

*the*  
**TENURE  
FACILITY**

# Frequently asked questions

## **What is the Tenure Facility?**

The Tenure Facility is the first and only international, multi-stakeholder financial mechanism exclusively focused on securing land and forest rights for Indigenous Peoples and local communities. It provides grants to implement tenure reform within existing government and international structures and shares the knowledge, innovations and tools that emerge. Launched in 2014 by the Rights and Resources Initiative (RRI), the Tenure Facility is dedicated to scaling up recognition of collective land and forest rights globally. This helps reduce conflict and further the achievement of global human rights, environment, and development goals. The Tenure Facility is an international foundation registered in Sweden.

## **Why does tenure matter?**

Insecure tenure fuels poverty, environmental degradation and conflict worldwide. At least 1.5 billion people from Indigenous Peoples and local communities live on and manage more than 50% of the world's land area in customary or traditional systems. Despite existing laws that secure their rights, they have formal legal ownership of just 10%. Moreover, their formal and claimed rights are contested, often leading to human rights abuses and conflict between them, governments, companies and immigrant settlers. Where communities have secure rights, deforestation is lower and carbon storage is higher than in public protected areas. Clarifying and securing these rights, especially in forests, can buy the world time to replace fossil fuels and is a vital and cost-effective climate solution. Clear and secure tenure also sets the stage for conflict resolution, peace, security, and attainment of the Sustainable Development Goals. When land rights are clear, investor risk is reduced and communities can work on their own or in partnership with corporations to generate substantial gains for local development. Clear and secure forest and land tenure significantly supports six major areas of global development:

- Poverty eradication
- Economic development
- Food security
- Climate change mitigation
- Conservation
- Gender justice

## Why do we need the Tenure Facility?

Global leaders from all sectors are increasingly aware that tenure security is a prerequisite for achieving national and international goals for forest governance, food security, climate mitigation, economic development, and human rights. Governments understand that they face serious challenges as they implement tenure reform and titling and are asking the international community for support. Indigenous Peoples' and local communities' organizations are also asking for support to clarify and protect their rights to land and resources. Many initiatives and organizations provide some support. However, none provide the flexible and direct support to Indigenous Peoples and local organizations required to respond at the speed and scale necessary to secure the lives of the millions of people and hectares of forest that are at immediate risk. Moreover, there is no one international organization dedicated to supporting Indigenous Peoples' and local communities' efforts to secure their rights, while complementing and collaborating with initiatives to advance recognition. The Tenure Facility fills this gap by advancing and catalyzing implementation of local land and tenure rights.

## What does the Tenure Facility do?

The Tenure Facility provides grants and technical assistance directly to Indigenous Peoples' and local communities' organizations to support initiatives that:

- **Scale up implementation of land and forest tenure reform policies and legislation by:**
  - Providing support to establish legitimate tenure rights in areas where traditional communal rights are not formally recognized
  - Providing support for community mapping, demarcation, and registration efforts
  - Strengthening the capacity of national organizations to provide land tenure related services to reach disadvantaged and vulnerable groups
- **Enable governments and communities to test new models, strategies and approaches by:**
  - Testing practical solutions to implementation challenges
  - Assisting governments and communities to overcome administrative

obstacles to land rights recognition and titling

- Building capacity of government agencies responsible for titling and protecting indigenous and community rights

## **How does the Tenure Facility advance implementation of land and tenure rights?**

The Tenure Facility supports Indigenous Peoples, civil society organizations, and government institutions. It gives priority to areas where local peoples' rights are under threat and where there is a real opportunity to advance local tenure. The Tenure Facility works directly with the Indigenous Peoples and local communities and their allies that are leading the struggle to ensure laws on community rights are translated into rights recognition on the ground. It supports them to achieve formal legal recognition of their land and forest rights on maps, in laws, and in the plans and operations of governments and private investors. It works strategically with local, national, and international stakeholders to foster community-level partnership and joint action with governments and the private sector. The Tenure Facility generally operates within, or seeks to improve, existing government structures to ensure communities can assert their rights to the land they have maintained for generations. It works top-down to disseminate successful approaches and bottom-up to test tools at the local level and across cultures and ecosystems. The Tenure Facility shares innovations, learning and tools that evolve from its projects globally.

## **What makes the Tenure Facility different?**

- **The Tenure Facility acknowledges and celebrates indigenous and local leadership and supports their initiatives directly**  
The organizations that represent Indigenous Peoples and local communities and their allies are the appropriate organizations to lead efforts to advance implementation of their land and forest rights. These are their lands. They know the problems and potential solutions, and have been protecting the land for generations.
- **The Tenure Facility moves fast**  
The Tenure Facility provides quick and flexible financing without the burden of complex procedures. The average time from idea to dispensation of funds to date is only four months, an incredibly fast turnaround in the development world. This enables the Tenure Facility to respond to strategic opportunities for meaningful advances in community rights as they arise.

