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FROM PRINCIPLES TO PRACTICE: IMPLEMENTING A LANDMARK AGREEMENT FOR TROPICAL FOREST GUARDIANS IS NOW MORE IMPORTANT THAN EVER BEFORE

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As the Black Lives Matter movement has gained momentum in the US and spurred a global dialogue regarding systemic racism, prominent climate leaders argue that the climate crisis can only be confronted by also addressing racial injustice.

Now, more than ever, we must make the link between climate action and human rights to reimagine a global society where the planet and all people may thrive.

A landmark 2018 agreement marks a major step towards social equity and empowerment for marginalized groups in tropical forest regions.

Capping four years of negotiation between major Indigenous Peoples (IP) and Local Community (LC) organizations and subnational governments of regions that hold one third of the world's tropical forests, the Guiding Principles provide an important roadmap for recognizing and securing rights, ensuring meaningful participation in policy dialogues, and delivering benefits.

Subnational governments have made meaningful progress on these fronts, but gaps remain. IP and LC rights have gained fuller recognition, but securing those rights is still a challenge in many regions, while participation and benefit sharing in forest conservation efforts is uneven.

In a new article, we offer some insights into how tropical forest governments can accelerate progress in implementing the Principles, and how they may more effectively put them into practice.

Why collaboration is more important now than ever before

Worldwide, IP and LC[1] protect at least 36% of the remaining intact forests. Much of that area is within the tropics, including in the Amazon basin, where over one-third of forest carbon stocks is stored in Indigenous territories.

When tropical forests are lost, as they are at an increasing rate, IP and LC groups disproportionately suffer the consequences—through water pollution, disruptions in rainfall, wildlife depletion, and physical threats from intruders in their territories. Add to this the arrival of Covid-19 (the disease caused by the coronavirus), which has forced increased isolation, heightened the threat of violence, upended budgets that also fund critical health and educational programs for IP and LC groups, and severed tenuous linkages to the market economy.

Yet, just as efforts to mitigate the worst impacts of the pandemic are falling to states and regions, promising strategies for ensuring the rights and livelihoods of IP and LC groups may also lie at the subnational level—this is the underlying premise we explore in our paper published in the journal Frontiers in Forests and Global Change.

Subnational governments are closer to the communities who need to be engaged and empowered to manage forest landscapes sustainably, IP and LC groups most notably. These governments also play a critical role in complementing and driving forward national-level policies aimed at mitigating and adapting to climate change. Placing the Principles at the center of their jurisdiction-wide climate and sustainability agendas is therefore critical to advancing greater social and environmental equity and to ensuring that nations meet their climate and sustainability goals.

And there couldn't be a more critical time than now to make this happen.

The Guiding Principles

Endorsed at the Global Climate Action Summit in San Francisco in 2018, the Principles represent the basic rules that should structure collaboration between these actors to achieve forest-friendly development.

In our paper, we evaluate the degree to which a subset of states and regions (alternatively termed "subnational jurisdictions" or "jurisdictions") that have committed to implementing the Principles are, or are not, doing so in practice, and what the gaps in implementation suggest about how to effectively realize them going forward.

We divided the Principles among four main themes representing areas of concern for IP and LC groups: (1) **rights recognition** (formal recognition of IP and LC rights to land and resources, by national/subnational governments; status of Free, Prior and Informed Consent (FPIC) consultation processes in legal frameworks); (2) **rights security** (actual implementation of those rights and their security); (3) **participation** in decision-making processes (existence of spaces facilitating IP and LC participation in dialogues related to jurisdictional sustainability; actual level of participation in those spaces); and (4) **benefit-sharing** (support available to IP and LC). We evaluated existing conditions in

each of these major areas for 11 of the 34 jurisdictions that committed to the Principles.

Image available online: view image

Map of the 11 subnational jurisdictions included in the study, located in Brazil, Peru, and Mexico. Each panel represents one of the four major themes addressed by the Principles. In each panel, jurisdictions are colored to represent the degree of progress on indicators within the respective theme, with lighter coloring representing the least advanced and darker coloring corresponding with the most advanced conditions.

The key takeaways from the paper include:

- Many of the jurisdictions have legal frameworks in place at the national, and in some cases subnational, level which recognize IP and LC rights; however, there remains **a significant gap between rights recognition and rights security** across study jurisdictions due to insufficient clarity over land rights, absence of land registries, violence against IP and LC and conflicting policies.
- Our research suggests that **subnational governments can play an important role in bridging the gap between recognition and security** by advancing land titling and integratingde indigenous and community lands into spatial planning processes. The regional government of Loreto (PE), which gained responsibilities for land titling and registration following a 2006 national-level decree to decentralize those functions to regional governments, has made important advances towards titling native communities in recent years. Improved coordination and distribution of authorities and resources for rights implementation between national and subnational levels represent potential pathways for enhancing IP and LC rights in the context of jurisdictional approaches to sustainability.
- **New spaces for IP and LC participation are emerging**, but the extent to which this participation is shaping policy outcomes at subnational levels, or into effective partnerships between IP and LC groups and governments, is unclear. Recent initiatives to scale IP and LC consultations processes from communities to policy-relevant geographies in places like Mato Grosso, Brazil can yield important lessons regarding the role of subnational governments in amplifying the voice of IP and LC in the design of jurisdiction-wide climate and sustainability initiatives.
- Despite recognition of IP and LC contributions to climate change mitigation, **far too few benefits are reaching the ground to support and enhance IP and LC livelihoods**. Jurisdictional programs in Brazil, such as Amazonas' Bolsa Floresta and Germany's REDD Early Mover initiatives in Acre and Mato Grosso, offer a glimpse of how financial incentives can be

leveraged at the subnational scale for climate change mitigation, as well as improving well-being for IP and LC. These efforts must be expanded to translate the Principles into reality, and empower IP and LC as protagonists in the design of benefit-sharing mechanisms so that they support their livelihoods and self-determination.

How can this evaluation support efforts for forest-friendly development going forward?

Commitments such as the Guiding Principles will remain only aspirational without means to evaluate and monitor progress. The pilot methodology set forth in our recent paper offers one approach to achieving this. In doing so, it illuminates important gaps between jurisdictions' endorsement of and compliance with the Principles and what can be done to bridge those gaps.

This moment of social and political upheaval is laying bare the consequences of entrenched racism and structural prejudice. Communities on the margins are continuing to bear the brunt of the impact, and yet as the Covid-19 pandemic has shown, we are only as strong as our weakest link.

The post-Covid era is sure to bring added pressure on subnational governments, who will need greater support to effectively engage their constituents in shaping a vision for their common future. But this moment also represents an opportunity to recalibrate the attention that these governments and societies place on ensuring and improving IP and LC rights and livelihoods.

These changes will not happen overnight, but implementing the Principles can help move tropical forest jurisdictions toward greater equity and social justice in tandem with climate action.

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[1] Local communities are defined as populations who do not self-identify as Indigenous but who share similar social, cultural and economic conditions that distinguish them from other populations.

EII Communications Coordinator Peter Schurmann contributed to this post.