



Securing indigenous communal land rights in Ecuador – vital foundation for direct payment forest conservation program

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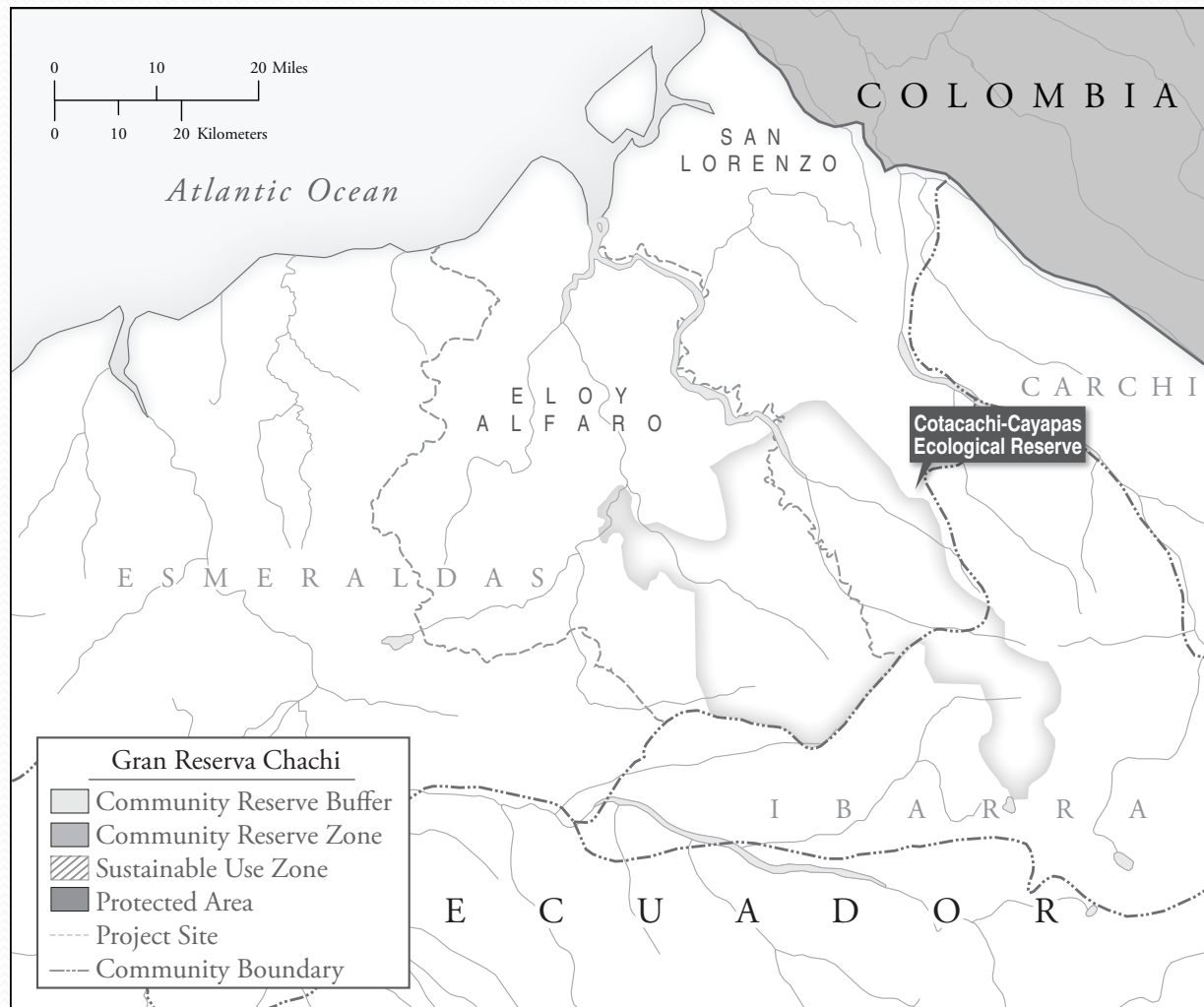
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Content of Presentation:

- 1.- Land rights and forest conflicts
- 2.- Gran Reserva Chachi
- 3.- Recommendations



Esmeraldas province, NW Ecuador



1. Land rights & forest conflicts



- Esmeraldas province: key biodiversity forest area in Ecuador (Choco bioregion)
- Home to several indigenous and Afroecuadorian communities (high poverty)
- Logging, oil palm plantations and shrimp farms threaten forest
- Period of conflict resolution and land formalization: 1991-1997

1. Land rights & forest conflicts- early 1990s



Afro-Ecuadorians communities initially opposed the mapping and legalization of Chachi indigenous lands contending that the land was also theirs (& vice versa)

Ecuadorian and international environmentalists developed plans to improve land use planning and promote sustainable forest management.

