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SECURING FOREST TENURE RIGHTS FOR RURAL DEVELOPMENT

AN ANALYTICAL FRAMEWORK

PROFOR

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Photo by Gerardo Segura Warnholtz/ World Bank

CONTENTS

VI ACKNOWLEDGEMENTS

VII ABBREVIATIONS

IX FOREWORD

1 EXECUTIVE SUMMARY

7 INTRODUCTION

13 WHY SECURE FOREST TENURE FOR RURAL DEVELOPMENT?

33 KEY ELEMENTS FOR SECURING COMMUNITY-BASED FOREST TENURE

49 CONCLUSION

51 REFERENCE

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ABBREVIATIONS

CBD	Convention on Biological Diversity
CCMSS	Consejo Civil Mexicano para la Silvicultura Sostenible
CEESP	Commission on Environmental, Economic and Social Policy
CIFOR	Center for International Forestry Research
CIHR	Conservation Initiative on Human Rights
DESA	Department of Economic and Social Affairs
FAO	Food and Agriculture Organization of the United Nations
FCMC	Forest Carbon, Markets and Communities
FCPF	Forest Carbon Partnership Facility
FPIC	Free, Prior and Informed Consent
IAD	CHECK TEXT / EXISTING GLOSSARY FOR DEFINITION
IEG	Independent Evaluation Group
IFAD	International Fund for Agricultural Development
IFPRI	International Food Policy Research Institute
IIED	International Institute for Environment and Development
ILO	International Labor Organization
IPCC	Intergovernmental Panel on Climate Change
ITTO	International Tropical Timber Organization
IUCN	International Union for Conservation of Nature
IUFRO	International Union of Forest Research Organizations
LGAF	Land Governance Assessment Framework
NRGF	Natural Resource Governance Framework
OECD	Organisation for Economic Co-operation and Development
PROFOR	Program on Forests
PRRGP	Property Rights and Resource Governance Project
RECOFTC	Center for People and Forests (Bangkok)
REDD	Reducing Deforestation and Forest Degradation
RRI	Rights and Resources Initiative
SDG	Sustainable Development Goals
TMP	The Munden Project
UN	United Nations
UNDP	United Nations Development Programme
UNDRIP	UN Declaration on the Rights of Indigenous Peoples
UNEP	United Nations Environment Programme
UNGA	UN General Assembly
USAID	United States Agency for International Development
VGGT	Voluntary Guidelines on the Governance of Tenure
WRI	World Resources Institute

KIDY

FOREWORD

For the rural poor living near forests, as much as 22% of their income comes from timber and non-timber forest resources, a contribution larger than wage labor, livestock or self-owned businesses. However, access and use rights are frequently unclear, not recognized nor supported, leaving the forest-dependent poor even more vulnerable and insecure. Clarifying and securing forest tenure rights and the associated management practices and livelihoods of indigenous peoples and local communities in forest areas, is critical to achieving the World Bank Group goals of ending extreme poverty and boosting shared prosperity in a sustainable manner.

While recognition of the importance of tenure security for rural development is increasing, there is insufficient knowledge on how best to do it, particularly when it comes to community-based tenure in forest areas. The analytical framework presented in this publication aims to address this gap and seeks to build capacity and effectiveness for dealing with forest land rights issues among development practitioners, indigenous peoples and local communities, client country governments, donors and World Bank staff. The product of a World Bank and Program on Forests (PROFOR) initiative on Securing Forest Tenure Rights for Rural Development, the framework consolidates a range of experience and evidence on both the relevance of community-based tenure security to rural development goals and the key factors needed to effectively secure tenure.

As a next step, tools for assessing the links between forest tenure security and development goals will be developed based on this framework. These tools will help identify opportunities to strengthen community forest tenure and help support efforts to identify and manage social and environmental risks of rural investment policies and programs, and contribute to the implementation of the Bank's Environmental and Social Framework.

We hope with this framework to help secure community tenure as a foundation for sustainable development in forest areas around the world.

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Photo by Gerardo Segura Warnholtz/ World Bank

EXECUTIVE SUMMARY

This Analytical Framework is a product of a World Bank initiative on Securing Forest Tenure Rights for Rural Development, which seeks to enhance the World Bank's capacity and effectiveness when dealing with land rights issues in forest areas. The initiative is core to "Participation and Rights," one of the three cross-cutting themes of the Bank's Forest Action Plan 2016–2020 (World Bank Group 2016). The overall objective of the initiative is to provide information and guidance—to client countries, indigenous peoples and local communities, World Bank managers and staff, and other donors—to strengthen forest tenure security in forest landscapes as a foundation for rural development.

SCOPE OF THE ANALYSIS

The scope of this work is defined by the two key dimensions: *forest landscapes* and *community-based tenure*. Although community tenure extends across many ecosystem types, the focus of this initiative is on forest areas. Similarly, among the various forms of tenure that are present and appropriate to forest lands in different countries, the focus of this work is on community-based tenure; that is, arrangements in which the overall tenure right is held collectively, often with rights derived from custom and with governance through customary institutions. In keeping with Shifts in tenure paradigms and international frameworks towards recognition and respect for the full range of existing tenure rights, the prevalence of community-based tenure in forest areas calls for increased knowledge and concerted action to ensure that this widespread tenure form is recognized and protected.

The Analytical Framework both reflects and aims to contribute to the growing international consensus on land rights, including the 2012 Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT), UNDRIP, and ILO 169 and their importance for global development. This framework also builds on a wide range of existing work on land and forest governance undertaken by the World Bank and such partners as the Food and Agriculture Organization of the UN (FAO), the International Union for Conservation of Nature (IUCN), and the World Resources Institute (WRI). The framework is meant to provide a solid foundation for the development of tools to assess forest tenure security strengths and gaps, as well as links with Sustainable Development Goals (SDGs).

This framework consolidates a wide range of experience and evidence on both the *relevance* of community forest tenure security to rural development goals and the *key elements* that need to be in place for community forest tenure to be effectively secured. The Key elements encompass those that are important for achieving development goals and those that support the overall functioning of the tenure security system. The primary purpose of having distilled these elements is to provide a basis for the development of practical tools to understand and assess community forest tenure security in specific national contexts. By consolidating and presenting these elements together in a concise framework, this work can help establish a shared set of concepts and common language on community-based tenure security.

WHY FOCUS ON COMMUNITY-BASED TENURE?

Three important factors lead this work to focus on community-based tenure in particular:

- **Community-based tenure is widespread in forest landscapes within lower- and middle-income countries**. *A* substantial proportion of area in forest landscapes is held collectively, often with rights derived from custom and governance through customary institutions. Community-based tenure systems are estimated broadly to involve approximately at least 2 billion people across Africa, Asia, and Latin America (Alden Wily 2011) and 2.5 to 3 billion people globally (Alden Wily 2018). A study focusing on the extent of indigenous (rather than indigenous and community) lands concludes that indigenous peoples have rights to and/or de facto

manage over 25 percent of the world's land surface (Garnett et al. 2018).

- **Community-based tenure often lacks sufficient legal recognition and/or support.** Historically, many governments asserted legal ownership over forests and other lands that were traditionally held by indigenous peoples and local communities. Such assertions can reflect a desire by government to control forest revenues; lack of awareness of customary tenure systems and/or a view of customary, collective management as backward or inefficient (Larson and Springer 2016). Still, many indigenous peoples and local communities have maintained attachments to and governance systems over ancestral lands, resulting in overlapping systems of statutory tenure and customary, community-based tenure.

- **Community-based tenure is increasingly adopted in national and international frameworks that countries are seeking to implement.** Over time, several factors have converged to prompt a shift in the legal ownership and control of forest lands back to local communities and indigenous peoples under community-based tenure arrangements. Factors promoting this shift include the mobilization of social justice movements for the recognition of customary land rights; the experience and broader awareness of negative forest and poverty outcomes under state control; and increasing knowledge and understanding of collective tenure and governance systems.

As a result of these shifts, significant reforms have been introduced in legal frameworks while the area of land formally held by indigenous peoples and local communities under collective tenure has increased. A 2018 study found that 73 of 100 countries surveyed had adopted legislation allowing for the formal recognition of community-based land rights (Alden Wily 2018). The land area held by indigenous peoples and local communities under statutory laws was estimated at 18 percent of the world's land in 2015 (RRI 2015). The comparable figure for forest lands held by indigenous peoples and local communities under statutory laws is 15.5 percent of the world's forests (RRI 2014).

RELEVANCE OF SECURE, COMMUNITY-BASED FOREST TENURE TO SUSTAINABLE DEVELOPMENT

As countries around the world renew their commitments to achieving sustainable development goals, it is timely to review and reconsider how secure community-based forest rights contribute to achieving them. This report starts with a review of the relevance of secure, community-based forest tenure to a range of SDGs as articulated in the UN 2030 Agenda for Sustainable Development (UNGA 2015), including: poverty reduction, food security, inclusive and sustainable economic growth, gender equality, forest sustainability, biodiversity conservation, and combatting climate change.

The analysis presents findings distilled from a qualitative literature review of approximately 60 studies on the links between tenure security and these development goals, with a focus on community-based tenure. Where available, the analysis gives particular attention to recent systematic and comprehensive global and regional reviews that themselves synthesize large bodies of evidence and/or provide insights into the strength of the available evidence. This growing body of empirical research and analysis offers compelling insights into the types of linkages between secure community-based tenure and development goals that can be explored in depth in specific national contexts. Evidence from wider international experience can also help open dialogues with national policy makers and development partners on the relevance of community-based forest tenure security to their rural development goals. It is pertinent to note that even with a comprehensive approach, tenure security may be a necessary though not sufficient condition for the realization of some economic and environmental goals, as these will also depend on additional factors—such as links to markets for poverty reduction and economic growth.

KEY ELEMENTS FOR SECURING COMMUNITY-BASED FOREST TENURE

The report presents a set of nine "key elements" for secure community-based forest tenure that are best practices, distilled from multiple sources. They provide a framework for understanding community-based forest tenure security in specific national contexts and a basis for identifying needs and actions for increased support. The elements also provide a basis for the further development of participatory assessment tools to be applied at country level.

The nine key elements are as follows:

1. LEGAL FRAMEWORKS FOR TENURE RIGHTS

Legal frameworks for recognition of community-based forest tenure are a fundamental anchor for tenure security and are widely reflected in existing standards and guidelines.

2. IMPLEMENTATION OF LEGAL RECOGNITION

Beyond the enactment of laws, tenure security requires that laws are implemented through the recognition of legal rights over specific areas of forest land to specific local or indigenous communities.

3. APPROPRIATE REGULATIONS FOR LAND AND RESOURCE MANAGEMENT

Even where tenure rights to forests are legally recognized, management and withdrawal rights are often subject to further regulation, such as requirements for land use planning, forest management planning, and permits for commercial use of resources. Regulations play an important role in ensuring that forest use is compatible with other broader environmental sustainability goals. However, regulations frequently extend beyond these goals and tend to be onerous to land owners.

4. EFFECTIVE SUPPORT FROM RESPONSIBLE GOVERNMENT AGENCIES

Effective support from government agencies responsible for recognizing and protecting community-based tenure rights is essential to many of the key elements included in this framework. Government capacities relate to dimensions of several of the other key elements detailed here—such as titling, enforcement of rights, and administration of land information.

5. EMPOWERED AND INCLUSIVE INDIGENOUS AND COMMUNITY GOVERNANCE

Empowered, inclusive, and effective community-level governance is a critical element of tenure security. Community institutions must possess autonomy to make locally appropriate decisions about the use of those natural resources that are owned collectively as commons, including management rules and sanctions, and benefit-sharing arrangements. Locally appropriate decision making also requires the involvement of all members of the community, to avoid elite capture and negative impacts on vulnerable groups, and to engage all resource users in defining resource management rules and monitoring systems.

6. SYSTEMS FOR RECORDING COMMUNITY FOREST TENURE RIGHTS

Systems for recording indigenous and community forest rights contribute to tenure security by preventing allocation of land for multiple, conflicting purposes. Documentation of rights also helps defends those rights against challenges. Forest tenure information systems should allow information on forest rights to be recorded, managed, updated, and communicated on an ongoing basis.

7. ENFORCEMENT OF TENURE RIGHTS

Once tenure rights are recognized and recorded, they will only be secure if they are enforced. Tenure rights often continue to be challenged, for example through encroachment (for farming, drug cultivation, and other purposes), illegal extraction of timber and other natural resources, and violence against local defenders of land rights. This element considers the full range of enforcement activities from prevention to detection to prosecution.

8. PROTECTION OF COLLECTIVE TENURE RIGHTS IN RELATION TO OTHER FORMS OF TENURE AND LAND USE

Indigenous peoples and local communities have multiple interests in and uses for forest and agricultural landscapes. Concessions to government and private interests, including various types of industry investment, have resulted in the historical expropriation of community land and/or severe restrictions on resource use, and continue to generate competing pressures

on lands and resources. This element addresses the need for high standards regarding respect for existing rights—without which, risks will increase to displace customary and informal rights-holders.

9. CONFLICT AND DISPUTE RESOLUTION

Conflicts and disputes over tenure frequently arise between communities and investors or government as well as within and across communities. Tenure security requires that, where forest tenure rights are challenged or in conflict, mechanisms are in place to resolve conflicts and settle disputes.

The report concludes by arguing that achieving the 2030 Agenda for Sustainable Development will require increased attention to the land rights of forest peoples worldwide who govern their lands and resources through customary, collective tenure. Increasing the security of community-based forest tenure offers significant opportunities. Secure land tenure establishes a critical enabling condition for the achievement of goals on poverty reduction, food security, gender equality, human rights, forest sustainability, biodiversity conservation, and climate change.

Photo by Gerardo Segura Warnholtz/ World Bank

Photo by Gerardo Segura Warnholtz/ World Bank

INTRODUCTION

Secure tenure is widely recognized as an essential foundation for achieving a range of rural development goals. However, in many low- and middle-income countries, securing the tenure rights of people in forest areas remains a persistent challenge. Forest peoples are often among the poorest and most politically marginalized communities in their national contexts, and their tenure systems are often based on customary, collective rights that lack sufficient legal protection. In addition, there is limited government presence and capacity in forest areas to support and defend local rights, as well as competing incentives from demands for other land uses.

Despite growing recognition of the importance of tenure security, development initiatives in forest regions do not yet consistently take account of opportunities to strengthen the tenure rights of indigenous peoples and local communities and prevent negative impacts. There is a need for increased awareness among national policy makers and development planners regarding the relevance of community tenure rights to achieving sustainable development goals in forest areas. With greater understanding of why it is important to invest in community tenure, there is also a need for practical and participatory tools to assess current strengths and gaps and identify priorities for action.

This Analytical Framework is the first product of a World Bank program on Securing Forest Tenure for Rural Development[1] that seeks to address these needs. The program's overall objective is to provide information and guidance to strengthen community tenure security in forest landscapes as a foundation for rural development. As such, it contributes to the cross-cutting "Participation and Rights" theme of the Bank's Forest Action Plan 2016–2020 (World Bank Group 2016). The first phase of program work focuses on developing this Analytical Framework and associated tools for understanding the relevance of community tenure security to the achievement of development goals in forest areas and assessing the extent to which enabling conditions are in place. The second phase of the Securing Forest Tenure for Rural Development program focuses on support to participatory in-country pilot assessments and dialogues; the third phase focuses on identifying and sharing best practices on ways to overcome frequently encountered challenges and realize opportunities to strengthen tenure security.

The scope of the *Securing Forest Tenure for Rural Development* program is defined by the two dimensions of forest landscapes and community-based tenure[2]. While community-based tenure extends across many ecosystem types, the focus of this work is on forest areas. Similarly, while many forms of tenure are present in and can be appropriate to forest lands, the focus is on community-based tenure; that is, arrangements in which the overall tenure right is held collectively, often with rights derived from custom and with governance through customary institutions. As discussed further in the following section, this focus on community-based tenure reflects several factors. One is that community-based tenure is a major existing form of tenure in forest landscapes. In keeping with shifts in international frameworks and best practice towards recognition and respect for the full range of existing tenure rights, the prevalence of community-based tenure in forest areas calls for increased knowledge and concerted action to ensure that this widespread tenure form is recognized and protected. These needs are amplified by the fact that community-based tenure often remains relatively insecure, due to insufficient legal recognition and/or effective support. A growing body of experience and evidence on effective approaches to securing community-based tenure and its links to sustainable development goals in forest landscapes makes this a timely moment to consolidate knowledge into practical assessment frameworks and tools. The scope of this work also complements other existing resources that address wider land and forest tenure and governance issues, including other World Bank knowledge resources.

