

Is it possible to resolve tenure insecurity at REDD+ project sites? Evidence from Brazil, Cameroon, Tanzania, Indonesia, and Vietnam

WILLIAM D. SUNDERLIN

Center for International Forestry Research, Bogor, Indonesia

ANNE LARSON

Center for International Forestry Research, Managua, Nicaragua

AMY E. DUCHELLE

Center for International Forestry Research, Rio de Janeiro, Brazil

IDA AJU PRADNJA RESOSUDARMO

Center for International Forestry Research, Bogor, Indonesia

THU BA HUYNH

University of Melbourne, Melbourne, Australia

ABDON AWONO

Center for International Forestry Research, Yaoundé, Cameroon

THERESE DOKKEN

University of Life Science, Ås, Norway

**“Land Tenure and Forest Carbon Management”
LTC Workshop, University of Wisconsin Madison
October 21–22, 2011**

Outline

- Background
- Research questions
- Methods
- Results
- Discussion
- Conclusion and recommendations



Background

- Commonly understood tenure security necessary for REDD+
- We see 4 key reasons for this:
 1. Identify right holders of benefits
 2. Identify who is responsible for outcomes
 3. Prevent resource rush
 4. Assure existing rights not violated

Background

- Dominance of formal government control
- Overlapping claims
- Contestation between statutory & customary
- Rights of exclusion often not enforced
- Claims on forests for food, fuel, fiber, carbon
- Overcoming of recession = more pressure
- Rights to forest carbon unclear

Transnational forest governance and climate change

Research questions

- **Overarching:** Is it possible to adequately resolve tenure insecurity at project sites prior to the implementation of REDD+?
-
- **Subsidiary:**
 1. Do conditions warrant prior attention to tenure at project sites?
 2. What actions taken by the proponent?
 3. Are proponents satisfied?
 4. Have communities been adequately included in securing of tenure through education about the project?

Methods

- GCS-REDD of CIFOR
- Before-after/control-intervention (BACI)
- Five countries
- 19 project sites
- 71 intervention villages



Methods

Continent	Country	REDD project site
LATIN AMERICA	BRAZIL	Brazil 1
		Brazil 2
		Brazil 3
		Brazil 4
AFRICA	CAMEROON	Cameroon 1
		Cameroon 2
	TANZANIA	Tanzania 1
		Tanzania 2
		Tanzania 3
		Tanzania 4
		Tanzania 5
		Tanzania 6
ASIA	INDONESIA	Indonesia 1
		Indonesia 2
		Indonesia 3
		Indonesia 4
		Indonesia 5
		Indonesia 6
	VIETNAM	Vietnam 1

Results: Q1. Do conditions at the project sites warrant prior attention to tenure?

- At 39 villages (55% of 71) tenure seen as insecure by villagers
- Current external use of local forests in 45 villages (63% of 71)
- External reasons for insecurity outnumber internal ones 5-1
- External users are small & big scale in Brazil, Indonesia, Vietnam and just small scale in Cameroon & Tanzania
- 29% of the external uses are prohibited
- Villages assume they have right to exclude (66 of 71 = 93%)
- Successful exclusions in 43 villages (61% of 71)
- Unsuccessful attempts to exclude in 15 villages (21% of 71)

Results: Q.1 Do conditions at the project sites warrant prior attention to tenure?

Country	Villages with tenure insecurity over at least a portion of village lands (no & %)	Villages with current external use of forests (no & %)	Villages where specific current external use(s) of forests prohibited (no. & %)	Villages with unsuccessful attempt to exclude external users (no. & %)	Villages with low or moderate forest rule compliance by villagers (no. & %)
Brazil	8 of 16 (50%)	11 of 16 (69%)	5 of 16 (31%)	3 of 16 (19%)	12 of 16 (75%)
Cameroon	6 of 6 (100%)	3 of 6 (50%)	3 of 6 (50%)	1 of 6 (17%)	3 of 6 (50%)
Tanzania	8 of 25 (32%)	11 of 25 (44%)	7 of 25 (28%)	3 of 25 (16%)	13 of 25 (52%)
Indonesia	17 of 20 (85%)	18 of 20 (90%)	5 of 20 (25%)	8 of 20 (40%)	11 of 20 (55%)
Vietnam	0 of 4 (0%)	2 of 4 (50%)	0 of 4 (0%)	0 of 4 (0%)	4 of 4 (100%)

Results: Q2. What actions have been taken by the proponent to address tenure issues?

