WHY DOES TENURE SECURITY ENTER THE REDD+ DISCUSSION?

A description of legal title to the land, rights of access to the sequestered carbon, current land tenure and land use.
- CDM

Land tenure and resource rights... identify rights-holders, guide the design of the ER Program, benefit sharing plans, and demonstrate ability to transfer Title to ERs.
- CF Method Framework.

“Current land use and customary and legal property rights including community property ... identifying ongoing or unresolved conflicts... disputes over land tenure that were resolved during the last ten years.”
- CCB
WHERE DOES TENURE SECURITY ENTER THE REDD+ DISCUSSION?

• Contextual Basis for Program Design (Enabling Environment)

• Strengthened Land and Resource Rights as a Program Activity (Intervention)

• Strengthened Land and Resource Rights as an Outcome (Benefit)
Too Much Time
Too Expensive
Too Complicated
Too Political
Too Many Stakeholders
PROGRAM DESIGN

• What are the current tenure systems, stakeholders and incentives governing forest?
  • Are there legitimate stakeholders who are missing out?
• Procedural Rights:
  • Consultation, Consent, Active Decisions, Benefit

• USAID-supported Resource Rights Assessments in Nepal, Guatemala, Panama, Honduras
In two years, companies have used a legal loophole to parcel logging contracts covering a quarter of the country’s land.

TENURE AS A POLICY INTERVENTION
Recognizing customary rights at same level as statutory rights
(USAID Liberia LRCFP and PROSPER)
TENURE AS A POLICY INTERVENTION

Tree tenure reform: devolving tree rights with land rights

Regreening of the Sahel

(USAID West Africa)

Colonial policies that nationalized all vegetation contributed to a “tragedy of the commons.” Decades later, rights to use tree products began to reverse that tragedy.

Photo: Darren Jacobson, 2005 from Stickler, M 2012
TENURE AS AN POLICY INTERVENTION
Supporting development of integrated land policy
Coastal forest policy
(USAID Forest and Deltas Project, Vietnam)
TENURE AS AN INTERVENTION

Clear tenure rights unlocked the ability to engage on management & enforcement responsibilities.
TENURE AS AN INTERVENTION
Piloting land and resource rights documentation to inform legislation
(USAID Zambia – Tenure and Global Climate Change)
TENURE AS AN INTERVENTION
Piloting policy through registration of land and resource rights
(USAID Indonesia – IFACS and LESTARI)
USAID ANALYTICAL AND IMPLEMENTATION TOOLS

LAND TENURE AND PROPERTY RIGHTS FRAMEWORK

MOBILE APPLICATION TO SECURE TENURE
Using Technology to Strengthen Land Rights

SEPTEMBER 2013
POLICY INTERVENTIONS

• Recognize customary rights at the same level at statutory rights
• Develop integrated/holistic land policy (not sector driven policy)
• Devolve rights to trees to flow with land rights

FIELD INTERVENTIONS

• Focus on management and enforcement once legal rights clarified
• Document household and community resource rights to:
  • Inform policy development; and
  • Demonstrate progressive policy.
Merci

Matt.Sommerville@tetratech.com; Sbrooks@usaid.gov

www.usaidlandtenure.net