1 Program established in 2017; financed by the Program on Forests (PROFOR).

2 See Box 3, below, for definitions of terms used in this report.

This initiative both reflects and aims to contribute to the growing international consensus on land rights and their importance for global development. For example, the post-2015 development agenda adopted by the UN General Assembly in September 2015 includes targets on land to achieve Sustainable Development Goals on poverty, food security, and gender equality (UNGA 2015). The 2012 Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT) emphasize the need to recognize and respect all legitimate tenure claims, including those derived from custom (FAO 2012). Rights of indigenous peoples to lands, territories, and resources that they possess by reason of traditional ownership or use are central provisions of the United Nations (UN) Declaration on the Rights on Indigenous Peoples (UNGA 2007) and the International Labor Organization (ILO) Convention 169 on Indigenous and Tribal Peoples (ILO 1989).

The framework presented in this document builds on a wide range of existing work on land and forest governance. In particular, it joins a family of World Bank resources that includes the Land Governance Assessment Framework (LGAF) (Deininger et al. 2012) and the PROFOR/FAO Forest Governance Assessment Framework (PROFOR and FAO 2011). It further draws on and complements other standards, frameworks, and guidelines such as the Voluntary Guidelines on Governance of Tenure (FAO 2012) and associated FAO implementation guidance (FAO 2016; Mayers et al. 2013), FAO Forest Tenure principles (Gilmour and Fisher 2011), the World Resources Institute Forest Governance Assessment Framework (Davis et al 2013), the IUCN Natural Resource Governance Framework (Springer 2016), and the LandMark mapping platform guidelines and methods (Alden Wily et al. 2016).

This framework synthesizes and systematizes a wide range of current knowledge on two areas: (1) the connections between secure indigenous and community tenure and sustainable development outcomes in forest landscapes, and (2) key best practices for recognizing and protecting community-based tenure rights. It is designed to provide a basis for the development of practical tools for conducting national assessments to better understand and strengthen community-based forest tenure security and its contributions to sustainable development. In addition, the framework aims to serve as a useful knowledge resource on community tenure and development links and on key elements of collective tenure security.

The framework and its associated tools are intended to be of use to all World Bank staff and nongovernmental and governmental actors interested in understanding and strengthening community-based tenure security in forest areas in a given country. These tools respond to particular needs identified by World Bank Group managers and operational staff for guidelines and approaches to address tenure-related challenges in the countries they work with, both at the level of national strategies and within specific projects. They can also support efforts to identify and manage social and environmental risks of investment policies and programs in rural areas in keeping with the Bank's Environmental and Social Framework (World Bank 2017).

The analysis presented here includes two main sections, following this introduction. Section I focuses on the *relevance* of secure indigenous and community tenure in forest landscapes for the achievement of sustainable development goals on poverty reduction, food security, economic growth, gender equality, forests, and climate change. Following an overview of the global context, it synthesizes key findings from a wide range of scientific studies on the links between secure forest tenure and sustainable development outcomes, with particular attention to recent comprehensive reviews and comparative research. The aim of this section is to provide a foundation for the development of assessment tools that can explore these links at the country level and inform policy responses, while also providing a concise resource on the wealth of knowledge that currently exists on these topics. In addition to highlighting how secure indigenous and community forest tenure contributes to rural development outcomes, this section draws out key elements of tenure security that enable those contributions.

Section II presents a set of *key elements* that need to be in place to secure community-based tenure in forest areas. It draws on the elements identified from the literature in Section I, as well as relevant tenure elements from other land and forest governance frameworks. This integrated set of key elements encompasses both elements that are important for the achievement of development goals, and others that ensure the overall functioning of the tenure security system. In addition to contributing to knowledge and awareness on community-based

forest tenure security, these key elements are intended to form the basis for practical tools to assess gaps and inform efforts to strengthen tenure security in specific national contexts. The key elements also provide a basis for sharing of wider experience on practical actions to improve community-based tenure security where key elements are not yet in place.

BOX 1. SCOPE OF THE ANALYTICAL FRAMEWORK

SCOPE: The scope of this work is defined by the two dimensions of ***forest landscapes*** and ***community-based tenure***:

- Forest landscapes are mosaics of land use that center on though may extend beyond forests as officially defined.
- Community-based tenure refers to arrangements in which the overall tenure right is held collectively, often with rights derived from custom and with governance through customary institutions. It is a distinct form of tenure, though it often interacts spatially with other forms of tenure. For example, customary, community lands may overlap lands formally held by governments or in private hands. Community-based tenure systems also often include areas of land held on an individual basis by community members, normally assigned by community authorities according to internal rules.

Figure 1, below, provides a generic illustration of a forest landscape with community lands in relation to other forms of tenure.

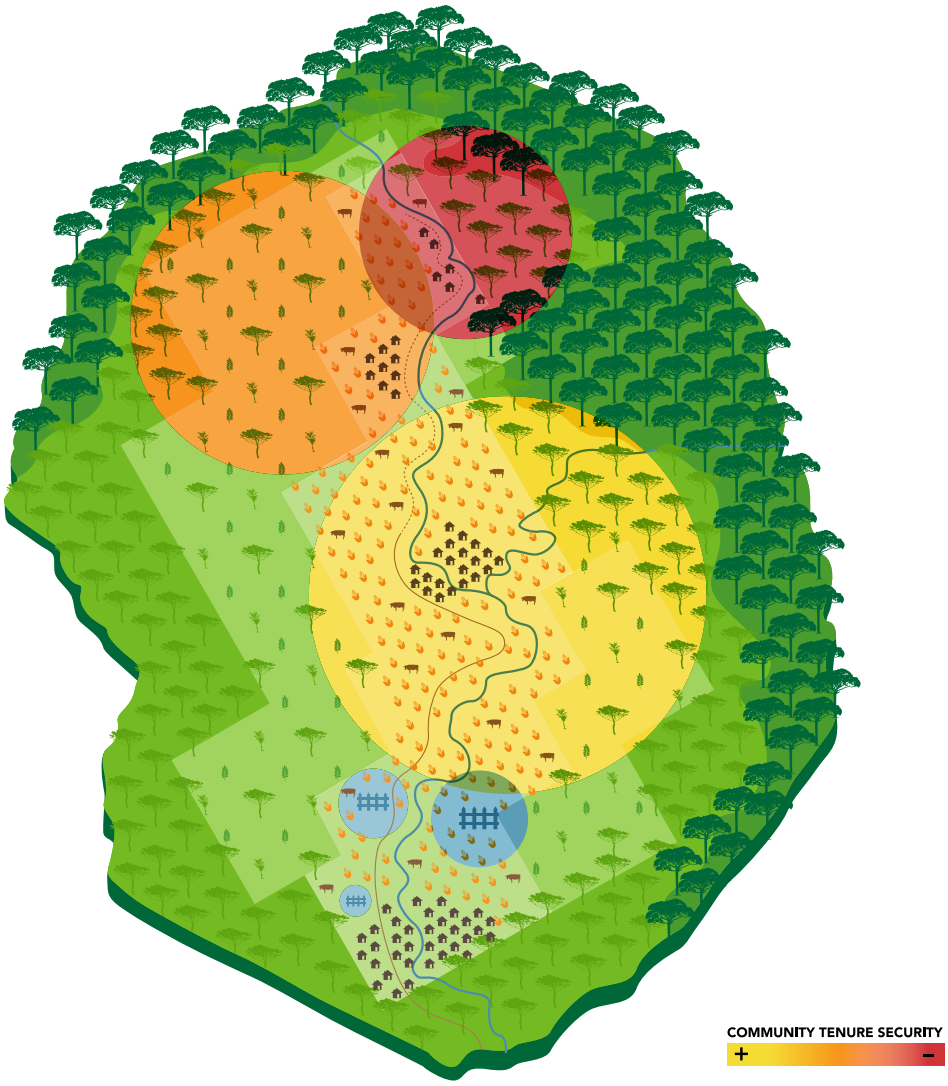
WHY COMMUNITY-BASED TENURE? The focus of this work on community-based tenure, as a particular tenure form, reflects that:

- Community-based tenure is widespread in forest landscapes in lower- and middle-income countries.
- Community-based tenure often lacks sufficient legal recognition and/or support.
- Community-based tenure is increasingly adopted in national and international frameworks that countries are seeking to implement.
- There is a growing body of experience and knowledge to share on effective approaches to securing community-based tenure and its contributions to the realization of development goals.

This focus complements or supports other World Bank programs and instruments such as the Forest Action Plan, the Environmental and Social Framework (ESF); and tools that address wider range of land and/or forest tenure arrangements (such as the World Bank LGAF and the PROFOR/FAO Forest Governance Assessment Framework).

USES AND USERS: The framework and its associated tools are intended to be of use to all nongovernmental and governmental actors interested in understanding and strengthening community-based tenure security in forest areas in a given country. This work responds to particular needs identified by the World Bank, and users may include Bank staff, NGOs, indigenous and community organizations, and other donors.

FIGURE 1: ILLUSTRATIVE DIAGRAM OF A FOREST LANDSCAPE SHOWING A RANGE OF LAND USES AND TENURE TYPES THAT MAY COEXIST AND/OR OVERLAP WITH EACH OTHER



LAND-USE CATEGORIES

- Natural Forest
- Secondary Forest
- Agroforestry
- Agriculture/Grazing

TENURE CATEGORIES

COMMUNITY-BASED

- Community with Legal Recognition and Title
- Community with Legal Recognition but No Title
- Community with No Legal Recognition and No Title

PRIVATE

PUBLIC

All other lands are public (e.g. protected areas, concessions)

Note: The image shows the level of complexity that may exist in a forest landscape with varying degrees of tenure security enjoyed by different tenure types. The image is not representative of any specific country's forest landscape. It is only for the purposes of providing context to the Analytical Framework.

Photo by Gerardo Segura Warnholtz/ World Bank

Photo by Gerardo Segura Warnholtz/ World Bank

WHY SECURE FOREST TENURE FOR RURAL DEVELOPMENT?

GLOBAL CONTEXT

Tenure security in forest landscapes is a critical enabling condition for the prosperity of people and ecosystems worldwide. In 2014, an estimated 1.3 billion people depend on forests for some part of their livelihoods (FAO 2014). Forest-dependent people manage and make use of diverse types of lands and resources across forest landscapes, defined here as areas that center on though may extend beyond forests as officially defined. Globally, forest landscapes include dense forest regions such as the Amazon and Congo Basins, mosaics of agricultural and forest land, forests on the agricultural frontier, and degraded or deforested areas with potential for reforestation (Molnar et al. 2004; Rasmussen et al. 2017; Vira et al. 2015). With the rapid expansion of agriculture, forest landscapes around the world increasingly include a mix of forest and agricultural land uses (Rasmussen et al. 2017).

For policy makers concerned about meeting SDGs on poverty and hunger, inclusive economic growth, conservation, and climate change, these forest communities and landscapes are of particular importance. There is a strong geographical coincidence between forests and high poverty worldwide (Sunderlin et al. 2005; 2007), and in 2008 an estimated 1.2 billion forest-dependent people were living in extreme poverty (PROFOR 2008). At the same time, forest lands and resources offer significant opportunities for livelihoods and economic growth—including from agriculture, agroforestry, nontimber and timber forest products, and forest-related ecosystem services[3]—particularly where local people are able to secure and benefit from these resources. Forests play a critical role in combating climate change—for example, they absorb 2.6 billion metric tons of carbon dioxide annually (IUCN 2017), while deforestation accounts for approximately 12 percent of greenhouse gas emissions (IPCC 2014)—and they also support community resilience and adaptation capacity in the face of climate change. Forests are among the most biodiverse ecosystems on earth, holding more than half of the world's terrestrial species, particularly in tropical regions (CBD 2010).

A particular characteristic of forest landscapes is that a substantial proportion of their area is governed through community-based tenure systems (Agrawal 2007; Robinson et al. 2017b). Community-based tenure systems refer to those in which the overall land area of the community is held collectively, often with rights derived from custom and governance through customary institutions. Lands and resources within such community tenure systems may be managed as commons and/or allocated to individual households, and many community lands include a combination of both common property and individual landholdings (Alden Wily 2018; Fitzpatrick 2005; RRI 2015). Indeed, many smallholders across forest and agricultural landscapes hold their lands within community-based tenure systems. While new technologies and collaborations have only recently begun to overcome the challenges of quantifying the extent of these often-undocumented tenure rights (see Box 2), community-based tenure systems are estimated broadly to involve approximately at least 2 billion people across Africa, Asia, and Latin America (Alden Wily 2011) and 2.5 to 3 billion people globally (Alden

3 The Millennium Ecosystem Assessment defines ecosystem services as benefits people obtain from ecosystems and distinguishes four categories of ecosystem services: supporting services (regarded as the basis for the other three categories), provisioning services, regulating services, and cultural services (Millennium Ecosystem Assessment 2005).

BOX 2: LANDMARK GLOBAL PLATFORM

LandMark is an online global platform that presents maps and other information on lands that are collectively held or used by indigenous peoples and local communities. The aim of this global platform is to help indigenous peoples and communities protect and secure tenure rights over their lands. One of the data layers presented on LandMark is national-level data on the percent of land in each country held or used by indigenous peoples and communities. While the data remains partial, with no data yet reported for many countries, information is continuously updated as it becomes available.

Source: LandMark, www.landmarkmap.org.

Wily 2018). Within specific regions, "over 90 percent of Africa's rural population accesses land through customary institutions, and a quarter of the continent's land area—some 740 million hectares—is made up of communal property, such as forests and rangelands" (Blomley 2013: 4). Approximately 40 percent of the Amazon forest region is in the customary lands of indigenous peoples (Alcorn 2014). Across the Asia region, the estimated 34 percent of total forest area under community forestry schemes offers one point of insight into the possible extent of community-based tenure systems (Gilmour 2016). A study focusing on the extent of indigenous (rather than indigenous and community) lands concludes that indigenous peoples have rights to and/or de facto manage over 25 percent of the world's land surface (Garnett et al. 2018).

One significant issue affecting tenure security in forest landscapes is the limited formal, legal recognition of and support for community-based tenure rights. Many governments, particularly during the colonial era, asserted legal ownership over forests and other lands that were traditionally held by indigenous peoples and local communities—based on interests to control forest revenues, lack of awareness of customary tenure systems, and/or a view of customary, collective management as backward or inefficient (Larson and Springer 2016). While states asserted legal control over forest landscapes, they often did not succeed in replacing traditional tenure systems with other effective institutions (Bromley and Cernea 1989). Instead, state agencies allocated forest lands to private interests for timber and/or agricultural production, resulting in widespread deforestation and forest degradation as well as social conflict (Hecht and Cockburn 199; Poffenberger 2001). Insufficient attention to customary rights of indigenous peoples and local communities in the establishment of protected areas has further contributed to their displacement in some forest landscapes (Colchester 2003). Still, many indigenous peoples and local communities have maintained attachments to and governance systems over ancestral lands, resulting in overlapping systems of statutory tenure (codified in state law) and customary, community-based tenure (Freudenberger 2013). While in some regions, such as most of Europe, tenure is relatively uncontested, this overlap of customary and statutory tenure extends across large areas of forest land in lower-income countries, as well as in some middle- and high-income countries (Gilmour 2016).

Over time, several factors have converged to prompt a shift in the legal ownership and control of forest lands back to local communities and indigenous peoples under community-based tenure arrangements. One factor has been the mobilization of social justice movements for the recognition of customary land rights, movements that have been particularly prominent in Latin America (Gonçalves and Telles do Valle 2014; Yashar 1998). Another factor has been the experience and broader awareness, as noted above, of negative forest and poverty outcomes under state control, and concern to ensure that local people are able to generate livelihoods benefits from land and forest resources. A third factor has been the increasing knowledge and understanding of collective tenure and governance systems. As brought to prominence by Elinor Ostrom's work on governance of the commons (Ostrom 1990), lands and resources held in common are not simply open access areas, but are often governed effectively by local institutions for collective action. As further documented over time by research networks such as the International Association for the Study of the Commons and the International Forestry Resources and Institutions network, customary tenure systems encompass local institutions, knowledge, and practices that can work very effectively to manage and maintain communal lands and resources, particularly where enabling conditions and support are in place. In Sub-Saharan Africa, experience with the limitations of securing rural land through registration of private,

individual property has further given rise to the "continuum of rights" approach, which advocates for the recognition and recording of the full range of forms of tenure, with particular attention to customary and informal tenure (Du Plessis et al. 2016).