1. Land rights & forest conflicts

Early 1990s, a USAID environmental project (SUBIR) began working around the Cotacachi Cayapas Ecological Reserve in Esmeraldas.

SUBIR used integrated approach:
conservation plus development objectives
[NOT a PES nor REDD project]

Key 1st step:
delineate boundaries and formalize legal
land rights of local communities.



1. Land rights & forest conflicts-

National legal context

- Early 1990s: ONLY indigenous communities allowed ancestral land claim (not Afro-Ecuadorian)
- 1994 Law of Agrarian Development (Art. 31) allowed for, with approval by 2/3 of community, the subdivision of communal lands (exception: páramos and forests). Opened possibility for future land sales.
- 1998 Constitution recognized the collective property and ownership rights of indigenous AND Afro-Ecuadorian communities. Prohibited subdivision and sale of their territories.



1. Land rights & forest conflicts –

The role of local paralegals

Local paralegals selected by Chachi and Afro-Ecuadorian communities. Trained to serve as advisors between their communities and government agencies.

The paralegals:

- organized numerous sessions and assemblies between conflicting parties,
- discussed boundary disputes (multiple times!) and recorded positions in writing,
- met privately with each party to clarify issues,
- accompanied community leaders in field mapping inspections to reach definitive agreement on boundaries.

Community titles were issued between 1997 and 1999 to Chachi and Afro-Ecuadorian communities totaling 11,424 hectares.



2. Gran Reserva Chachi

Phase I, 2000-05: Capacity building of local communities for direct incentive program (lead: CI Ecuador)

- Support transparent & democratic mechanism for sharing carbon revenue
- Train local guards
- Improve enforcement of environmental laws & indigenous land rights
- Build local forest monitoring capacity

Cost of Phase I: ~\$5/hectare per yr x 5



2. Gran Reserva Chachi

Phase II: Find Donors

Trust Fund (~\$300k raised of \$2 million needed)