- **The Tenure Facility is exclusively focused on securing the land and forest rights of Indigenous Peoples and local communities**

The Tenure Facility works with Indigenous Peoples and local communities, governments and private sector to find and test cost-effective solutions that can be implemented at scale. It aims to scale up the recognition of the land rights of Indigenous Peoples and local communities by: strengthening the capacity of key actors at the community level or in government; creating standards and protocols to implement cost-effective solutions for mapping and titling; and enforcing the tenure rights of local communities so that these processes can be effectively implemented and replicated.

- **The Tenure Facility responds to unmet needs and challenges**

The Tenure Facility flexibly addresses several unmet needs and challenges. These include inadequate public and private commitment and financial support for reforms, insufficient coordination and leveraging of existing political commitments and dedicated instruments, and insufficient participation of both rights holders and progressive companies in driving solutions. The Tenure Facility supports Indigenous Peoples and local communities in their efforts to develop specific approaches and practical tools for securing and implementing land rights and land use in rural areas. Its initiatives are diverse, and may include community mapping, demarcation, and registration, as well as conflict resolution and natural resource management. The Tenure Facility also provides personal attention and support for conflict mediation, and assumes a higher level of risk than other instruments.

- **The Tenure Facility builds partnerships at all levels to tap synergies, share lessons learned and scale-up recognition**

The Tenure Facility helps governments, Indigenous Peoples, and community, nongovernmental and private sector organizations to coordinate commitments and develop shared strategies to strengthen land, forest, and territorial rights at local and national level. In general, the Tenure Facility partners with Indigenous Peoples and local communities as lead development agents, resource managers, and rights-holders in countries with tropical forests that are eligible for Official Development Assistance (ODA). The Tenure Facility engages with national and local government agencies responsible for land mapping, demarcation, registration, titling, rulemaking, adjudication, and enforcement, both as implementing partners and as advisers. It assists private-sector companies and investors in their efforts to respect international standards on Indigenous Peoples and local community land rights and forest conservation. It collaborates with multilateral and bilateral forest, land use, and climate REDD+ projects and institutions. It also partners with other organizations and networks working on forest tenure, including RRI, MegaFlorestais, the Interlaken Group, as well as civil-society

and community organizations.

- **The Tenure Facility anchors catalytic interventions on the ground and defines pathways for scaling nationwide**

The Tenure Facility operates in countries where Indigenous Peoples and local communities are asking for support and where there are some supportive policies. This helps to anchor each project in practical ground work, with opportunities for scaling nationally. The Tenure Facility promotes scaling by strengthening the capacity of key actors at the community level or in government and creating standards and protocols to implement cost-effective solutions for mapping, titling, and enforcing the tenure rights of Indigenous Peoples and local communities. It connects the local to the international level, by testing tools at the local level and across cultures and ecosystems, and by sharing successful approaches at all levels.

- **The Tenure Facility supports Indigenous People's, local communities and women's organizations as they build their capacity to engage with government**

Tenure Facility projects strengthen the capacity of Indigenous Peoples', local communities' and women's organizations so they can engage more effectively with government ministries, regional agencies and local authorities. It helps them develop the maps, documentation, and other evidence and tools they need to secure their tenure rights. It fosters the participation of women and youth, and the development of forest stewardship options that offer hope and opportunity for younger generations.

## **How does the Tenure Facility use and share lessons learned?**

The Tenure Facility can't achieve its goal through direct grant support alone. Success depends on its ability to demonstrate and disseminate tools and approaches for securing indigenous and community land rights. It must also capture lessons and experiences from tenure reform and share these across organizations and regions. It collaborates with its creator, the Rights and Resources Initiative (RRI) to produce and share practical knowledge gained through analysis, evaluation, and exchange. It encourages and supports processes of deep reflection to foster learning by the Tenure Facility, participants in projects, members of the RRI Coalition and others who are working on tenure issues at national, regional, and global levels. It supports systematic problem solving and experimentation with new approaches. An example of the Tenure Facility's approach is the way it began with pilot projects in Cameroon, Indonesia, Liberia, Mali, Panama, and Peru. These six

pilots delivered results and helped to inform and shape the Tenure Facility's approach as a responsive, adaptive, and effective institution. The pilots fostered a community of practice dedicated to implementing tenure, enhancing the capacities of local organizations, and testing new approaches for securing community tenure rights with governments.