These mobilizations and shifts in tenure paradigms have resulted in significant changes to legal frameworks and the area of land formally held by indigenous peoples and local communities under collective tenure. A 2018 study found that 73 of 100 countries surveyed had adopted legislation allowing for the formal recognition of community-based land rights (Alden Wily 2018). The land area held by indigenous peoples and local communities under statutory laws was estimated at 18 percent of the world's land in 2015 (RRI 2015). The comparable figure for forest lands held by indigenous peoples and local communities under statutory laws is 15.5 percent of the world's forests (RRI 2014).

Despite these significant shifts, gaps remain both in the extent of legal reforms and in their effective implementation. Recognition of community tenure remains weak in some major forest regions such as the Congo Basin, where governments retained control of 99 percent of forests as of 2014 (RRI 2014). Challenges remain in terms of the "bundle of rights" recognized in legal frameworks and the extent to which this enables communities to benefit from natural resources and/or to exclude outsiders. A particular issue for forest lands is that rights to land and trees are often dealt with separately through distinct (land and forest) laws. For example, legal recognition of rights to land in most of Latin America does not automatically convey rights to trees or other resources on the land (Jorge Munoz, personal communication). Conversely, forestry laws recognizing rights to forests often do not encompass rights to land, as is the case in Nepal (Alden Wily 2018).

In addition to complexities in the form of legal recognition, there are limitations in the extent to which tenure rights in forest areas are implemented and supported. In some countries, even where community tenure laws are in place, no land has yet been registered under them (RRI 2015). Globally, the gap between the area of land that is customarily held and that which is recognized under statutory laws remains significant (RRI 2015). Issues of competing interests, lack of political will for reforms, limited government capacity, and/or lack of coordination across land and other ministries also hinder effective forest tenure security (Segura et al. 2017). At the same time, global demand for agricultural commodities and natural resources has prompted governments to allocate land to large-scale industrial concessions, including in places where smallholders and communities maintain customary claims (Roth 2013), thus increasing pressures on land across the rural, forested landscapes of many developing countries. The combination of unfinished tenure reforms and these new pressures risks undermining progress towards indigenous and community forest tenure security and achievement of the human rights, rural development, and environmental objectives that have motivated reform efforts to date.

RELEVANCE OF SECURE, COMMUNITY-BASED FOREST TENURE TO SUSTAINABLE DEVELOPMENT

As countries around the world renew their commitments to achieving sustainable development goals, it is timely to review and reconsider how secure community-based forest rights contribute to achieving them. The following sections discuss the relevance of secure, community-based forest tenure to a range of SDGs as articulated in the UN 2030 Agenda (UNGA 2015), including poverty reduction, food security, inclusive and sustainable economic growth, gender equality, forest sustainability, and combatting climate change (see Box 4). They distill findings from a qualitative literature review of approximately 60 studies on the links between tenure security and these development goals, with a particular focus on community-based tenure. Where available, the analysis gives particular attention to recent systematic and comprehensive global and regional reviews that themselves synthesize large bodies of evidence and/or provide insights into the strength of the available evidence. Despite the ample literature on these topics, there are limitations to the evidence base—due to limitations in both the implementation of community land and forest tenure reforms to date and the current status of research—and some areas of debate are noted in the discussion. Context also matters, and findings from some country contexts may not always be directly applicable in others. At the same time, this growing body of empirical research and analysis offers compelling insights into the types of linkages between secure community-based tenure and development goals that can be explored in depth in specific national contexts. Evidence from wider international experience can also help open dialogues with national policy-makers

BOX 3 DEFINITIONS

Tenure: Tenure is a broad term for the social relationships and institutions that determine "who is allowed to use which resources, in what way, for how long and under what conditions, as well as who is entitled to transfer rights to others and how" (Larson 2011; Larson and Springer 2016).

Bundle of rights: Tenure is often described as a bundle of rights which, in particular circumstances, may include rights to *access, use, manage, exclude others from, and/or alienate land and resources* (Schlager and Ostrom 1992). While the terms tenure and ownership are sometimes used interchangeably, ownership is only one form of tenure characterized by a combination of all or most of the rights in the bundle (Gilmour and Fisher 2011; Meinzen-Dick et al. 2017).

Communities and indigenous peoples*—the following definitions are adapted from LandMark (LandMarkmap.org/data/definitions):*

Communities are "groupings of individuals and families that share common interests in a definable local land area within which they normally reside. Communities vary in size, identity, internal equity, and land use systems, and may distribute rights to land in different ways. However, communities are similar in these ways: 1) They have strong connections to particular areas or territories and consider these domains to be customarily under their ownership and/or control... 2). They themselves determine and apply the rules and mechanisms through which rights to land are distributed and governed… 3) Collective tenure and decision-making characterize the system."

Indigenous Peoples are the sector of the world's communities who identify themselves as Indigenous Peoples. They adopt this definition on various grounds, such as having stronger relations to their land than other nationals, longer origins in the locality, or distinctive cultures and ways of life that run special risks of being denied or lost in modern conditions. Indigenous peoples' rights may be subject to special national legislation and their rights to collective land and natural resources are also recognized in international instruments including International Labour Organization Convention 169 and the United Nations Declaration on the Rights of Indigenous Peoples.

Community-based tenure: Community-based tenure systems refer to those in which the overall land area of indigenous peoples or communities is held collectively, often with rights derived from custom and with governance through customary institutions. Lands and resources within such community tenure systems may be managed as common property (see below) and/or allocated to individual households, and most community lands include a combination of both common property and individually held land (Fitzpatrick 2005; RRI 2015). The terms ***collective tenure, indigenous, and community tenure and communal tenure*** (Alden Wily 2011) are also used to refer to community-based tenure systems.

Common property: Common property—or the ***commons***—is land or property held under collective tenure to which all members of the community have a guaranteed right of use (FAO 2016; Giovarelli et al. 2016). It differs from land within community-based tenure systems that is allocated to individual households.

Formal and informal tenure: As detailed in Gilmour and Fisher (2011: 6), "Formal tenure is recognized by statutory law, by precedent (in English law) or by regulation. Informal tenure refers to locally recognized rights without formal State recognition."

Customary tenure: In customary tenure systems, rights to lands and resources are derived from customary laws and institutions (Freudenberger 2013). Customary tenure may or may not be recognized in formal law.

Forest landscape: A landscape is an area of land containing a mosaic of interacting ecosystems and human land uses (Sayer et al. 2013). A forest landscape is a landscape that is primarily composed of forests though may include other land types and land uses that extend beyond forests as officially defined.

Community-based forest tenure: Community-based forest tenure is used here as a broad, inclusive term for community-based tenure rights that exist in forest landscapes. These rights may be held by indigenous peoples or local communities. Depending on the context, this tenure may be formal or informal. The specific bundle of tenure rights may vary, as may the specific resources over which rights are held (for example, land vs. trees vs. water—see "bundle of resources," below).

Bundle of resources: This term is used to refer to the specific resources to which communities have rights. For example, a bundle may include land, trees (nontimber and timber resources), water, and/or wildlife.

Formal recognition of community tenure rights may involve a differentiation among these resources, for example with Land Laws recognizing rights to land (without necessarily including rights to trees on the land) and Forest Laws recognizing rights to trees (without necessarily encompassing underlying land rights).

Tenure security: This analysis adopts an inclusive definition of tenure security that highlights the practical realization of tenure rights. Following Meinzen-Dick and Mwangi (2009), tenure security is "the ability of an individual to appropriate resources on a continuous basis, free from imposition, dispute or approbation from outside sources, as well as the ability to claim returns from investment in the resource." While many discussions of tenure and tenure security focus on the status of legal recognition, a fundamental premise of this work is that a more comprehensive set of factors—encompassing legal recognition, relevant capacities, implementation, and enforcement—need to be in place to secure tenure.

Recognition *(of land and resource rights):* Use of the term recognition calls attention to the existence of customary land and resource rights prior to the enactment of statutory laws. Where customary rights already exist, statutory laws do not establish or grant those rights, but rather recognize them.

Devolution is a more general term that refers to the transfer of tenure rights from state to community-level institutions.

Continuum of rights: The concept of a continuum of rights calls attention to the diversity of tenure rights that exist in practice and must be accommodated in land management systems and constituted as legally enforceable claims (Du Plessis et al. 2016).

Secondary rights refer to rights to seasonal uses (such as for herding) or specific resources (such as collection of firewood, medicinal plants, wild foods, and building materials) that are agreed with primary rights-holders, those with more permanent and/or holistic rights to land and resources (Byamugisha 2013).specific resources to which communities have rights. For example, a bundle may include land, trees (nontimber and timber resources), water, and/or wildlife.

and development partners on the relevance of community-based forest tenure security to their rural development goals.

Some of the available evidence focuses on the positive case; that is, how secure tenure contributes to or is associated with positive development outcomes. Other evidence focuses on the negative case; that is, the risks and experience of negative outcomes where tenure is not secure. While on some topics much of the literature does not necessarily distinguish among forms of tenure, or focuses on individual tenure,[4] the analysis draws as much as possible on studies of collective tenure systems. Some points on the comparative benefits of securing collective tenure in areas that have historically been under community-based tenure systems are also presented.

Importantly, the evidence base also highlights specific aspects or elements of tenure security that contribute to positive development outcomes or inhibit negative ones. While legal frameworks and recognition have often been a focus of discussions of tenure security, these key elements point to the need for a more comprehensive understanding of tenure security that includes related dimensions of institutional capacities and effective implementation. Even with a comprehensive approach, tenure security may be a necessary though not sufficient condition for the realization of some economic and environmental goals, as these will also depend on additional factors—such as links to markets for poverty reduction and economic growth.

While the following sections focus on the role of community tenure security in achieving SDGs, the recognition and protection of customary land and resource rights is also fundamentally an issue of human rights. International instruments and guidelines increasingly establish norms and obligations on countries to secure customary, collective tenure rights. ILO 169 (ILO 1989) and the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) (UNGA 2007) recognize rights to lands, territories, and resources as fundamental to the human rights, survival, dignity, and well-being of indigenous peoples. The provisions in

4 Since, as noted above, many smallholders hold their land with customary collective tenure systems, some situations of individual tenure may occur in the context of collective landholding. However, determining the extent to which this may be the case in the studies reviewed has been beyond the scope of this analysis.

BOX 4: SUSTAINABLE DEVELOPMENT GOALS

The Sustainable Development Goals (SDGs) are a set of goals and targets that together form a global agenda for sustainable development. The 17 SDGs were adopted by countries through a UN resolution in 2015, and are intended to be achieved by 2030.

The analysis in this report focuses on a subset of the SDGs that have been particularly prominent in empirical research and policy discussions on community-based tenure. They include (UNGA 2015):

- Goal 1. End poverty in all its forms everywhere
- Goal 2. End hunger, achieve food security and improved nutrition and promote sustainable agriculture
- Goal 5. Achieve gender equality and empower all women and girls
- Goal 8. Promote sustained, inclusive, and sustainable economic growth, full and productive employment, and decent work for all
- Goal 13. Take urgent action to combat climate change and its impacts
- Goal 15. Protect, restore, and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss

Community-based forest tenure rights also relate to other SDGs, including reduced inequality (Goal 10) and promoting peaceful and inclusive societies (Goal 16). Several points related to these goals—such as promoting social, economic, and political inclusion, reducing conflict, promoting the rule of law, and developing effective and accountable institutions—are included in discussions of the goals above.

the VGGT on recognition and support for customary rights demonstrate the international consensus that such rights are legitimate and should be recognized, respected, and protected by states, including as a critical foundation for food security (FAO 2012). Indeed, concerns to secure customary, collective rights from human rights and sustainable development perspectives are mutually reinforcing.

ENDING POVERTY AND HUNGER (GOALS 1 AND 2)[5]

LAND AND NATURAL RESOURCES ARE CRITICAL LIVELIHOODS ASSETS FOR THE POOR

Most of the world's poor live in rural areas, with a particularly high incidence of poverty in forest areas (Sunderlin et al. 2007), and are heavily dependent on natural resources for their livelihoods and food security (Angelsen et al. 2014). Livelihoods assets from forest landscapes include agricultural land, timber and nontimber forest products, and a range of ecosystems services such as for water and soil formation. Many of these assets form the basis of food security for forest communities, including agricultural crops, forest foods (which also enhance nutritional balance), wood fuel for cooking, and ecosystem services that support crop production (Vira et al. 2012).

SECURE TENURE RIGHTS ENABLE DIRECT ACCESS TO ESSENTIAL FOOD AND LIVELIHOODS RESOURCES

Secure land and resource rights contribute most directly to ending poverty and hunger by enabling access to and use of critical resources for local livelihoods and food security. Direct access and use are particularly important for meeting household food and nutritional needs and providing a safety net in times of crisis. Common property resources—such as forests, fallow fields, fisheries, pastures, and wetlands—are especially important for poorer households, who generally rely to a greater degree on these common resources than do wealthier households (OECD 2008).

SECURE TENURE CREATES INCENTIVES THAT INCREASE THE PRODUCTIVITY OF LIVELIHOODS RESOURCES

Secure tenure over lands and resources also creates incentives for longer-term investments that increase productivity and enable improvements in

5 While there is a close relationship between poverty and economic growth issues, the latter are discussed separately below in relation to the distinct SDG on economic growth, and with a particular focus on investment and commercialization.

Photo by Gerardo Segura Warnholtz/ World Bank

livelihoods and food security. A recent systematic review of relevant studies concludes that land tenure recognition contributes to substantial gains in agricultural productivity and incomes (though with variation in outcomes across regions) (Lawry et al. 2017). Tenure security is particularly important for investments such as planting of agroforestry crops or upgrading of irrigation systems that take time to produce results but may have substantial impacts on food production and income (Ali et al. 2014). While most studies have focused on the productivity effects of individual titling, emerging evidence indicates that tenure security can also increase incentives for productive investments in collective forestlands. For example, increased tenure security through collective titling in the Choco forest region of Colombia created a sense of ownership and a longer time horizon that resulted in "an increase in average household per capita income, a decrease in extreme poverty, larger investments in housing, higher attendance rates among children in primary education, and a decrease in housing overcrowding" (Pena et al. 2017).

SECURE LAND AND RESOURCE TENURE UNDERPINS MULTIPLE PATHWAYS OUT OF POVERTY IN FOREST LANDSCAPES

Tenure itself provides a pathway out of poverty by establishing rights to use and benefit from land and natural resources. In addition, tenure rights provide a necessary foundation for other key pathways out of poverty in forest landscapes, such as increased participation in markets and in payments for ecosystem services (Shyamsundar et al. 2017). Tenure security alone is not sufficient for achieving income gains from these related pathways; rather, additional factors such as market access and demand need to be in place, or other supportive policies and programs (Pacheco 2012). Nevertheless, tenure security is essential for communities to participate in and benefit from these opportunities. Income gains from other pathways out of poverty also improve food security by enabling people to supplement direct cultivation with purchases of more diverse foods (Landesa 2012).

Much of the evidence on livelihoods and poverty outcomes from market opportunities associated with increased collective forest tenure security comes from assessments of community forestry. Multiple comparative studies conclude that legal rights to access, use, and manage forest resources provide an essential foundation for the realization of livelihoods improvements from community forestry (Baynes et al. 2015; Brooks et al. 2013; RECOFTC 2013; Sabogal et al. 2014). In Mexico, where tenure reforms revoked concessions and secured community forest rights across much of the country's forests, community forest enterprises have generated gains in local employment as well as profits invested back into enterprises and

community development assets such as schools, health centers, drinking water systems, and old age pensions (Bray et al. 2003). In Nepal, which has implemented community forestry at a national scale, a five-year study (2003–08) was conducted of the impacts of a livelihoods and forest program. The research found that, across the 54 forest user groups studied, poverty was reduced from 65 percent of households to 28 percent, and the proportion of very poor households shrank from 42 to 10 percent—with an estimated one-fourth of that reduction contributed by community forestry and program-related interventions (RECOFTC 2013). It is important to note that livelihoods improvements have not always benefited the poor or women; unless these groups are targeted and inclusive local institutions are in place, community forestry benefits are often captured by elites within communities (Gilmour 2016). At the same time, weak devolution of tenure rights has been a principle impediment to generating poverty reduction or livelihoods benefits from community forestry (Blomley 2013; Fisher 2014; RECOFTC 2013).

