Indigenous Peoples and Local Communities in REDD+: Opportunities to Advance Land Tenure Rights

Tuesday, November 23rd
8:30 – 10:00am ET
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Agenda

Opening Remarks  Marc Sadler

Presenting the Key Findings of the Study  Malcolm Childress

Panel 1: Lessons Learned and Implications  Pasang Dolma Sherpa
                                           Yaw Kwakye
                                           Margareta Seting Beraan
                                           Anne Larson

Presenting Key Pathways for Engagement  Jim Smyle

Panel 2: Reflecting on Tenure Opportunities and Pathways Forward  Pasang Dolma Sherpa
                                                                Margareta Seting Beraan
                                                                Yaw Kwakye
                                                                Anne Larson

Q&A Session

Closing  Asyl Undeland
APPROACH

- **Analytical Framework derived from WB methods**
  - Organize data collection
  - Conceptualize linkages
  - Formulate / situate opportunities

- **Focus: 14 Carbon Fund Countries + 4 FCPF Countries**

- **Methods**

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- **Opportunity Assessment**
  - Advance / Expand Rights Recognition
  - Strengthen / Consolidate / Protect Territory & Rights
  - Leverage Rights for Community Benefits
**Objective/Goal**

- **Advance/Expand Rights Recognition**
  - **Enabling Conditions**
    - Legal Framework and Implementing Regulations; Administration, Processes and Procedures; Institutional Capacity; Local Knowledge
  - **Constraints**
    - Political & Institutional will; Uncoordinated, conflicting efforts/objectives (government, donors); Impractical, non-scalar requirements (not fit-for-purpose); Elite interests; Conflict (inter/intra-community, external actors/contexts)
  - **Outcomes**
    - Collective rights recognized/adjudicated; Lands demarcated; Collective resources governance formalized.
    - Measured by: Hectares under title/lease percentage of claimed/occupied territory with legal recognition

- **Strengthen/Consolidate/Protect Territory and Rights**
  - **Enabling Conditions**
    - Policy; Clarity and robustness of bundle of rights; Enforcement of laws; Legitimate, functioning local governance; Institutional capacity; Effective legal and technical assistance
  - **Constraints**
    - Above plus agents/actors threatening territorial integrity, security, or constraining exercise of rights—government (corruption, weak land administration system; protected areas; agriculture/mining concessions; mega-projects); Organized crime/narcotraffickers/paramilitaries; Concessions; Internal migrants/displaced peoples
  - **Outcomes**
    - Degree of legal security of tenure and/or territorial security (continuum from weak to strong)
    - Measured by: Self-reporting; Assessment tools (PROFOR, LGAF, VGGT); prevalence of illegal encroachment/logging/forest clearing; prevalence of conflicts between communities and external agents/actors

- **Leverage Rights for Community Benefits**
  - **Enabling Conditions**
    - Policy; Appropriate, supportive regulation; Access to public services (technical assistance, training, incentives, etc.) and markets (business services, productive infrastructure); Transparent/accountable local governance; Local knowledge/experience; Institutional capacity; Access to credit/finance; Equitable benefit sharing
  - **Constraints**
    - Elite capture/corruption; Internal/external conflicts (access, use, benefit distribution, boundaries, inequity); Organized crime/narcotraffickers/paramilitary; agents/actors threatened by status quo change; (government agencies, concessionaires/logging companies, conservation community)
  - **Outcomes**
    - Degree to which communities generate/realize benefits from collective rights over forests/land
    - Measured by: Self-reporting; employment generation; poverty reduction; sustainable livelihoods; increased local investment; economic diversification; inclusive benefit-sharing; maintenance/enhancement of ecosystem services, conservation outcomes, etc.
KEY FINDINGS—ALL COUNTRIES

• Reviewed countries all have legal foundations to advance community rights, though some are not yet fully actionable—due to procedural (simple) and/or political (complex) constraints.

• Strong potential for strengthening and consolidating community rights exists in most Carbon Fund Countries.