Donors: GTZ, MacArthur Foundation, Coldplay

Cost Phase II: Fundraising & administration, \$20/ha/yr



2. Gran Reserva Chachi

Phase III: direct payment program
launched in 2005

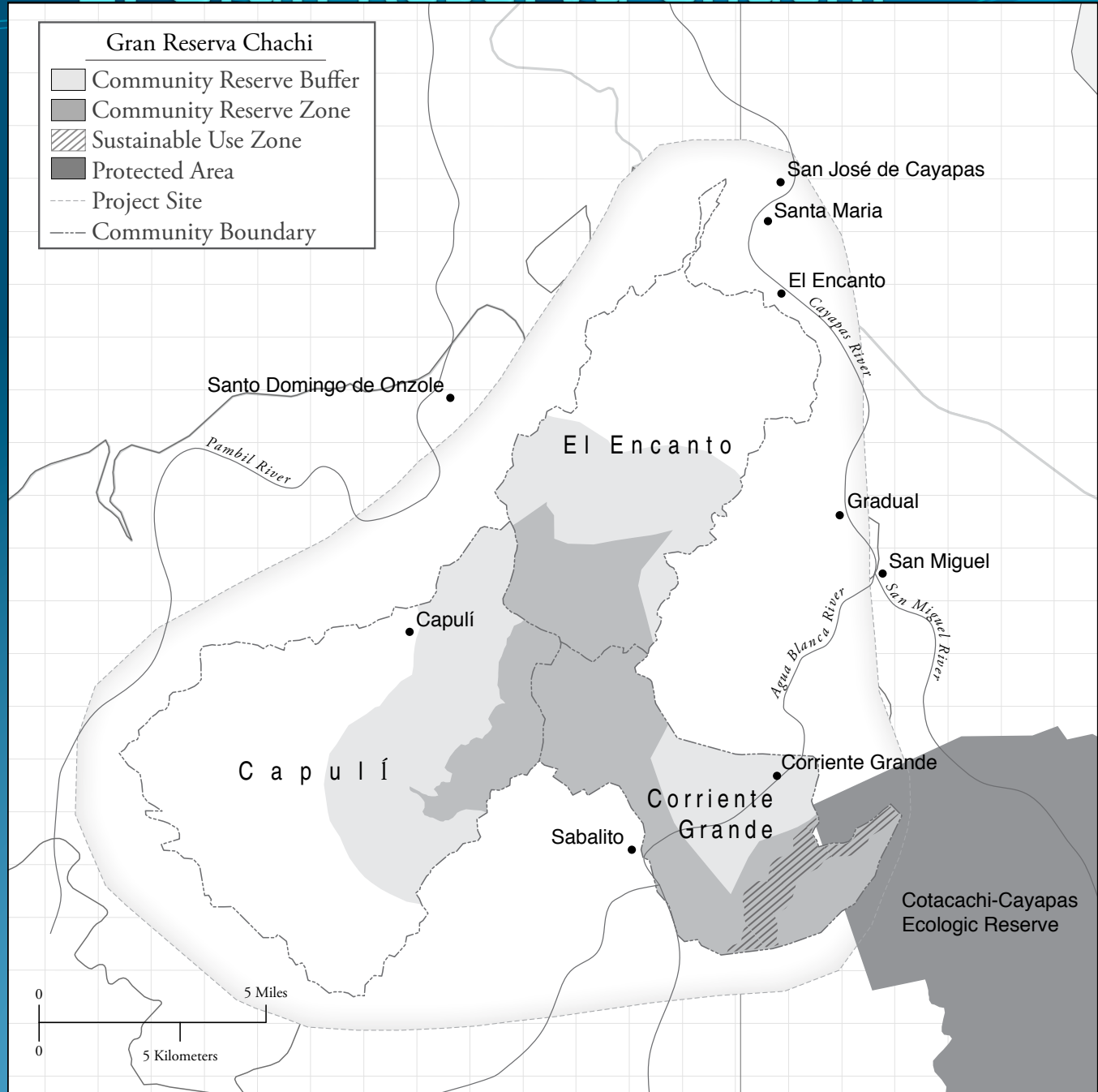
3 Chachi communities (100 families
each) set aside 7,200 hectares of forest
into Chachi reserve.

Payment conditions: no logging and no
clearing for agriculture (OK to hunt
& collect non-timber forest products)

Payment amount: \$20/ha via 2
payments/yr



2. Gran Reserva Chachi



2. Gran Reserva Chachi

Challenges:

Episodes of violence in Ecuador/Colombia border region made monitoring/outreach difficult.

Payments to 1 of 3 pilot communities were temporarily suspended when loggers detected. Initially unclear: collective action or external threat problem? Later govt agencies assisted community to remove the illegal loggers. Payment resumed.



2. Gran Reserva Chachi - **UPDATE**

3 communities now in year 6 of payments

Deforestation slowed, biodiverse habitat protected

1.5 million tons C secured over 5 years
Projected cost: \$1.25 per ton C held in forest over 30 yrs

Ten more Chachi communities have joined adding 19,000 has.



2. Gran Reserva Chachi

Improved tenure security?

Chachi participants perceive improved tenure security and reduced illegal invasions of community lands as a result of participation in the direct incentive program



2. Gran Reserva Chachi - Enters national program



Ecuador targets 4 million has for their 'pro-poor' direct payment program (*Sociobosque*). To participate, residents must:

1. Live in forested area
2. Be poor
3. Own legally titled land

3.- Lessons & Recommendations



- Evidence of (at least partial) success: deforestation slowed, additional local communities sign on to program.



- Formalizing land ownership necessary for PES-type projects.

- Resolving land conflicts IS possible, but slow, culturally sensitive, politically risky process. Alternative risk: land grabs by loggers and agro-industry.



- Paralegals played key role (successful although created some problems). Legal training for local municipal authorities also important. Can't expect government agency staff to act, esp. amid prolonged national governance crisis.



3.- Lessons & Recommendations (cont)



- Challenge: who is to blame when illicit logging is detected? Community leaders? Or Municipal authorities? Assigning liability requires understanding local politics.



- National legal context can make or break local efforts.



- Indigenous communities generally better positioned to engage in REDD than other social groups.





Thank you!