Secure tenure also contributes to livelihood improvements by enabling forest communities to participate in payments for ecosystem services, including the potential to participate in Reducing Deforestation and Forest Degradation (REDD+) mechanisms. Tenure rights are often an eligibility requirement for participation in such ecosystem service schemes (Tacconi et al. 2009). Moreover, tenure rights significantly influence the bargaining power of communities and the extent to which they can claim a share of benefits from forest management and ecosystem services. As highlighted in an analysis of requirements for REDD+ benefit sharing (Davis et al. 2012), where communities have strong rights to forests, such as in Mexico, they have been able to use this bargaining power to negotiate a higher share of benefits generated from their forests, whether from their own management or from investments by others. Conversely, where formal rights are weak, such as in the Democratic Republic of Congo, communities have been in a weaker negotiating position and had a weaker claim on benefits generated from community forests (Davis et al. 2012).

INSECURE LAND AND RESOURCE TENURE UNDERMINES POVERTY REDUCTION EFFORTS

Lack of secure land and resource rights is itself a primary cause of poverty (UN 2009). Where community forest tenure is not secure, opportunities for communities to access resources critical for their livelihoods and food security, generate incentives for longer-term investment, and participate in wider economic opportunities are missed or undermined. Moreover, insecure tenure can generate negative incentives for unsustainable land and forest use practices that hurt longer-term productivity and decrease food security. For example, a study of women farmers in Uganda who lacked secure land rights found that they avoided letting their lands lie fallow to regenerate because of concerns that only active cultivation of the land would maintain their claims to it (Giovarelli et al. 2013).

TENURE INSECURITY INCREASES RISKS OF DISPLACEMENT, AND ASSOCIATED IMPOVERISHMENT RISKS

In the context of the growing demands on land and resources within forest landscapes, insecure tenure also significantly increases risks of both physical and economic displacement of local people, and associated impoverishment risks (Cernea 1997). Major drivers of displacement include infrastructure development, concessions for agri-business, and extractive industries such as timber, mining, oil, and gas. Despite the prevalence of these risks, and severity of the social impacts, national laws frequently do not provide assistance for displaced communities; a recent study found that land acquisition laws in only 9 of the 32 countries studied provided resettlement assistance (Tagliarino 2015). Donor policies, such as the World Bank policy on Involuntary Resettlement, have sought to respond to these risks, but have been challenging to implement in practice. For example, a World Bank internal review found serious shortcomings in how projects involving resettlement have been assessed, overseen, and followed up over two decades (World Bank 2014).

A more comprehensive and improved set of standards and instruments to avoid or minimize involuntary resettlement were introduced in the World Bank's 2017 Environmental and Social Framework (World Bank 2017). Lessons and best practice, however, are yet to be developed.

SECURING COMMUNITY-BASED TENURE PROTECTS RESOURCE USES THAT CAN BE ERODED THROUGH INDIVIDUALIZATION

The form in which tenure is secured also has implications for poverty and food security outcomes. Individualization of land rights has been

a predominant approach in tenure reforms, based on views that individual rights are inherently more secure (Byamugisha 2013; Lawry et al. 2017; Mighot-Adholla et al. 1991). However, community-based tenure rights often do more to secure the secondary and common property rights that are especially important for the poor. As Meinzen-Dick (2009: 5) notes: "Unless they take into account the secondary property rights held by various claimants, statutory legal reforms can undermine local land access and use that people depend upon, such as to collect water, firewood, fish or medicinal plants or graze their livestock in the fallow season." Assessments of tenure reforms indicate that such efforts have led to the loss of resource rights among community members less well-positioned to secure individual formalization, for example in Kenya (Meinzen-Dick and Mwangi 2009). In addition, collective tenure enables the sharing of ecological risks and benefits where resource production (for example, of grasses or wild foods) varies across a large landscape, and cannot be equally allocated to individual plots (FAO 2016). Meanwhile, expected relative benefits from surveying and registering individual land parcels, including increased access to credit, have often not been realized, especially when considered in relation to the high costs of this approach (Byamugisha 2013; Deininger and Byerlee 2011; Lawry 2017; Meinzen-Dick et al. 2017).

COMMUNITY-BASED TENURE CAN CONTRIBUTE TO WIDER COMMUNITY EMPOWERMENT AND RESILIENCE

In addition to economic aspects, community-based tenure contributes to addressing wider social and political dimensions of poverty. Where rights are held by community institutions, the exercise of these rights can contribute to building social cohesion among members of the community. Processes of joint decision-making on natural resource governance strengthen grassroots democracy (RECOFTC 2013), and build the social cohesion needed for community resilience in the face of natural and human-induced disturbances (Gilmour 2016). At the same time, for both governance and livelihoods benefits to reach the poor or those at risk of marginalization, local institutions and decision-making processes must be set up in ways that represent and take account of their interests (Blomley 2013; RECOFTC 2013).

Across the evidence base on forest tenure-livelihood links, several key elements of tenure security that need to be in place as a foundation for addressing poverty and food security are highlighted. These include:

- Communities have legal rights of long duration to enable productive investments, and are empowered to exercise management control (Alcorn 2014; Blomley 2013; RECOFTC 2013).
- Forest lands under community control have significant economic (and non-economic) value (that is, are not only degraded forests) (RECOFTC 2013).
- Resource rights extend to a diverse set of resources, enabling diversified livelihoods.
- Community rights include commercial use of resources, and appropriate regulations on commercial activities do not unduly constrain community livelihoods (Alcorn 2014; Blomley 2013; Larson and Pulhin 2012; RECOFTC 2013).
- Protections are in place for secondary resource rights, including those of women (Meinzen-Dick 2009).
- Specific attention is devoted to the tenure security of the poor and measures to avoid elite capture, especially through participatory and accountable local governance (to enable poverty reduction as opposed to more general livelihoods improvements) (Blomley 2013; Gilmour 2016; RECOFTC 2013).
- Safeguards are in place to prevent displacement, including specific protections for the rights of women, youth, and minorities.
- Communities possess rights to manage and exclude the activities of outsiders, and are able to enforce local rules, including to guard against those who would extract excess benefits (Chhatre and Agrawal 2008).

PROMOTING SUSTAINED, INCLUSIVE, AND SUSTAINABLE ECONOMIC GROWTH (GOAL 8)

SMALL-SCALE AND COMMUNITY PRODUCERS ARE IMPORTANT ECONOMIC ACTORS IN FOREST LANDSCAPES

Secure land rights are a fundamental enabling condition for sustained, inclusive, and sustainable economic growth. Community and small-scale producers are major economic actors across forest and agricultural

landscapes in developing countries around the world. Approximately 80–90 percent of forest enterprises in many countries are small or medium in size, and these enterprises are estimated to generate US$125–130 billion annually in gross value-added worldwide (Macqueen and Mayers 2016; Mayers 2006; Mayers et al. 2016). This locally controlled forestry—much of which is community and indigenous forestry—"is not only highly effective in generating economic wealth, it also distributes that wealth much more equitably" than does large-scale forestry (Mayers 2016), and does this in ways that better sustain the multiple environmental and social values of forest landscapes (Macqueen et al. 2018; Macqueen et al. 2015). Similarly, small-scale agricultural production offers significant advantages in terms of equity, with income gains for smallholders of 2 to 10 times the amount they could obtain from wage employment (Deininger and Byerlee 2011).

TENURE SECURITY PROVIDES AN ESSENTIAL FOUNDATION FOR ECONOMIC GROWTH FROM COMMUNITY AND SMALL-SCALE PRODUCTION

Tenure security provides an essential base for the economic growth contributions of these community and local producers (Fisher 2014; Hogdon 2010; Molnar et al. 2011). Studies of indigenous, community, and other locally controlled forest enterprises identify tenure rights—including commercial rights—as a key enabling factor for their economic success (Baynes et al. 2015; Macqueen et al. 2012). In the agriculture sector, increasing the security of smallholder tenure rights in Vietnam and Thailand enabled the commercialization and export of rice, resulting in significant economic growth in those countries (Deininger and Byerlee 2011). These experiences highlight that investing in community tenure security to enable local forest and agricultural production offers strong potential for sustained and equitable growth in rural areas.

CONVERSELY, LARGE-SCALE LAND ACQUISITIONS OFTEN GENERATE NEGATIVE IMPACTS THAT UNDERMINE INCLUSIVE AND SUSTAINABLE GROWTH

Despite the advantages of local production systems, many countries have focused their economic growth efforts in rural areas on attracting investors for large-scale production of agriculture and forestry, with increasing attention to emerging markets for carbon and biofuels (Fairhead et al. 2012; Vira et al. 2015). As of December 2017, the Global Land Matrix showed concluded land acquisitions totaling approximately 70 million hectares globally, a figure that is considered to significantly underestimate their actual extent (http://www.landmatrix.org). Despite perceptions that large areas of unused land stand ready for investment, lands targeted or allocated for concessions are often already held and used by local communities and indigenous

peoples, based on customary tenure rights that lack official recognition and/or visibility in national records (Cotula et al. 2009; Messerli et al. 2014; TMP 2015). Countries with relatively weak frameworks for recognition of these existing land rights have been among the targets of interest from investors (Deininger and Byerlee 2011). Large-scale land acquisitions and rural investments in areas with unclear or insecure land rights have been widely documented to generate conflicts and negative impacts on local people, thus undermining sustainable growth and other development outcomes. Such negative impacts include displacement, expropriation of land without compensation, and disruption of local livelihoods and food security (Byamugisha 2013; Hufe and Heuermann 2017; Richards 2013).

INSECURE TENURE ALSO GENERATES QUANTIFIABLE NEGATIVE IMPACTS ON LARGE-SCALE INVESTMENTS

Even looking narrowly at investment outcomes, there are quantifiable financial impacts on large-scale investment projects when tenure rights are infringed or not taken into account. One review found that "By themselves, delays caused by land tenure problems can inflate a project's expenditures by an order of magnitude—and in some cases these losses have even been great enough to endanger the future of the corporate parent itself" (TMP 2012: 2). For investment projects in agriculture and hydropower, displacement is the most frequent cause of conflicts with communities, and it is second only to environmental damage as a cause of conflicts regarding mining projects (TMP 2015). With growing awareness of these risks, and their impacts on returns, responsible investors are increasingly screening for and declining investments in areas where tenure is uncertain (Elson 2012). Moreover, many attempts to generate growth through large-scale investments have not succeeded, such as in Sudan, Tanzania, and Zambia, reflecting limited capacities to assess and monitor projects, and resulting in diminished rather than expanded economic opportunity (Deininger and Byerlee 2011).

ECONOMIC STRATEGIES GROUNDED IN SECURE COMMUNITY RIGHTS OFFER POTENTIAL FOR GROWTH THAT IS MORE INCLUSIVE AND SUSTAINABLE

Strengthening community rights and building economic development strategies on them reduces these social and economic risks and offers greater potential for equitable and sustained growth. Alternative strategies include direct support to community and smallholder-based production, and various forms of community-company partnerships that do not involve the transfer of land. The economic success of both of these approaches depends on factors that go beyond secure community land and resource rights—such as correcting market distortions that favor larger companies—but do require tenure security as a foundation (Deininger and Byerlee 2011; Molnar et al. 2007). To date, many reforms designed to enable community forestry have had limited impact because governments have not provided secure land rights or have created barriers to the development of local commercial activities through excessive regulation (Larson and Pulhin 2012; Molnar et al. 2011). Avoiding regulations that inhibit sustainable economic activities will be an important requirement for the growth and diversification of community enterprises (Gilmour and Fisher 2011; Segura et al. 2017; Smyle et al. 2016).

Secure land rights also offer opportunities for community-company partnerships that generate economic growth without negative social impacts. Options include land rental or leasing agreements in which communities with secure land rights contract operations to concessionaires (Gilmour and Fisher 2011), out-grower models, and joint ventures (Mayers 2000). Experience with practical implementation of community-company partnerships has been mixed to date (Gilmour 2016; Hewitt and Castro Delgadillo 2009; Mayers and Vermeulen 2002). However, most analysts agree that these approaches continue to offer significant potential to combine "the assets of investors (capital, technology, markets) with those of local communities and smallholders (land, labor, and local knowledge)" (Deininger and Byerlee 2011). Of course, for communities empowered with land and resource rights to choose these options, the benefits to them must be real.

RECOGNITION OF COMMUNITY-BASED RIGHTS PROVIDES AN EFFECTIVE FOUNDATION FOR ECONOMIC GROWTH

Where customary community tenure systems already exist, increasing security of tenure through the recognition and registration of community rights has proved to be an effective option, for example in countries like Tanzania, Mozambique, and Mexico (Deininger and Byerlee 2011). As noted above, community-based tenure rights are better able to take

account of secondary and common property rights. They can also be implemented in a more rapid and low-cost way, particularly with the emergence of a range of new technologies and methods for mapping and documentation, and respond more flexibly to local needs (Byamugisha 2013; Deininger and Byerlee 2011). In a change from dominant paradigms of individual tenure reform in the 1970s and 1980s, particularly in sub-Saharan Africa, the current consensus holds that demarcation and registration of community lands is more appropriate and provides an effective spur to economic growth, with processes such as allocation of individual rights and land use planning in the hands of community institutions (Byamugisha 2013; Deinenger and Byerlee 2011; Fitzpatrick 2005; Migot-Adholla et al. 1991). Enabling rapid and low-cost registration of tenure rights is particularly important in the context of pressures on land for large-scale land transfers and the need to document and demonstrate rights.

Experience and assessments highlight several key elements of tenure security relevant to inclusive and sustainable economic growth. These include:

- Legal recognition of clearly defined rights to land and natural resources (Fisher 2014; Hogdon 2010; Macqueen et al. 2012; Molnar et al. 2011)
- Registration of community land and integration of this information with other land records, to enable the defense of rights against challenges (Byamughisha 2013; Deinenger and Byerlee 2011)
- Effective community governance structures—to interact with outsiders and inclusively represent local interests, even in the face of higher land values and increased demands for lands and resources (Byamughisha 2013; Deinenger and Byerlee 2011; FAO 2016)
- Effective consultation processes and free, prior, informed consent for investments on or affecting indigenous and community lands (Anaya 2013; Feiring 2013)
- Regulations and enforcement to prevent negative social and environmental impacts from investments (Deinenger and Byerlee 2011)
- Dispute resolution processes for tenure conflicts and capacity to access legal counsel and courts (Byamugisha 2013; FAO 2016).

ACHIEVING GENDER EQUALITY (GOAL 5)

WOMEN'S TENURE RIGHTS REMAIN HIGHLY UNEQUAL, AS COMPARED WITH MEN'S

Women play significant roles in the management of forest lands, including for food production, household nutrition, and other aspects of family well-being. However, rural women's tenure rights tend to be weaker than those of men (FAO 2011). Women and female-headed households in developing countries are far less likely to own or control land, and women's landholdings are generally smaller and of lower value than those held by men (USAID 2012; World Bank 2012). In recognition of these disparities, the SDG goal on achieving gender equality includes a specific target on women's equal "access to ownership and control over land and other forms of property" (UNGA 2015).

SECURING WOMEN'S LAND AND RESOURCE RIGHTS CONTRIBUTES TO GENDER EQUALITY, AND SUPPORTS WIDER DEVELOPMENT OUTCOMES

Securing women's land and resource rights in itself increases gender equality. A growing body of research also highlights the positive links between increases in the security of women's land and resource rights and other dimensions of gender equality, with varying degrees of supporting evidence from research to date (Giovarelli et al. 2013; Meinzen-Dick et al. 2017). The evidence for links between women's land rights and their power to shape household decision making on consumption and family investment is particularly strong (Meinzen-Dick et al. 2017). Women's increased decision-making power enables wider development benefits in terms of family health and well-being—for example, through increased expenditures on food and education for children (Doss 2005 and Katz and Chamorro 2003, as cited in Giovarelli et al. 2013).