- Common across sites:
 - ∅ Identify the sources of tenure insecurity and conflict and address the causes
 - ∅ Clarify village and forest boundaries if unclear
 - ∅ Identify and delimit the forest area to be set aside
- Country-specific actions:
 - ∅ In Brazil proponents working closely with sub-national governments to clarify tenure and secure titles
 - ∅ In Indonesia all proponents are fending off claims on village lands by oil palm or other concessionaires

Results: Q.3 Are proponents satisfied with the outcome of their actions?

- 9 proponents satisfied, 3 both satisfied & unsatisfied, 5 not satisfied, 2 could not offer assessment
- Several proponents pessimistic that tenure issues can be adequately resolved

Results: Q.4 Have communities been adequately included in tenure clarification through a process of education about the project?

- At six of the 19 project sites (three in Brazil and three in Indonesia), proponents have chosen to postpone community education about REDD+ and have chosen not to use the term “REDD+” in their community activities, and in some cases, in the name of the project
- Reason: Do not want to raise expectations

Discussion: 4 criteria for security

- Rights: Will surely be a challenge given tenure insecurity at more than $\frac{1}{2}$ the sites, rampant external uses, and unsuccessful exclusion in 1 of 6 cases
- Responsibilities: At 6 sites REDD+ not understood; structure of incentives and benefit sharing undefined; no guarantee rights of exclusion can be enforced; rule compliance strong at only $\frac{1}{3}$ of sites
- Resource rush prevention: No guarantee rights of exclusion can be enforced; right holders to benefit stream not fully specified
- Protection of livelihoods & rights: Proponents give this lots of attention (set-asides & alternatives), but will become more complicated when positive & negative incentives in place

Discussion: 5 parameters for anticipating outcomes

Country	1. National factors affecting tenure security		2. National-local integration of efforts	3. Tendency to do early REDD+ education	4. Carbon content of forests
	Favoring	Undermining			
Brazil	Forest code Federal-state link Munic-proponent link Strong community rights	Contestation high High carbon content Forest code implementation	HIGH	LOW	HIGH
Cameroon	CF access rights	CF implementation	LOW	HIGH	HIGH
Tanzania	CF access rights Village rights	Mixed CF record Overlapping tenure	LOW	HIGH	LOW
Indonesia	July 2011 declaration: •Map unification •Recognize cust. rights	Govt averse to local rights Concessions in REDD areas Overlapping licences Unclear forest boundaries	LOW	LOW	HIGH
Vietnam	CF pilots and lessons	Government	LOW	HIGH	LOW

Discussion: 5 parameters for anticipating outcomes

5. What happens when REDD+ moves forward?
 - Adequacy of efforts to secure tenure can only be known when:
 - ∅ Conditional incentives in place
 - ∅ Forest carbon rights specified
 - ∅ Benefit sharing mechanisms in place
 - ∅ Size of benefit stream known
 - Large benefit stream needed for effectiveness & efficiency
 - Yet ... the larger the benefit stream the more the adequacy of tenure arrangements are tested

Discussion: Overarching research question

- Is it possible to adequately resolve tenure insecurity at project sites prior to the implementation of REDD?
- Definitive answer not possible at this stage
- Nevertheless strong basis for concern:
 - ∅ Tenure insecurity & claims likely persistent in some places
 - ∅ Many aspects of REDD+ architecture not in place
 - ∅ 4 conditions difficult to attain where 5 parameters unfavorable
 - ∅ High carbon content might exacerbate problems
 - ∅ Indonesia a country where concern should be high
 - ∅ Brazil and Cameroon middle level concern

Conclusion and policy recommendations

- Conclusion: Big challenges related to REDD+ and tenure because of complexity and contestation, lack of clarity about REDD+ going ahead, inability to foresee effects of as yet undefined incentives, breach between national and project activities
- Recommendations:
 1. National tenure action:
 - ∅ Improve performance & scope of stakeholder consultations
 - ∅ Resolve statutory–customary claims and other conflicts
 - ∅ Incorporate participatory land use mapping
 - ∅ Enforce pro–poor tenure laws that exist
 - ∅ Clarify forest carbon ownership

Recommendations

2. Integrate national & local efforts to secure tenure
3. Clarify REDD+ policy
4. Anticipate complications & be pro-active:
 - ∅ Conflict resolution & grievance mechanisms
 - ∅ Visioning exercises and scenarios that anticipate consequences of inaction & identify potential flash points