• Opportunities to leverage rights for the benefit of communities and women within these are common, varied, but generally undervalued.
ADVANCE RIGHTS

• Promote passage of Wildlife Resources Management Bill;
• Develop fit-for-purpose procedures for rapid documentation of land/tree rights & demarcation of customary lands;
• Promote/support multi-stakeholder dialogue around alternative tenancy arrangements for cocoa farming to provide security/encourage investment by farmers & owners

STRENGTHEN RIGHTS

• Build momentum (analysis, promotion) to rationalize laws/regs on forest/tree resources/ tenure
• Expand successful community-based natural resource mgmt. models (CREMAs & HIAs), incorporating/validating fit-for-purpose procedures;
• Systematic support for gender/social inclusion (policies, mainstreaming, cap. building, productive practices);
• Dispute/ conflict resolution (build off customary & REDD+ GRM mechanisms);
• Support implementation / enforcement laws/regs governing forest resources
LEVERAGE RIGHTS

- Primary focus on cocoa farm sustainability/diversification:
  - Facilitate private sector engagement (TA, finance, inputs, markets) in concert with tenure security interventions to reduce investment risk to farmers & private companies;
  - Support/strengthen farm extension services, esp., of farmer-based orgs. & farmer-oriented research;
- Note potential for CFEs to legally supply domestic markets & opportunistically support (policy, strategy, services, finance)

ENTRY POINTS

- Cocoa supply chain initiatives (Cocobod)
- WB portfolio (ERP, Land Administration Phase 2, Landscape Restoration/Ecosystem Mgmt. for Sustainable Food Systems) & pipeline projects’ (Landscape Restoration, Cocoa Sector Development, Digital Acceleration, Improving Governance)
- Donor dialogue/coordination with key bilaterals working on governance, public service provision, ag/forestry, gender, CREMAs, & land issues to promote reforms, & seek opportunities s; a for synergies/
- Exploit process for development of Country Partnership Strategy for high level policy dialogue
INDONESIA

ADVANCE RIGHTS

Cross-cutting and National Jurisdiction:

• Accelerate recognition of IP (*adat*) & LC customary land rights claims, incl. support for participatory mapping/demarcation of customary territory (esp. in/around commercial concessions).

• Strengthen conflict resolution mechanisms, esp. between *adat* communities & concessions.

• Support fit-for-purpose learning & innovation to enhance efficiency of IP and LC rights recognition & local land use planning.

• Dialogue & process for development of next Country Partnership Strategy can address policy & legislative aspects, & illuminate economic, environmental, & societal costs of conflicts over land.

• Mobilize WB analytical resources for in-depth analysis of land conflicts, including impacts on private investment/ economic growth, development of economic/business case (with recommendations) for resolution of IP and LC land/forest tenure issues.
ADVANCE RIGHTS (continued)
Subnational jurisdictions:

- Exploit opportunity in East Kalimantan (through IPP of East Kalimantan Project) where jurisdictional approach/ “Green Growth Compact” offers platform for accelerating processes for advancing IP and LC rights by regional governments.

- Facility/funding window (E. Kalimantan) for learning & innovation in developing Fit-for-Purpose solutions to address gaps/weaknesses in current IP/LC rights’ formalization processes (e.g., conflict management; boundary harmonization; higher efficiency/lower cost approaches) to achieve progress; and mobilize solutions across diverse range of local conditions/contexts.
INDONESIA

STRENGTHEN RIGHTS

• Improve land administration at Kabupaten level (sub-province level); include testing of new institutional arrangements to increase efficiency & scale up recognition of IP/LC land/forest rights.

• Strengthen local government capacity & village-level sustainable development planning thru VBS/RM & community mapping.

• Support FPIC processes in administrative land use decision-making at all levels.

• Support IP/LC participatory land use planning, incl. long term vision for guiding land use management, & development of sub-plans for forest rehabilitation, village conservation areas, & as relevant, livelihood displacement mitigation.

• Increase women’s awareness of rights; address barriers to inclusion; strengthen implementation of their rights in law.

LEVERAGE RIGHTS

• Systematic focus on development of alternative livelihoods (also addresses deforestation linked to agriculture encroachment).

• Support GOI social forestry & village development programs.

• Support community forest concessions.

• Private sector engagement; promote communities’ co-management of PVT sector activities as business strategy (esp. to mitigate financial & reputational risks from land/resource tenure conflicts).
**ENTRY POINTS**

- One Map Project, East Kalimantan Project for ER Results, & J-SLMP, Strengthening of Social Forestry in Indonesia, and potentially through IPP if/when developed by (pipeline) Agriculture Value Chain Development Project.