There is also a high level of agreement, though based on fewer studies to date, that women's land rights contribute to reductions in domestic violence and HIV risk, increased food security, women's investments in the conservation and increased productivity of land and natural resources, and women's political empowerment (Meinzen-Dick et al. 2017). A systematic review of 41 studies conducted by Vyas and Watts (2008) concluded that household assets such as land and higher education generally provide a protective effect against gender-based violence. In Kerala, India, women who own land or a house face significantly lower risk of domestic violence than women who do

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not own property, and property ownership outweighs other factors that may contribute to this lower risk (Panda and Agarwal 2005). A 2018 review, however, cautions that other aspects of gender dynamics in specific contexts may undermine the positive effects of land tenure on intimate partner violence (Boudreaux 2018). With regard to productivity, measures to strengthen land rights, including of female-headed households, have led to large increases in investment in soil conservation measures, for example following a land regularization program in Rwanda (Ali et al. 2014). Land rights also empower women to participate more actively in community institutions (FAO 2002 and International Development Law Organization 2013, as cited in Giovarelli et al. 2013). For example, in northern Tanzania, landholding among Maasai women is significantly associated with increased participation and speaking in community political meetings (Grabe 2015).

INSECURITY OF WOMEN'S LAND RIGHTS UNDERMINES GENDER EQUALITY, AND CONSTRAINS WOMEN'S DEVELOPMENT CONTRIBUTIONS

In contrast, where women's land and resource rights are not secure, women's economic, social, and political status is more vulnerable, and their positive contributions to family well-being and productivity of the resource base are constrained. Countries with weak land rights for women have an average of 60 percent more malnourished children (Giovarelli et al. 2013). Both women and men invest less in long-term improvements like tree planting and soil conservation when their tenure is not secure (Meinzen-Dick et al. 2017). Insecure community land and forest tenure may also have disproportionate impacts on women, since rural women rely particularly heavily on common property resources. Large-scale development projects predominantly affect these resources, and therefore may also disproportionately affect women.

TARGETED MEASURES ARE NEEDED TO STRENGTHEN WOMEN'S RIGHTS IN COMMUNITY TENURE SYSTEMS

The situation of women's rights in customary, communal tenure systems is complex. On the one hand, many of these systems reflect strong gender biases against women's land holding and participation in decision-making regarding land and resource management (Giovarelli et al. 2013; Landesa 2012). On the other hand, women claim important rights and entitlements through customary tenure systems, and often rely heavily on the common property resources such systems maintain. Where formalization of land rights has focused on individual titling, this can erode the rights and social norms that women depend on for their access to and use of natural resources (Lawry et al. 2017). Moreover,

where individual rights to land are registered in the name of the head of household only, men have been in a stronger position to claim these formal rights, as demonstrated by experience in Kenya, Uganda, and Zimbabwe (Khadiagala 2002 and Syagga 2006, as cited in Giovarelli et al. 2013; Sunungurai et al. 2010).

This complexity requires that efforts to secure community-based tenure include specific measures to strengthen women's land and resource rights. One approach is to ensure that both broader legal frameworks and those recognizing community-based tenure include specific provisions on respecting and protecting their rights (RRI 2017: Table 1). However, to date, existing legal frameworks fall far short of standards derived from international frameworks such as the UN Convention on the Elimination of all Forms of Discrimination Against Women (RRI 2017: Table 1). Moreover, experience indicates that statutory changes alone are not sufficient to overcome social constraints to the realization of women's tenure rights. Rather, these need to be accompanied by increases in women's and men's awareness of women's legal rights and measures for them to secure those rights in practice. Examples of such measures are leadership roles in community governance structures and alternative dispute resolution mechanisms that enable women to seek legal recourse for violations of rights (Byamugisha 2013; Giovarelli et al. 2013). Good practices to strengthen women's land rights in the context of formalizing community tenure include identifying the legal changes needed to improve women's tenure security, determining measures that will enable women to participate meaningfully in governance of communal lands, and ensuring women receive the information they need to realize their rights to collective lands and resources (Giovarelli et al. 2016).

The evidence base highlights several key elements of tenure security that are particularly important for promoting gender equality in the context of collective tenure systems. These include:

- Legal frameworks for recognition of community-based tenure that include specific provisions on women's rights—including, for example, provisions recognizing equal rights of inheritance, prohibiting discrimination, and calling for full and equal participation of women in community decision-making on resource management (RRI 2017)
- Community statutes guaranteeing the full inclusion of women in land/natural resource governing bodies and decision-making processes (Blomley 2013; FAO 2016)
- Land information systems that protect women's tenure rights—for example, through community land documentation that includes multiple rights and inclusion of both husbands' and wives' names where household land rights are registered (Giovarelli et al. 2013)
- Building awareness and capacity of both women and men regarding women's land rights (Byamugisha 2013; Giovarelli et al. 2013)
- Ensuring that dispute resolution mechanisms are accessible to women.

COMBATING CLIMATE CHANGE AND SUSTAINING FORESTS (GOALS 13 AND 15)

INDIGENOUS PEOPLES AND LOCAL COMMUNITIES MANAGE A SUBSTANTIAL PORTION OF THE WORLD'S FORESTS, FOREST CARBON, AND FOREST BIODIVERSITY

Indigenous peoples and local communities are key actors in the management of forests for forest sustainability, climate mitigation, and forest biodiversity conservation. In terms of land area, as noted previously, indigenous peoples and local communities have legal rights of ownership or control over approximately 15.5 percent of the world's forests (RRI 2014). Since the full extent of customary, collective forest lands is unknown, the global forest area under de facto community management is likely to be considerably larger (RRI 2015). Moreover, the forests that are known to be managed by indigenous peoples and local communities contain at least 24 percent (approximately 54,546 million metric tons) of the total carbon stored above ground in the world's tropical forests, which again is estimated to be only part of the forest carbon stored and managed by them (Frechette et al. 2016). There is a high degree of overlap between indigenous lands and areas of exceptionally high biodiversity, including tropical forests, with indigenous lands estimated to account for 37 percent of all the remaining natural lands on Earth (Garnett et al. 2018). Some studies further estimate that indigenous lands hold as much as 80 percent of the world's biodiversity (IUCN and Terralingua 2000; Sobrevila 2008; WRI 2005). Effective conservation and management of forests will also be key to maintaining options for climate change adaptation.

TENURE SECURITY IS A KEY ENABLING CONDITION FOR POSITIVE FOREST OUTCOMES IN INDIGENOUS AND COMMUNITY FORESTS

Secure tenure is an essential foundation for achieving positive forest outcomes in the substantial areas under formal and de facto indigenous and community management. Multiple studies synthesizing large bodies of research identify tenure rights and other dimensions of tenure security as critical factors contributing to positive environmental (and often other) outcomes in community forests. For example, a meta-analysis of 69 community forestry cases identified clear ownership and tenure security as among the most significant of 43 independent variables influencing the success of community forestry (Pagdee et al. 2006). Baynes et al. (2015) identify secure property (tree and land) rights as a necessary condition and one of five key factors that influence the success of community forestry in developing countries. A systematic review conducted by Ojanen et al. (2017) found that the key contextual factors largely associated with positive environmental outcomes in forests as well as in fisheries and rangelands were presence or absence of clear, stable, and legitimate rights; monitoring and enforcement systems; and resource use pressure. Tenure rights provide incentives for long-term investments in forest health, enable communities to exercise their forest governance knowledge and practices, and empower them to protect forests against deforestation and degradation activities by others (Springer and Larson 2012).

TENURE RIGHTS ALSO SUPPORT THE EFFECTIVENESS OF REDD+ AND EFFORTS TO RESTORE DEGRADED FOREST LANDS

With regard to climate mitigation, studies emphasize that clarity and security regarding tenure rights will contribute significantly to the effectiveness of Reducing Deforestation and Forest Degradation (REDD+) initiatives. In addition to providing a basis for good forest stewardship, tenure rights are important for determining participation, benefits, and responsibilities under REDD+ mechanisms (Bolin et al. 2013; Larson 2011; Larson et al. 2013; Stickler et al. 2017; Sunderlin et al. 2014). Similarly, a recent analysis of forest landscape restoration efforts across Brazil, Ethiopia, Ghana, Indonesia, and Madagascar—part of a global initiative to reforest 350 million hectares worldwide by 2030—identifies tenure rights as an important enabling condition for their success (McLain et al. 2017). The study finds that lack of recognized community and individual tenure rights has created barriers to participation in restoration activities that have only been overcome when communities have been supported to secure formal use and management rights over land and forests. Reforms to regulatory

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constraints on tree harvesting have also been needed to overcome this disincentive to tree planting by farmers (McLain et al. 2017).

A SUBSTANTIAL BODY OF CASE STUDY EVIDENCE DEMONSTRATES POSITIVE FOREST OUTCOMES WHERE COMMUNITY TENURE IS STRONG

There is now a substantial body of evidence demonstrating positive forest outcomes where tenure rights and other dimensions of tenure security are strong (Lawry et al. 2012; Seymour et al. 2014). Much of this work is based on case studies and comparisons of forest conditions within and outside indigenous and community forestlands, including use of satellite data on differences in the extent of deforestation. For example, Ding et al. (2016) found that from 2000 to 2012 the annual deforestation rates inside tenure-secure indigenous forestlands, as compared with those outside, were 2.8 times lower in Bolivia, 2.5 times lower in Brazil, and 2 times lower Colombia. A 2014 analysis of cases from 14 forest-rich countries in Latin America, Africa, and Asia (countries where much of the experience and research on community forest rights, forest health, and climate has focused) concluded that legal recognition of community forest rights and government protection of those rights has been associated with lower deforestation and associated carbon emissions (Stevens et al. 2014).

In addition to studies using geographical comparisons, some studies have begun to look at the before-and-after effects of formal legal recognition, as one dimension of tenure security. For example, a recent study by Blackman et al. (2017) assessed forest conditions before and two years after titling of indigenous lands in the Peruvian Amazon, and concluded that, "on average, titling reduces forest clearing by more than three-quarters and forest disturbance by roughly two-thirds in a 2-year window spanning the year title is awarded and the year afterward."[6] Similarly, an analysis of indigenous protected areas in the Brazilian Amazon (Soares-Filho et al. 2010) found that their success in inhibiting deforestation increased after formal establishment in three fifths of the cases studied, suggesting an impact from legal recognition. In contrast, Buntaine et al. (2014) did not find reduced forest loss within five years in Ecuadorian forests where communities had secured titles and completed management plans, as compared with matched areas where they had not. Legal recognition may have more limited impacts where de facto tenure security is already strong; for example, a study in Zambia found that de facto tenure security, as assessed through community perceptions, is also associated with better reported forest conditions (Stickler et al. 2017).

The positive forest outcomes in indigenous and community forest lands have implications for climate mitigation, as lower deforestation rates are associated with lower carbon emissions. There is also evidence that communities with legal forest rights maintain or improve their forests' carbon storage, including through forest restoration. For example, Brazil's indigenous forests contain 36 percent more carbon per hectare than other areas of the Brazilian Amazon, while government protection of community forest rights in Niger enabled the planting of 200 million new trees that have absorbed 30 million tons of carbon over the past 30 years (Stevens et al. 2014). An RRI study on Mexico makes the case that community forests managed for timber and nontimber products capture more carbon than protected natural forests, since the cycle of harvest, storage of carbon in wood products, and replacement through new forest growth sequesters more carbon than would a forest in which trees are not harvested (Barry et al. 2010).

CONVERSELY, LACK OF SECURE COMMUNITY TENURE RIGHTS UNDERMINES FOREST AND CLIMATE GOALS

Tenure insecurity is widely recognized as a significant driver of deforestation and forest degradation (Chomitz et al. 2007; Seymour et al. 2014). The need to clear forests to establish visible claims to land is a common driver of deforestation in the tropics (Larson and Springer 2016). Moreover, pursuing forest and climate interventions without attention to securing indigenous and community tenure rights has fueled concerns that REDD+ may lead to a recentralization of rights. Such concerns have been a main source of opposition to REDD+ among indigenous and community organizations (Larson 2011; Osborne et al. 2014). Addressing these risks and enabling indigenous peoples and local communities to contribute to climate mitigation efforts in accordance with their interests will require greater investments in the security of land

6 As discussed further below, the titling process in Peru includes requirements to develop forest management plans, and titled lands cannot be sold or subdivided (Robinson et al. 2017a).

and resource tenure as well as clarity on the rights and benefits associated with forest carbon stocks (Mitchell and Zevenbergen 2011; Vhugen et al. 2011).

INVESTMENTS IN SECURING INDIGENOUS AND COMMUNITY LANDS FOR ECOSYSTEM SERVICES ARE COST EFFECTIVE

In addition to considering the efficacy of community-based management, recent studies have addressed the relative costs and benefits of securing indigenous and community forests lands for climate change mitigation and other ecosystem services. For example, a study of quantifiable costs and ecosystem service benefits of tenure security in Bolivia, Brazil, and Colombia concludes that the benefits—including global carbon-reduction benefits—significantly outweigh the 20-year costs of securing community forest, which are estimated to be at most 1 percent of the total benefits (Ding et al. 2016). Since much of the forest area held by communities under customary tenure is still not effectively recognized or protected, a concerted effort to strengthen indigenous and community forest rights could expand the climate benefits of community forest management significantly and cost-effectively (Ding et al. 2016; Gray et al. 2015). However, strategies to secure community tenure security are largely absent from the nationally determined contributions (NDCs) prepared by countries under the Paris Climate Accord (RRI 2016a), and are given only limited attention in REDD+ strategies and interventions (RRI 2016b). Through the Carbon Fund of the Forest Carbon Partnership Facility, the World Bank has developed a Methodological Framework that requires countries preparing Emissions Reduction Programs to conduct land and resource tenure assessments in the REDD+ context (FCPF 2013). The Methodological Framework recognizes the importance of the land and resource tenure situation in the program area of a REDD+ country as it informs program design and benefit-sharing mechanisms. However, REDD+ countries are only encouraged, but not required, to promote tenure security as part of their respective programs. Those REDD+ countries that include improved tenure security in their program design typically do so by including it as a separate noncarbon benefit that is not subject to the program's benefit sharing mechanism.

It is expected that the mitigation potential of carbon storage and sequestration will continue to be recognized as an important ecosystem service. As the market value of carbon rises, effective payment-for-results mechanisms will become increasingly relevant to ensure the expected positive climate, forest, and community benefits. Clarity and security of forest tenure and the need of an inclusive, participatory process to reach fair benefit-sharing arrangements with indigenous peoples and local communities will be crucial. Best practice and lessons on these elements are only starting to emerge in REDD+ countries that are formalizing their emissions reduction programs under the Forest Carbon Partnership Facility's Carbon Fund (For example, the Democratic Republic of Congo, Mozambique, and Costa Rica)

FOREST OUTCOMES IN COMMUNITY-MANAGED PROTECTED AREAS COMPARE FAVORABLY WITH THOSE IN STATE-MANAGED PROTECTED AREAS IN SOME STUDIES

Several studies have explicitly compared forest outcomes in areas under community-based tenure with state protected areas. Nelson and Chomitz (2011) employed matching techniques (controlling for factors such as location) to conduct a global comparison of the efficacy for controlling fire of strict protected areas, multiple-use protected areas, and indigenous areas (used a proxy for deforestation). They conclude that multiple-use areas are as or more effective than strict protected areas—especially where pressures on forests are greater—and that indigenous areas (as found in Latin America) have "extremely large impacts on reducing deforestation." Similarly, Porter-Bolland et al. (2012) compared deforestation rates in protected areas and community-managed forests in 16 countries (mostly in Latin America) and found that annual deforestation rates in community-managed forests were generally lower and less variable than in protected forests.[7] A matching study by Nolte et al. (2013) compared deforestation rates in Brazil across indigenous lands, sustainable use areas, and strictly protected areas under different degrees of deforestation pressure. The study found that indigenous lands were most effective at curbing high deforestation pressure and strict protected areas avoided more deforestation than sustainable use areas, while all three types of lands helped reduce deforestation in the Amazon. A recent systematic

7 Cases that did not follow this pattern were mostly from areas in Colombia impacted by conflict and coca cultivation (Porter-Bolland et al. 2012).

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review of studies on environmental outcomes associated with different types of tenure found a mix of results, with private and community regimes reported to perform better than state management in 12 of the forest studies, and state management reported to perform better in 9 studies (Ojanen et al. 2017).

