organizations in your session will take?
- *Who will assume responsibilities for actions (in as far as you want to take it?)*