- E. Kalimantan JA/Green Compact for testing new institutional arrangements, capitalizing the Provincial Council on Climate Change (DDPI) as multi-stakeholder forum.

- E. Kalimantan provincial executive, define/implement model for effective coordination between ag. & forestry sectors for resolution of land tenure issues, and replication in other provinces.

- Country Partnership Strategy to promote & build consensus for key investments under existing & potential, new projects.

- Donor dialogue/coordination with other major donors (e.g., USAID – 2020-2025; Germany – 2019; potentially Asian Development Bank 2020-2024 program).
CROSS-CUTTING ISSUES

• Enabling conditions

• Practical implications of REDD+

• Criminalization and violence

• Higher level coordination

• Competing interests in land administration and planning
LESSONS LEARNED

• Bottom-up engagement and leadership key to achieving results

• Forest rights tied to broader community priorities and resilient / sustainable landscapes

• Cross-sectoral actions and support are essential

• Tenure protection & livelihood improvements not constrained by legal adequacy

• IP & LC rights key to eradicating poverty/inequality, improving sustainability, increasing transparency, and achieving emission reduction priorities
Donor ↔ Government Interactions & Entry Points

Dissimilar contexts, but similar entry points?

GHANA
- **World Bank:**
  - Current & planned projects
  - Country Partnership Strategy dialogue & analysis to identify future investments and reforms
- **Donor dialogue & coordination:**
  - Coordination by national government
  - Bilateral (*Canada, France, Germany, Netherlands, UK, US, others*) & Multi-lateral (WB, ADB, EU) support, coordination and engagement to advance reforms & synergies
- **Ongoing initiatives:**
  - Leverage cocoa supply chain initiatives (Cocobod)

INDONESIA
- **World Bank:**
  - Current & planned projects
  - Country Partnership Strategy dialogue & analysis to identify future investments and reforms
- **Donor dialogue & coordination:**
  - Coordination by national / subnational governments
  - Bilateral (*Australia, Germany, Japan, US, others*) and Multilateral (WB, ADB) support, coordination and engagement to advance reforms & synergies
- **Ongoing initiatives:**
  - Leverage East Kalimantan Jurisdictional Approach & Green Compact to resolve land tenure issues & replicate on other provinces
Institutional commitments. Importance of collective land/forest tenure rights of IPLCs now globally recognized (SDGs, CC, biodiversity, post-Covid economic recovery), so...

• Delivering at scale requires coordinated, multi-sectoral efforts.
• FCPF contributions tied to World Bank actions and support:
  • Create demand for World Bank to scale up...
  • Mobilize Land & Social teams to collaborate on high-level programs & operational integration
  • Embed in policy, economic recovery loans & project financing
  • Enhance coordination between Bank programs & operations, other bilateral/multilateral initiatives and institutions, and NGOs dedicated to scaling-up the recognition of IPLC land rights and livelihoods (e.g. “Path to Scale” network).
Civil Society ↔ Government ↔ Donor Interactions

How to leverage operational opportunities?

**Menu for engagement:** Intended to guide policy dialogue, plans & investments by multiple stakeholders, including IPLCs and civil society actors, but....

- How to move from concept to implementation? With what priorities? Building on what experience & capacity? Others?

- Provides point of departure: requires more detailed, in-country operational assessments, incl. institutional detail and deepening of consultation with IPLCs, civil society, and other key actors and stakeholders (e.g., *World Bank Securing Forest Tenure Rights for Rural Development* tool)

- Potential for generating cross-scale support:
  - Adequate coordination of international support in short to medium term?
  - Adequate capacity to monitor progress in advancing/protecting/leveraging rights for communities? And do so transparently over time?
Civil Society/Community ↔ Government/Donor Perspective

Risks and Mitigation

• “Engagement” assumes clear access points:
  • Open and deliberative platforms & policy arenas need to support actual dialogue, consultations, and negotiations.
• Clarity on “who are the stakeholders”:
  • Upstream work to identify rightsholders
  • FPIC as a precursor to “effective engagement”
• Understanding existing capacity as entry point and building upon it.
  • Upstream consultation and coordination with existing relevant actors & collaboration throughout project cycles
• Others....
Question & Answer Session

Please use the Q&A option to submit questions to “Everyone”.
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Thank You!
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GENDER EQUITY IN LAND AND FOREST TENURE IN REDD+ PROGRAMMING

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