MULTIPLE FACTORS INTERACT WITH TENURE TO INFLUENCE FOREST OUTCOMES

While tenure is a critical enabling condition, other factors also mediate between tenure security and forest outcomes. Research points to the importance of positive economic benefits from forests that outweigh the management costs communities incur and provide incentives for maintaining and expanding forests (Lawry et al. 2012; Pagdee et al. 2006; Seymour et al. 2014). While communities bring significant knowledge and governance capacity to the management of common property resources, they may also need support and partnership from government and NGOs to fulfill new roles or respond to new conditions, such as dramatically increased threats to their forests (Global Witness 2017). Many forest areas included in research studies are also under some form of protected status that limits pressures from outside investment or various types of regulation that promote forest-oriented land uses (Seymour et al. 2014).

NEW RESEARCH APPROACHES ARE NEEDED TO STRENGTHEN UNDERSTANDING OF CAUSAL LINKS AMONG TENURE, OTHER SOCIAL AND BIO-PHYSICAL FACTORS, AND FOREST OUTCOMES

Despite the extensive evidence base on tenure and forest outcomes, efforts to use statistical methods to draw overarching conclusions from existing studies have been hampered by inconsistent definitions and levels of information. As highlighted by Ojanen et al. (2017), studies on the links between devolved forest tenure and environmental outcomes vary in how they define both tenure and environmental outcomes, and in the amount of information they include on the tenure situation, on different types of outcomes, and on a range of additional factors that may affect the relationship between tenure and environmental outcomes. Yin et al. (2014) conclude that research using more consistent definitions and study protocols will be needed to tease out confounding factors and enable more robust statistical analysis of causal pathways linking tenure, other related factors, and forest outcomes. Further research on the mammal, bird, and reptile species inhabiting forests will also expand understanding of biodiversity outcomes beyond the trees and vegetation that have been the focus of most studies to date.

The literature on forest outcomes devotes considerable attention to the key elements of tenure security that contribute to forest sustainability and reduced carbon emissions in collective forests. These include:

- Clear and stable tenure rights (Agrawal et al. 2008; Baynes et al. 2015; Ojanen et al. 2017; Pagdee et al. 2006; Seymour et al. 2014)
- Supportive national policy and legal frameworks (Cronkleton et al. 2011; Hayes and Persha 2010; Seymour et al. 2014)
- Quality of the forests (Gilmour and Fisher 2011); relatively large forest areas and rights over multiple forest products and services, including timber (Bray 2010) and carbon (Vhugen et al. 2011)
- Regulatory support and limited administrative burdens (Gilmour and Fisher 2011)

- Supportive government forest departments (Lawry et al. 2012; Stevens et al. 2014)
- Strong capacity of community-level organizations, including accountable leadership (Pagdee et al. 2006; Seymour et al. 2014)
- Flexibility/autonomy for local managers to adapt to local ecological and social circumstances (Hayes and Persha 2010; Lawry et al. 2012; Nagendra and Gokhale 2008)
- Democratic decision-making processes on forest management with inclusion of all social groups (Ojha et al. 2009), including full, empowered participation of women (Agarwal 2009)
- Exclusion rights, and effective monitoring and enforcement systems (Agrawal et al. 2008; Ojanen et al. 2017; Pacheco et al. 2012; Pagdee et al. 2006)
- Connections to civil society networks and government programs that support advocacy, negotiation with others and the defense of rights (Cronkleton et al. 2011; Lawry et al. 2012; Segura 2014)

DISCUSSION

Across this range of rural development and environment goals, there are tensions as well as synergies. For example, where economic growth goals are prioritized this may impact the realization of certain conservation objectives. Similarly, prioritizing forest conservation through various types of protected status can limit the scope of economic growth options. All actors with authority over land—whether governments, private sector actors, or communities—confront these challenges, which may also be shaped by wider incentives and regulatory frameworks. Devolving forest tenure does not erase these inherent tensions among development goals and objectives, but does provide a foundation for negotiating them in ways that are inclusive of the people with the most direct stake and stewardship roles in customary forest lands, and that enable the most effective realization of agreed outcomes. There are also synergies across development goals, and key elements of secure forest tenure that can increase the likelihood of these synergies. For example, recognition of customary tenure rights contributes to the realization of human rights while also providing a foundation for positive forest and climate outcomes. Key elements such as participation of forest users in establishing forest management rules have been found to increase the likelihood of joint positive livelihoods and forest outcomes (Persha et al. 2011).

Another type of tension concerns timeframes. Some proponents of REDD+, for example, point to the long timeframe often needed for legal reforms, in comparison with the urgent need for climate mitigation measures and actions to secure forests against threats, and call for interim measures to increase the practical security of community forest tenure pending broader reforms (Bolin et al. 2013). At the same time, assessments of how REDD+ projects are addressing tenure issues highlight the risks involved in piecemeal, local approaches, given that tenure issues are national in scope and depend for their success and sustainability on national action (Sunderlin et al. 2014). A review of the World Bank's experience with tenure reform further highlights the importance of contributing from projects to incremental changes in legal and policy frameworks (World Bank IEG 2016).

Perhaps the most significant tension running through analyses of experience with community tenure reforms is the tension between the impetus and constituencies for reforms, on the one hand, and the concern of governments to retain substantial control over forest lands, on the other. Tenure reforms of all types are often highly political and are caught up in wider issues of each country's political economy. In the case of community-based forest tenure, there are often asymmetries of power between forest communities and government agencies with responsibility for forests and forest lands. Many of the development benefits of secure forest tenure depend on a real transfer of power; however, too often this is lacking in practice as it involves a disruption of entrenched interests (Gilmour 2016).

Situations vary widely across countries and regions. Nevertheless, limitations in securing community-based forest tenure that are frequently cited in reviews include, in addition to deficiencies in political will in itself, weaknesses in legal frameworks, complex and costly procedures for formal recognition, limited local autonomy in decision making, insufficient attention to women and the poor, and insufficient capacities on the part of governments to support the devolution and enforcement of tenure rights (Blomley 2013; Larson 2011; RECOFTC 2013; Segura et al. 2017). The success of a wide range of policies and programs in rural, forested areas will depend on overcoming these limitations through stepped-up investments in community-based forest tenure security.

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KEY ELEMENTS FOR SECURING COMMUNITY-BASED FOREST TENURE

This section presents a set of "key elements" for secure community-based forest tenure—that is, elements or factors that need to be in place to realize the security of community-based forest tenure rights. They provide a framework for understanding community forest tenure security in specific national contexts, as a basis for identifying needs and actions for increased support. The key elements are a distillation of best practices from multiple sources. In particular, they draw on elements identified from empirical research (highlighted in the previous section) as being critical for the contributions of community-based forest tenure to sustainable development goals. In addition, they draw on elements found in existing land and forest governance frameworks, guidelines, and standards, including the following:

- World Bank Land Governance Assessment Framework (Deininger et al. 2012; World Bank 2013)
- PROFOR Forest Governance Framework (Kishor and Rosenbaum 2012; PROFOR and FAO 2011; World Bank 2009)
- WRI Forest Governance Assessment Framework (Davis et al. 2013)
- Voluntary Guidelines on the Governance of Tenure (VGGT) (FAO 2012)
- Associated technical guides, such as on forests (Mayers et al. 2013) and the Commons (FAO 2016); FAO forest tenure frameworks and guidelines (FAO 2015; Gilmour and Fisher 2011); the Securing Africa's Land program framework (Byamugisha 2013); LandMark legal security indicators (Alden Wily et al. 2016); and others

While these resources generally have a broader framing and focus, they include dimensions relevant to community-based forest tenure, and themselves consolidate large bodies of research, knowledge, and global consensus. Drawing on these two main bodies of work—empirical research and existing frameworks, guidelines, and standards—the integrated set of key elements presented here encompasses both elements that are important for the achievement of development goals and others that are essential to the overall functioning of the tenure security system.

As noted in the introduction, the primary purpose of distilling these key elements is to provide a basis for the development of practical tools to understand and assess community forest tenure security in specific national contexts. There is substantial convergence across existing frameworks and in related literature and practice on these key elements. By consolidating and presenting them together in a concise framework, this work also aims to contribute to building a shared set of concepts and common language on community-based tenure security. Such common concepts and language can in turn facilitate exchanges of experience, lessons, and innovations on ways to strengthen the security of community-based forest tenure.

Nine key elements are presented here. For each element, a brief description is provided of the element and why it is integral to community-based tenure security. Under most of the elements, several dimensions (or subcomponents) of that element are also described. These dimensions are expected to provide a basis for the further development of indicators for assessing the status of community-based forest tenure security in national contexts. In light of the need for targeted measures to strengthen women's rights within customary systems, women's rights are highlighted within certain elements, and should generally be considered as a cross-cutting element. The thematic areas, key elements, and dimensions are summarized in Table 1.

TABLE 1. KEY ELEMENTS FOR SECURING COMMUNITY-BASED FOREST TENURE

	KEY ELEMENTS	DIMENSIONS
	Legal Frameworks forTenure Rights	• Recognition of all rights and rights-holders, including women • Recognition of a robust bundle of rights • Recognition of a holistic "bundle of resources"
	Implementation of Legal Recognition	• Accessible, efficient procedures • Formal recognition of indigenous and community lands
	Appropriate Regulations for Land and Resource Management	• Regulations that are simple and appropriate to management objectives • Efficient implementation of permitting processes
	Effective Support from Responsible Government Agencies	• Participatory and adaptive processes for decision making • Political will and aligned incentives • Clear and mutually supportive mandates for responsible agencies • Capacities and financial resources for government implementation roles
	Empowered and Inclusive Indigenous and Community Governance	• Inclusive institutions and decision-making processes, with particular attention to the inclusion of women • Community-defined rules and/or plans for land governance • Capacities and financial resources for tenure security roles of community institutions • Multilevel links to advocacy and support organizations
	Systems for Recording Community Forest Tenure Rights	• Comprehensive and accurate information • Accessibility of the system—to record, maintain/update, and share information on tenure rights
	Enforcement of Tenure Rights	• Capacities and mutual support among institutions responsible for enforcement • Effective implementation of monitoring and enforcement systems
	Protection of Collective Tenure Rights in Relation to other Forms of Tenure and Land Use	• Legal clarity and resolution • Mechanisms for rural policy coherence • Strong safeguards to avoid infringements on communal tenure rights—including Free, Prior and Informed Consent (FPIC) and environmental and social standards
	Conflict and Dispute Resolution	• Accessible and competent mechanisms to resolve disputes over tenure rights • Effective resolution of disputes

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The identification of key elements in this framework is not meant to suggest that there is one ideal approach that is appropriate for every situation. Rather, tenure should reflect existing conditions and be defined by rights-holders and stakeholders in each context, based on a comprehensive understanding of specific challenges to tenure security and what is needed to strengthen it (World Bank IEG 2016). The elements outlined here reflect existing standards and best practices and are intended to promote and create space for participatory, local processes of assessment, dialogue and reflection, and concerted action.

1. LEGAL FRAMEWORKS FOR TENURE RIGHTS

Legal frameworks for recognition of community-based forest tenure are a fundamental anchor for tenure security, and are widely reflected in existing standards and guidelines. The VGGT, for example, call on States to "recognize and respect…tenure rights including legitimate customary tenure rights that are not currently protected by law" (FAO 2012: para 5.3). The UN Declaration on the Rights of Indigenous Peoples (UNDRIP) establishes that states shall give legal recognition and protection to the lands, territories, and resources that indigenous peoples have traditionally owned, occupied, or otherwise used or acquired (UNGA 2007: Article 26). Legal frameworks for recognition are included prominently in other land and forest governance frameworks (Davis et al. 2013; Deininger et al. 2012; PROFOR and FAO 2011). Historically, customary tenure systems have often served to secure local rights without formal, legal recognition. However, growing pressures on forest land—such as for commercial investments—have increased the risks that tenure rights lacking legal backing will be challenged or eroded (Byamugisha 2013; FAO 2016; Gilmour and Fisher 2011).

Key dimensions derived from best practice for assessing legal frameworks are discussed below.

RECOGNITION OF ALL LEGITIMATE TENURE RIGHTS AND RIGHTS HOLDERS, INCLUDING WOMEN

Good practice in land governance requires the recognition of all legitimate tenure rights, including those not currently protected by law, and the removal of all forms of discrimination related to tenure rights (FAO 2012). A primary consideration for assessment under this framework is whether laws are in place to recognize the tenure rights of indigenous peoples and local communities and provide a basis for collective action. In addition, legal frameworks should take account of secondary rights, such as gathering and seasonal grazing by pastoralists, and rights held by women and minorities (Davis et al. 2013; FAO 2016; World Bank 2013).

A critical aspect of legal frameworks for tenure rights concerns the degree to which they enable communities to govern lands and resources in accordance with their own institutions and decision-making processes. As described by Roldán-Ortiga (2004) regarding rights of indigenous peoples, one of the main characteristics that determines the security and authority held by indigenous peoples is "the amount of autonomy in managing their own affairs that is accorded to an indigenous group as a consequence of their land rights, including legal recognition as an indigenous group (*personería jurídica*), and their ability to use their own traditional legal and justice systems." Best practices include recognition of indigenous peoples and communities as legal persons for purposes of landholding, without cumbersome requirements for the creation of new forms of legal institutions, and recognition of their authority to govern their lands (Alden Wily et al. 2016). At the same time, autonomy demands a high level of accountability on the part of community institutions to members of the community and an inclusive approach that takes account of the full range of their interests and resource uses. Accordingly, national legislation—as developed with the participation of rights-holders themselves—may include broad provisions regarding the types of institutions and procedures that can promote accountability and inclusivity. Such national provisions can help reduce the risk that customary laws may discriminate against some members of the community, such as women, or provide insufficient checks on the authority of leaders (FAO 2016). With regard to women's rights, for example, the Rights and Resources Initiative (RRI) has identified a set of provisions (presented as indicators) that can help secure women's land rights to community forests (see Box 5).

Recognition of all legitimate tenure rights, including intracommunity rights, responds to human rights imperatives and contributes to gender equity. It also provides a basis for poverty reduction by ensuring that the tenure situation of groups that may otherwise

BOX 5: POWER AND POTENTIAL: RRI INDICATORS FOR ASSESSING WOMEN'S RIGHTS TO COMMUNITY FORESTS

The Rights and Resources Initiative (RRI) has identified a set of eight indicators for use in assessing the legal status of women's rights to community forests. Three "overarching" indicators apply to all women in a country and an additional five focus on rights of women within community-based tenure regimes.

The three overarching indicators are:

- Constitutional equal protection
- Legal affirmation of women's property rights
- Inheritance rights in overarching laws

Indicators specific to community-based tenure regimes include:

- Membership—explicit definition of women as members of the community
- Inheritance rights specified in community-based tenure regimes
- Voting—guaranteeing that women have rights to vote in community decision-making bodies
- Leadership—requirements for women's participation in executive bodies
- Dispute resolution provisions specific to women

Source: RRI 2017.

be marginalized is strengthened. Recognition of community tenure also does not preclude the holding of individual rights, and indeed many community-based tenure systems include lands held by communities as well as commons.

RECOGNITION OF A ROBUST "BUNDLE OF RIGHTS"

The "bundle of rights" refers to the specific rights established within a tenure regime. The concept of a bundle of rights in relation to community-based tenure was elaborated by Schlager and Ostrom (1992) and subsequently expanded by RRI (2012)[8]. Rights in the expanded bundle and their definitions include:

- Access: the right to enter or pass through a forest
- Withdrawal or Use: the right to use and benefit from a forest's resources
- Management: rights to make decisions about the management of a forest area and use of forest resources.
- Exclusion: the right to regulate and refuse access to and use of the forest by others
- Alienation: right to transfer the forest to another by sale, lease, or other means
- Duration: the length of time a community may exercise its rights—either limited or in perpetuity.
- Extinguishability: right to due process and compensation in the face of government efforts to extinguish rights[9]

As highlighted in the discussion of development outcomes, above, including a robust bundle of rights within legal frameworks for community-based tenure generally contributes to the security of tenure and provides enabling conditions for associated development goals. For example, access and withdrawal rights enable local people to make direct use of resources critical for their livelihoods, while commercial withdrawal rights (which are often defined separately in law) further establish a basis for the development of enterprises and links to markets. Management rights provide communities with the

8 More recently Sikor et al. (2017) have proposed some revisions to the bundle of rights conceptual analysis.

9 This point has also been expressed as the distinction between "hard" and "soft" rights—with hard rights protected from arbitrary cancellation, often because they are adopted at higher levels of a legal framework (such as in a constitution or national law) (Lindsay 1998).

flexibility to tailor management processes to local conditions—a key factor contributing to sustainable forest outcomes. Exclusion rights enable people to manage the allowed activities of outside users and block outside encroachment and forest clearing that could otherwise result in deforestation and/or forest degradation—generating climate impacts—and reduce pressures on critical assets for poverty reduction, food security, and economic growth. Holding rights in perpetuity is conducive to long-term investments in the natural resource base that increase its productivity, which contributes in turn to poverty reduction, food security, and economic growth. Protection from arbitrary cancellation increases the overall security of community tenure rights.

Among rights in the bundle, alienation rights are most controversial, as inclusion of alienation rights in legal frameworks for community-based tenure rights carries significant risks. Where tenure rights have been individualized and subject to sale, this has often resulted in losses of community land to outside interests (RRI 2012). Community-based tenure systems commonly include internal mechanisms for transfers of rights among members of the community, or mechanisms that enable leases to actors outside the community for purposes of joint economic activities.

RECOGNITION OF A HOLISTIC "BUNDLE OF RESOURCES"

Legal frameworks for community-based tenure vary in the extent to which they include rights over a wide range of natural resources within the lands recognized for indigenous peoples or local communities, or refer only to specific resources (Almeida 2017; Roldán-Ortiga 2004). As noted above, frequently a distinction is made between land rights and rights to trees. Communities may have rights to trees but not the land, or to nontimber but not timber forest products. Including rights to a holistic "bundle of resources" within legal frameworks, without excluding high-value resources, provides a stronger basis for poverty reduction and economic development among forest peoples by enabling diversified livelihoods strategies from multiple types of resources. LandMark highlights as best practice that rights to trees and water sources within indigenous and community lands are included within legal frameworks (Alden Wily et al. 2016). As economic opportunities from ecosystem services grow, clarity regarding the legal status of the carbon stored in forests may improve the ability of communities to benefit from these new income streams. Where resource rights are retained by states, as is often the case with minerals and subsoil resources, the use of these resources should be governed by safeguards, as discussed further in section 8.

Beyond economic considerations, the holistic and undivided relationships of indigenous peoples and local communities to their territories is fundamental to their cultures and ways of life, and increasing the security of these relationships contributes to fulfillment of their human rights (Almeida 2017; Roldán-Ortiga 2004).

2. IMPLEMENTATION OF LEGAL RECOGNITION

Beyond the enactment of laws, tenure security requires that they be implemented through the recognition and transfer of legal rights over specific areas of forest land to specific local or indigenous communities. While many countries have now put in place some form of legislation that enables the recognition of community tenure rights, too often these legal frameworks are not extensively implemented in practice (RRI 2014).

Key dimensions for assessing the implementation of legal recognition are discussed below.

ACCESSIBLE, EFFICIENT PROCEDURES

One constraint to the active implementation of legal frameworks for community-based tenure is procedures for legal recognition that are complex and/or inaccessible to communities. In some countries, such as in Papua New Guinea and Mozambique, the law avoids this challenge by automatically recognizing customary tenure rights without requirements for titling or registration (with the option for communities to register their land if they so choose) (Almeida 2017). In other countries where the law requires procedures such as mapping, provision of evidence of customary use, and/or institutional developments as a basis for demarcation and titling, it is important that these procedures remain simple and accessible—both in terms of costs and technical requirements (Almeida 2017; Blomley 2013; Fitzpatrick 2005). Formal recognition does require identifying, with some degree of precision, the community whose rights are being recognized, the area over which it has legitimate claims, and the local institutions or decision-

making processes that are entitled to respect by formal legal institutions, including to avoid elite capture (Jonathan Lindsey, personal communication).

Even where not required by law, registration of community land has become increasingly important to avoid allocation of overlapping rights and guard against infringements. Focusing on the mapping and recording or registration of the outer boundaries of the communal land area both simplifies procedures and appropriately devolves processes such as the administration of individual lands to community institutions (Alden Wily 2008; Byamugisha 2013). The experience of countries that have achieved registration of community lands at scale—such as Tanzania, Mexico, and others—offer lessons for practical procedures in this regard. With a focus on outer boundaries, negotiating and agreeing boundaries with neighboring communities will generally be a main issue, along with, in some cases, the resolution of other overlapping claims or encroachment (Alden Wily 2008; Segura et al. 2017). In Latin America, the situation of migrants residing within indigenous lands, to obtain land or extract resources, presents a particular challenge for efforts to establish clear titles free of overlapping claims (Segura et al. 2017).

FORMAL RECOGNITION OF COMMUNITY AND INDIGENOUS LANDS

Formal recognition of community-based tenure establishes the clear and stable rights that form an essential foundation for positive poverty reduction, food security, economic growth, and climate outcomes in forest landscapes. Legal recognition processes should include areas with resources of significant value (that is, not only degraded lands) and focus attention on groups and regions with a high incidence of poverty and vulnerability to land rights abuses. The geographical extent of the area recognized under legal frameworks for community-based tenure is a key indicator of their implementation.

Implementation of legal recognition should prioritize bottom-up processes that empower communities in the delimitation of their lands and organization of appropriate and inclusive land management institutions, with particular attention to the inclusion of women (Alden Wily 2008). Often communities have initiated mapping activities that may only need review and verification, while in other cases technical assistance or support from government may be needed to carry out the mapping and other requirements (FAO 2016). Advances in geospatial tools are creating new opportunities for more rapid mapping of indigenous and community lands and the visualization of multiple land uses, which can also help identify and resolve overlaps that impede recognition processes (Byamugisha 2013; Segura et al 2017).

3. APPROPRIATE REGULATIONS FOR LAND AND RESOURCE MANAGEMENT

Even where tenure rights to forests are legally recognized, management and withdrawal rights are often subject to further regulation, such as requirements for land use planning, forest management planning, and permits for commercial use of resources. Regulations play an important role in ensuring that forest use is compatible other broader environmental sustainability goals. However, regulations frequently extend beyond these goals and are so onerous as to constitute a barrier to the ability of communities to generate any significant benefits from the resource. As stated in one review of the Latin American experience: "The tenure reform constitutes an important step toward enhancing the livelihoods of local people, but it is unlikely to reach its potential due often to constraining forest regulations that thwart opportunities for indigenous and smallholders to use and adapt their traditional systems for forest resources management…" (Pacheco et al. 2012).

Ensuring that regulations on forest and land use are appropriate is essential for indigenous peoples and local communities to realize opportunities for poverty reduction and economic growth from forest lands and resources. Current forestry regulations tend to promote a homogenous approach, with management models that do not necessarily correspond to, and sometimes contradict, the systems devised by communities for multiple livelihoods uses (such as agro-forestry, fodder, fuelwood, fishing, harvesting of nontimber forest products, and timbers for domestic or small-scale commercial use). Such regulations are more appropriate to large-scale industrial models (Pacheco et al 2008). Even where regulation of commercial logging by communities is required, the regulatory structure is typically a complex, top-down approach based upon detailed, prescriptive regulations. By contrast, good practice in countries with successful

Photo by Gerardo Segura Warnholtz/ World Bank

locally controlled forestry, such as Sweden, emphasize a model of accountability combined with regulations that are designed to achieve desired outcomes, rather than prescribed inputs (Elson 2012).

Key dimensions for assessing appropriate regulations are discussed below.

REGULATIONS THAT ARE SIMPLE AND APPROPRIATE TO MANAGEMENT OBJECTIVES

Regulations should be responsive to local conditions, and aim to establish the minimum requirements needed to meet environmental objectives and social safeguards. As highlighted with regard to decision-making processes, below, such responsiveness requires that communities are able to influence the design of regulations affecting their land and resource management. Regulations should enable sustainable local uses of forests and forest products, and restrictions on land or forest use should be clearly justified on the basis of the public interest (World Bank 2013). Another aspect of appropriateness is avoiding, as much as possible, the need for costly outside technical support to meet regulatory requirements.

Box 6 below summarizes principles based on lessons learned from regulatory frameworks in many countries.

EFFICIENT IMPLEMENTATION OF PERMITTING PROCESSES

As with titling or registration, regulations for obtaining permits may include requirements such as preparation of management plans or other compliance procedures. This dimension assesses the extent to which such compliance procedures are handled promptly, efficiently and cost-effectively, so as to enable sustainable productive activities that contribute to local livelihoods. Public agencies can actively promote and facilitate compliance with permitting requirements by providing tools such as templates and guidance materials.

4. EFFECTIVE SUPPORT FROM RESPONSIBLE GOVERNMENT AGENCIES

Effective support from government agencies responsible for recognizing and protecting community-based tenure rights is essential to the implementation of many of the key elements included in this framework. Government capacities relate to dimensions of several of the other key elements detailed here—such as, titling, enforcement of rights, and administration of land information. The focus in this section is on

BOX 6: PRINCIPLES FOR REGULATORY FRAMEWORKS, BASED ON LESSONS LEARNED

- Provide secure and long-term access or ownership rights to forest resources.
- Ensure that regulatory frameworks are enabling as well as enforcing. They should enable key stakeholders to improve their own livelihoods and the condition of forests by removing constraints that inhibit them from doing so.
- Focus regulations on the most important public outcomes and design them accordingly.
- Align broader policy incentives to support the efforts of the community and smallholders to manage their forest resources, recognizing and allowing for local governance, decision making, and norms.
- Tailor rules to reinforce local incentive structures, and build on community governance institutions and norms.
- Avoid overregulation that exceeds the implementation capacity of the partners. Start simply and add complexity based on partners' ability to adopt increasingly complex tasks.
- Minimize transaction costs for all partners.
- Focus the role of government only on what no other party can do; that is, create favorable conditions for all rights holders and facilitate processes that ensure accountability.
- Recognize that building partnerships and confidence for effective compliance with a regulatory framework takes time and requires the support of local institutions.

Sources: Gilmour et al. 2005 as cited in Gilmour and Fisher 2011; Larson and Pulhin 2012; Pacheco et al. 2012; Smyle et al. 2016.

the overall mandates, orientation, and capacities of responsible agencies.

Key dimensions for assessing effective support from government agencies are discussed below.

PARTICIPATORY AND ADAPTIVE PROCESSES FOR GOVERNMENT DECISION MAKING

Participatory processes for the formulation of government laws, policies, and regulations regarding indigenous and community tenure rights help to ensure that the rights and interests of local people are taken into account, and that policies are adapted to local realities and needs. Participation is widely considered to result in "better" (more informed, fair, and equitable) decision-making (Springer and Campese 2011). Key best practice requirements for participatory processes include that governments have capacity to meaningfully engage rights-holders and stakeholders, platforms for participation are in place, rights-holders and stakeholders have the capacity and support they need to participate, and avenues exist for review of decisions (FAO 2016; PROFOR and FAO 2011). Participatory monitoring and adaptation of policies and their tenure security impacts over time is also needed to iteratively strengthen them and guard against rollbacks.

POLITICAL WILL AND ALIGNED INCENTIVES

Political will and initiative on the part of government agencies to carry out their roles is a critical determinant of tenure security (Segura et al. 2017; World Bank IEG 2016). Issues for assessment include whether government agencies have competing agendas that create disincentives to carrying out their responsibilities (such as mandates to facilitate commercial interests), and the extent to which there is a separation of roles to avoid conflicts of interest (World Bank 2013). Taking the initiative to increase the security of tenure through stepped-up efforts such as for titling or enforcement is another expression of political will (with links to capacities and budgets, below).

CLEAR AND MUTUALLY SUPPORTIVE MANDATES FOR RESPONSIBLE AGENCIES—ACROSS FUNCTIONS AND LEVELS

Clear and mutually supportive mandates are an enabling condition for government agencies to carry out their roles, particularly where implementation and proactive support for community forest tenure has been limited to date. Overlapping mandates are a frequent issue causing confusion and either lack of action or inconsistency in implementation (Segura et al. 2017). Mandates should be clear and mutually supportive both "horizontally" across institutions responsible for

Photo by Gerardo Segura Warnholtz/ World Bank

different tenure-related functions, and "vertically" across institutions at national, subnational, and local levels (Kishor and Rosenbaum 2012; World Bank 2013). Decentralization offers potential to accelerate and create more responsive tenure recognition processes, but must clearly empower regional or local governments to carry out reforms (Segura et al. 2017).

CAPACITIES AND FINANCIAL RESOURCES FOR GOVERNMENT IMPLEMENTATION ROLES

This dimension assesses the extent to which government agencies have the skills and capacities they need to fulfill their tenure-related responsibilities, and the extent to which these are backed up with financial resources. Responsibilities include those related to titling or registration, management of land-related information systems, issuing of permits, coordination with other rural development agencies, and enforcement of rights. Relevant aspects of agency capacities and financial resources include presence of agencies offices and services where needed, staff skills, the use of appropriate technologies, monitoring and adaptive management systems, implementation budgets, and spending (Kishor and Rosenbaum 2012).

5. EMPOWERED AND INCLUSIVE INDIGENOUS AND COMMUNITY GOVERNANCE

Empowered, inclusive, and effective community-level governance is a critical element of forest tenure security and a key enabling condition for positive development outcomes. As noted with regard to legal frameworks, community institutions must be empowered with the autonomy to make locally appropriate decisions. These include decisions about allocation and management of lands and resources, their use for productive activities (and by whom), management rules and sanctions, and benefit-sharing. Locally appropriate decision making also requires the involvement of all members of the community, to avoid elite capture and negative impacts on the livelihoods of vulnerable groups, as well as to engage all resource users in defining resource management rules and monitoring systems that they can commit to and sustain. Inclusion of women in governance and decision-making processes is a critical dimension of gender equality.

Dimensions of effective local governance for tenure security are discussed below.

Photo by Gerardo Segura Warnholtz/ World Bank

INCLUSIVE INSTITUTIONS AND DECISION-MAKING PROCESSES, WITH PARTICULAR ATTENTION TO THE INCLUSION OF WOMEN

Inclusive community institutions are the foundation for effective decision making regarding collectively held forest lands. Community governance institutions will often already be in place, but may need new structures or capacities to take account of the interests of marginalized groups and deal with new pressures and challenges such as from commercial activities. Structures such as community assemblies with representation of all members of the community can enable inclusive and democratic decision making. At the same time, where traditional power structures have excluded some groups within the community, such as women, these groups may need support to effectively participate and call attention to their needs and land uses (FAO 2016). General roles of community institutions include establishing and monitoring compliance with rules and plans for resource use, defining terms for any engagement with outsiders, developing and ensuring the fairness of any benefit-sharing arrangements, resolving internal conflicts, and formulating by-laws to regulate these and other community governance matters.

COMMUNITY-DEFINED RULES AND/OR PLANS FOR LAND GOVERNANCE

Flexibility to set locally adapted rules for land and resource management are associated with positive forest and livelihoods outcomes (Persha et al. 2011). Many communities also choose to develop holistic land or territorial governance plans, such as the "life plans" developed by many indigenous communities in South America. These plans articulate the vision of the community for the stewardship and use of their lands, territories, and resources in accordance with community (cultural, social, and economic) values and worldviews. Participation by all members of the community in the definition of local uses and rules provides a foundation for sustainable forest management and livelihoods outcomes. Community land governance rules or plans also provide the basis for monitoring and enforcement of agreed uses, both within the community and in relation to outsiders. Maps and spatial plans often form a central part of governance plans, enabling visualization of the geographical distribution of resources, uses, and management activities. Box 7, below, outlines some topics that may be included in community plans, with a focus on governance of the commons/common property.

CAPACITIES AND FINANCIAL RESOURCES FOR TENURE SECURITY ROLES OF COMMUNITY INSTITUTIONS

As with governments, community institutions need specific skills and capacities, as well as resources, to carry out their tenure-related roles and responsibilities, such as for collective use, management, and monitoring and enforcement. Some capacities, such

BOX 7: USEFUL ELEMENTS FOR NATURAL RESOURCE MANAGEMENT PLANNING FOR COMMONS

- Documentation of legitimate tenure rights holders of the commons resources, their tenure rights, and the respective uses of the commons resources (including type of resource, use, point in time, and duration) and a consensus on equitable access and use
- Plans, provisions, and minimum standards for the sustainable use and management of commons by all resource users, including sustainable customary management practices
- Principles and tools of negotiation, including reciprocity, fee-based systems, and the frequency of future negotiations
- Benefit-sharing arrangements, in particular with landless members of the community
- A plan on how to generate income from commons in the long run—including, for example, consensus on the commercial use of commons and desired investments in processing facilities
- Standards for the community-led monitoring of the implementation of a natural resource management plan
- Standards for the conditions of the natural resources involved in production processes, and sanctions for violations of rules and agreements

Source: FAO 2016.

as traditional knowledge and practices, are maintained locally, while skills related to new activities or demands may need to be developed with support from service providers. Financial resources may be generated from community economic activities, from benefit-sharing arrangements, and/or from government or other outside support.

MULTILEVEL LINKS TO ADVOCACY AND SUPPORT ORGANIZATIONS

Securing and maintaining community forest tenure rights often requires ongoing engagement with national or regional policy processes, for example to monitor and shape changes that may impact community rights, and to advocate against rollbacks. Links with representative indigenous or community organizations—such as indigenous and community forestry federations—as well as broader coalitions and networks of civil society support have often been important for this purpose (Cronkleton et al. 2011; FAO 2016; Lawry et al. 2012). At a more technical level, community-based institutions may seek support to build capacities to fulfill various aspects of their tenure-related roles and responsibilities.

6. SYSTEMS FOR RECORDING FOREST TENURE RIGHTS

Systems for recording indigenous and community forest rights contribute to tenure security by documenting rights so that land is not allocated for multiple, conflicting purposes. Documentation of rights also supports their defense against challenges. Forest tenure information systems should allow information on forest rights to be recorded, managed, updated, and communicated on an ongoing basis. New participatory information and communications technologies offer opportunities to more rapidly document and update forest tenure information.

Key dimensions for assessing systems for recording forest tenure rights are discussed below.

INFORMATION IS COMPREHENSIVE AND ACCURATE

Maintaining comprehensive and accurate information is essential for land information systems to serve their purpose of avoiding overlapping and conflicting claims. It is particularly important to record community-based tenure rights to protect against allocations of community land to other actors or land uses. Information on community-based tenure rights will also be needed to underpin the development of REDD+ initiatives (Sunderlin et al. 2014). In addition to formal rights, information systems should include or link to information regarding customary and informal rights (not yet recognized under statutory legal frameworks) to prevent infringements and conflicts with these rights (Davis et al. 2012).

ACCESSIBILITY OF THE SYSTEM

For forest tenure information systems to remain up to date, they must be accessible to users and enable them to record, maintain, update, and communicate tenure rights. A critical element of accessibility is low cost, which is best achieved through the use of appropriate technology. As noted in the LGAF, "Failure to choose designs with a low cost of operation has often led to the establishment of registries that either failed to achieve full coverage or became outdated as soon as subsidies to their operation stopped" (Deininger et al. 2012).

7. ENFORCEMENT OF TENURE RIGHTS

Once tenure rights are recognized and recorded, they will only be secure if they are enforced. Tenure rights often continue to be challenged, such as through encroachment (for farming, drug cultivation, and other purposes), illegal extraction of timber and other natural resources, and violence against local defenders of land rights (Global Witness 2017). The key element considers the full range of enforcement activities from prevention to detection to prosecution. As highlighted in Section I, enforcement of community-based tenure rights is essential for poverty reduction. Enforcement helps guard against over-extraction that degrades the resource base (Chhatre and Agrawal 2008) and helps maintain forest sustainability (Ojanen et al. 2017; Pacheco et al. 2012 Pagdee et al. 2006). Killings of indigenous and community land rights defenders have become a significant human rights issue in some countries, especially in Latin America (Global Witness 2017).

Dimensions for assessing the status of enforcement of rights are discussed below.

CAPACITIES AND MUTUAL SUPPORT AMONG INSTITUTIONS RESPONSIBLE FOR ENFORCEMENT

Effective enforcement of community-based tenure rights requires collaboration and differentiated roles between government and community-level organizations. Communities are often well-placed to carry out monitoring and patrolling of their lands and forests, especially with the increasing availability of technologies (such as GPS systems and drones) to monitor even large and densely forested areas. At the same time, government support is needed for border controls and to enforce the law against those who illegally invade indigenous and community lands (for example, for settlement or illegal extraction), particularly where they may be armed. Governments need to increase a wide range of land rights enforcement capacities, including training and deployment of police officers, supporting monitoring technologies, building capacity of courts to judge land rights cases, and ensuring sufficient allocations of budgetary resources for these enforcement activities (FAO 2016).

EFFECTIVE IMPLEMENTATION OF MONITORING AND ENFORCEMENT SYSTEMS

Effective implementation of monitoring and enforcement systems requires that encroachment and/or other activities that infringe upon community forest lands are prevented and that action is taken to resolve them if they occur. Enforcement tends to be among the weakest elements of forest tenure security in practice, largely due to weaknesses in the capacities described in the previous point. Effective implementation can be assessed as the extent to which incidents of encroachment and illegal extraction are resolved and sanctioned, and acts of violence are successfully prosecuted.

8. PROTECTION OF COMMUNITY TENURE RIGHTS IN RELATION TO OTHER FORMS OF TENURE AND LAND USE

There are multiple interests and land uses across the forest and agricultural landscapes held by indigenous peoples and local communities under customary tenure. These include concessions for various types of industry investment (extractives, forest, agribusiness, infrastructure, and so forth) and protected areas for conservation. Commercial and state interests have resulted in the historical expropriation of community land and/or severe restrictions on resource use and continue to generate competing pressures on lands and resources. States have legitimate roles and interests in retaining and allocating land and resources for commercial and conservation uses. However, there is a high level of risk that, without high standards regarding respect for existing rights, states will further displace customary and informal rights-holders, thus generating negative impacts and undermining a key foundation for positive development and environmental outcomes. Moreover, current approaches to rural investment (through large-scale land acquisitions) and conservation (through state-protected areas) often reflect assumptions and biases toward large-scale production and management that discriminate against community-based production and conservation practices.

Key dimensions for assessment related to other forms of tenure and land use are discussed below.

LEGAL CLARITY AND RESOLUTION

Where legal frameworks for various forms of tenure and land use have been developed at different historical moments, there may be a lack of clarity on how they relate to one another in situations of geographical overlap. For example, protected areas legislation has sometimes preceded the enactment of laws recognizing customary tenure, without sufficient clarity on how to reconcile overlaps in ways that respect indigenous and community rights (Springer and Almeida 2015). Another form of geographical overlap that requires legal clarity is the situation of overlapping resource rights, such as subsoil rights often retained by states within formally recognized communal lands. A related issue concerns the extent to which customary or informal land and resource rights are taken into account prior to their formal recognition in statutory law. For example, many legal frameworks in African countries only take formal land rights (a small minority) into account in relation to land acquisition processes (Byamugisha 2013). To understand these issues in context, this dimension considers the extent to which legal frameworks clarify how forms of tenure and land use relate to one another (such as whether one or the other takes precedence), whether frameworks and procedures for reconciling overlaps accord with standards for the respect and protection of (formal and informal) community-based tenure, and the extent to which these procedures are implemented in practice.

MECHANISMS FOR RURAL POLICY COHERENCE

Pressures and demands on communal lands are often driven by policies in other sectors; for example, those focused on rural development, energy, mining, transportation, or conservation (Kishor and Rosenbaum 2012). Therefore, countries need to have mechanisms in place for active cross-sectoral coordination between agencies responsible for supporting implementation of community-based tenure and those concerned with other rural policies and land uses. These mechanisms should ensure that other policies and programs for rural development, conservation, REDD+, and so forth take account of customary and other legitimate forest rights and promote synergies rather than competing pressures.

STRONG SAFEGUARDS TO AVOID INFRINGEMENTS ON COMMUNAL TENURE RIGHTS, INCLUDING FPIC AND ENVIRONMENTAL AND SOCIAL STANDARDS

Standards and best practice frameworks emphasize a range of critical measures to guard against infringements on community-based forest and land rights, whether formal or informal, from public land ownership and land acquisitions, including for investments. Public land ownership should be clearly justified for a public purpose (Davis et al. 2012; Deinenger et al. 2012) and should ensure that "other legitimate tenure rights [are] respected, recognized and protected, including customary rights" (VGGT para 8.2 [FAO 2012]). Expropriation of land should be avoided through an exhaustive exploration of alternatives, and also justified on the basis of legitimate public purposes defined by law (VGGT para 16.1 [FAO 2012]; World Bank 2013). Disruption of local livelihoods and compensation responses should be avoided due to the complexity of local livelihoods strategies and the poor record of attempts to compensate for them (FAO 2016). Some investment projects will involve land acquisition and/or land use restrictions, leading to physical or economic displacement (that is, involuntary resettlement) that is unavoidable or necessary as a clearly justified and exceptional measure. In such cases, adverse impacts need to be minimized and mitigated.[10] Participatory, transparent, and fair processes for defining the terms of these transfers or restrictions and associated compensations must be in place (Davis et al. 2012; Kishor and Rosenbaum 2012), whether rights are formal or remain informal (World Bank 2013). In accordance with ILO Convention 169, "indigenous peoples shall not be removed from the lands which they occupy" and "where…considered necessary as an exceptional measure, such relocation shall take place only with their free and informed consent" (ILO 1989: Article 16).

Where outside actors seek to make (economic or conservation-related) investments in or potentially affecting areas of customary forest land, well-functioning procedures for Free, Prior and Informed Consent (FPIC)[11] are essential to avoid conflicts and enable, where they are desired, the development of community-company partnerships or community-based approaches to conservation (Segura et al. 2017). Legal provisions should also provide guidance on equitable sharing of benefits arising from forest and land uses by other actors (Kishor and Rosenbaum 2012). Benefit-sharing measures should also be freely negotiated and clearly documented in relevant agreements (World Bank 2013).

10 The World Bank's Environmental and Social Framework (ESF) addresses Land Acquisition, Restrictions on Land Use, and Involuntary Resettlement under its Environmental and Social Standard No. 5, including specific instruments for involuntary resettlement (World Bank 2017).

11 There is no universally accepted definition of FPIC. For the purposes of this Analytical Framework, FPIC is established according to the World Bank's Environmental and Social Framework (ESS7 on Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Communities), which states that:
(a) The scope of FPIC applies to project design, implementation arrangements, and expected outcomes related to risks and impacts on the affected Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities; (b) FPIC builds on and expands the process of meaningful consultation, and will be established through good faith negotiation between the Borrower and affected Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities; (c) The Borrower will document: (i) the mutually accepted process to carry out good faith negotiations that has been agreed by the Borrower and Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities; and (ii) the outcome of the good faith negotiations between the Borrower and Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities, including all agreements reached as well as dissenting views; and (d) FPIC does not require unanimity and may be achieved even when individuals or groups within or among affected Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities explicitly disagree (World Bank 2017).

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Investments and conservation activities by outside actors that may affect community tenure rights should be carried out in accordance with social and environmental sustainability standards. Relevant requirements include up-front social and environmental impact assessments and ongoing measures to mitigate and monitor them throughout the course of implementation (Davis et al. 2012; Kishor and Rosenbaum 2012). States should establish regulatory frameworks for social and environmental sustainability and actively monitor compliance (Deininger and Byerlee 2011). Safeguards should include mechanisms for complaints and redress in cases of negative social or environmental impacts (World Bank 2013).

9. CONFLICT AND DISPUTE RESOLUTION

Conflicts and disputes over tenure frequently arise between communities and investors or government as well as within and across communities. Tenure security requires that, where forest tenure rights are challenged or in conflict, mechanisms are in place to resolve conflicts and settle disputes. The VGGT (FAO 2012: section 21) stress the obligation of states to provide access to judicial and administrative bodies for dispute resolution, requirements that are further highlighted as best practice in other forest and governance frameworks (Davis et al. 2012; Deininger et al. 2012; PROFOR and FAO 2011).

Key dimensions for assessing dispute and complaints resolution mechanisms are discussed below.

ACCESSIBLE AND COMPETENT MECHANISMS TO RESOLVE DISPUTES OVER TENURE RIGHTS

Independent, reliable, and accessible dispute resolution mechanisms are key to ensuring justice and land tenure security. Formal court systems may be inefficient and costly, thus limiting their accessibility, including to women. There is increasing recognition that alternative forms of dispute resolution, including community-based mechanisms, can create a more accessible avenue for conflict resolution that is also more attuned to local needs (Byamugisha 2013; Kishor and Rosenbaum 2012). At the same time, mechanisms to appeal such rulings, or to pursue cases related to actions of government and other nonlocal actors, should also be available at a reasonable cost and operate in a timely manner (FAO 2016; World Bank 2013). Measures that have been shown to increase the capacity of formal judicial systems for land disputes include training judges, establishing special land courts, and expanding personnel by hiring retired judges (Byamugisha 2013). Access to legal or paralegal support may be necessary for communities to pursue and resolve conflicts and disputes related to tenure rights (FAO 2013).

EFFECTIVE RESOLUTION OF DISPUTES

This dimension focuses on the outcomes of dispute resolution processes and whether available mechanisms function effectively in practice. Conflicts that persist over time weaken tenure security and undermine related development outcomes; for example, by blocking access to critical livelihoods resources or decreasing confidence in a long-term time horizon for productive investments. Effective implementation of dispute resolution processes can be assessed based on how timely and fair the processes are, and on the incidence of pending conflicts, including investment-related conflicts.

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CONCLUSION

Achieving the 2030 Agenda for Sustainable Development (UNGA 2015) will require increased attention to the rights of forest peoples around the world who govern their lands and resources through customary, collective tenure. Increasing the security of community-based forest tenure offers significant opportunities, as it establishes a critical enabling condition for the achievement of goals on poverty reduction, food security, gender equality, human rights, forest sustainability, biodiversity conservation, and climate change. Tenure security also plays a significant role in guarding against risks and negative impacts that undermine the achievement of these goals.

This report presents evidence from recent research about the relevance of tenure security to the achievement of sustainable development goals, as well as a set of best practice elements for realizing the security of community-based forest tenure rights in practice. In addition to building further awareness and understanding of these issues, this framework is intended to provide a basis for the development of tools to assess opportunities, risks, and needs at the country level, and to inform initiatives to strengthen forest tenure security. In this way, this work seeks to contribute to the efforts of governments, forest communities and indigenous peoples, wider civil society, and supportive international development partners to secure natural resources, rights, and sustainable livelihoods across forest landscapes worldwide.

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The mission of the World Bank Group is to end extreme poverty and boost shared prosperity in a sustainable manner. Clarifying and securing forest tenure rights around the world, and the associated management practices and livelihoods of indigenous peoples and local communities in forest areas, is critical to achieving these goals.

Recent years have seen increased recognition of the importance of tenure security for rural development. However, significant gaps remain in terms of methodologies, tools, and knowledge resources that focus in particular on community-based tenure in forest areas. This Analytical Framework is the first product of a World Bank initiative on Securing Forest Tenure Rights for Rural Development that seeks to build Bank capacity and effectiveness when dealing with land rights issues in forests. This work aims to provide client countries, indigenous peoples and local communities, World Bank managers and staff, and other donors with information and guidance to strengthen community forest tenure security as a foundation for rural development.

The Analytical Framework consolidates a wide range of experience and evidence on both the relevance of community forest tenure security to rural development goals and the key factors that need to be in place for community forest tenure to be effectively secured. We anticipate using this framework in several ways. In its current form, we are disseminating this framework as a knowledge resource on community-based forest tenure for policy makers and development practitioners, and will also use it to inform our own engagement in country-supported initiatives. The framework is also providing the basis for the development of tools for assessing the links between forest tenure security and development goals and the extent to which key elements of forest tenure security are in place in specific national contexts. In addition to identifying opportunities for action to strengthen community forest tenure, these tools can support efforts to identify and manage social and environmental risks of rural investment policies and programs, and contribute to the implementation of the Bank's Environmental and Social Framework. Finally, this framework—particularly the key elements of tenure security—facilitates the identification and sharing of best practices to strengthen community forest tenure for rural development. We hope with this framework to help secure community tenure as a foundation for sustainable development in forest regions around the world.

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