## **How does the Tenure Facility scale-up indigenous and community forest rights and land tenure?**

The Tenure Facility employs many strategies for scaling up implementation of Indigenous Peoples' and local communities' land rights. It continuously refines the strategies to incorporate learning by the institution, from projects and from other initiatives. The strategies include:

- Linking Tenure Facility interventions to social, political, or economic priorities, as well as to environmental commitments and ongoing land and forest reform processes
- Linking Tenure Facility projects to opportunities generated by changes in political leadership, favorable court rulings, and legislative enactments that grant power to Indigenous Peoples and local communities to secure their land and resource rights
- Supporting implementation of court rulings and legislation by developing regulatory frameworks, policy instruments, and methodologies and by capacity-building
- Strengthening the capacity of key actors at the community level or in government and creating standards and protocols to implement cost-effective solutions for mapping, titling, and enforcing tenure rights so that these processes can be effectively implemented and replicated
- Working with extractive industries to ensure sector-wide endorsement of standards such as the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT)
- Documenting and sharing lessons learned from local and national levels in international fora such as Megaflorestais, Interlaken Group, UNFCCC COP, FCPF Carbon Fund, and GCF board meetings
- Fostering synergies with REDD+ and other development initiatives in the areas of livelihood enhancement, rural development, community-based forest management, and biodiversity conservation

## **How is the Tenure Facility governed?**

The Tenure Facility is governed by a Board of Directors that determines its strategy and direction. It also benefits from the expertise and influence of an international multi-stakeholder Advisory Group, which advises on program design and shares knowledge and learning. Both bodies have strong representation from Indigenous Peoples' organizations.

## **How is the Tenure Facility funded?**

The Tenure Facility is supported by the Swedish International Development Cooperation Agency (Sida), Norad, the Ford Foundation, the Climate and Land Use Alliance (CLUA) and Acacia.

## **How much does the Tenure Facility invest in individual projects?**

The Tenure Facility funds initiatives valued at US\$200,000 to US\$2,000,000 for up to three years.

## **How does the Tenure Facility solicit, select, and design projects?**

The project development process is rapid, flexible, and supported by technical experts. The Tenure Facility solicits project ideas from eligible proponents based on recommendations from networks working in the sector and on its own experience. When ideas meet its eligibility criteria, the Tenure Facility helps proponents develop a project concept. Concept development includes consulting with stakeholders, considering the broader landscape of initiatives, and identifying the best approaches for scaling up. The Tenure Facility reviews the concepts against selection criteria to ensure they deliver the promise of the initial idea and meet its environmental sustainability, human rights, gender, and conflict sensitivity standards. It then invites proponents of successful concepts to prepare a full proposal for appraisal, and either approves or rejects for financing.

## **How does the Tenure Facility address development objectives?**

By securing the rights of Indigenous Peoples and local communities, the Tenure Facility contributes to improving incomes, decreasing poverty and food insecurity, fostering sustainable development, and empowering women. Most communities rely on the land for their livelihoods, food, shelter, and cultures.

When communities lack secure rights, they are vulnerable to land grabs in the name of development, despite evidence that strong economies are built on investing in smallholders and communities rather than selling off resources to the highest bidder. Secure community land rights increase incomes and food security and decrease poverty. Secure rights are a precondition for sustainable economic growth, and can boost productivity by 60% and more than double family income. Strengthening women's land rights is the most powerful intervention to transform a women's status, voice, and economic prospects.

## **How does the Tenure Facility address climate change objectives?**

The Tenure Facility helps communities attain the legal means to manage their lands, protect forests, improve reforestation, lower greenhouse gas emissions, and increase carbon storage. It works in diverse ecosystems, transferring lessons learned from humid forest zones to arid climates and vice versa, ensuring all projects have an impact on climate change mitigation goals. Research shows that clarifying and securing rights is a vital and cost-effective solution to mitigating climate change. It also suggests that strong community rights could prevent 27.2 million hectares of deforestation by 2050. Through these efforts, the world buys time to replace fossil fuels while limiting warming to less than 2 degrees Celsius. Where communities have secure rights, deforestation is lower and carbon storage higher. Secure, legally recognized tenure rights for Indigenous Peoples and local communities is also a proven means of preserving forests and encouraging reforestation.

## **How does the Tenure Facility reduce conflict?**

The Tenure Facility addresses insecure land and forest rights, which promote conflict and hinder achievement of climate and development objectives. Growing conflict is driven by population growth, climate change-induced desertification and flooding, and pressure in industrialized countries to find new sources of minerals, commodities and food. When the rules that govern relationships among land, forests, and people are unclear, unenforced, or undocumented, they pit communities, businesses, and governments against one another with competing land claims. Governments also fuel conflict when they claim ownership of contested lands and negotiate investment and development contracts. Research shows that most such contested lands are inhabited. A review of 73,000 concessions in 10 emerging frontier markets found people present in more than 93% of concession territories across all sectors and countries. These conflicts can be deadly for land defenders. They also fuel armed conflict, war and refugee flows.

The aspirations of the poorest and most marginalized to seek recognition of their customary and traditional land and territorial rights directly often challenge the colonial laws, government practice, and conventional industrial, mining, and conservation interests and plans. The Tenure Facility projects may face resistance from such vested interests. It manages conflict to anticipate and mitigate risks of unintended negative effects associated with the conflict context in which they operate. The Tenure Facility also ensures that projects avoid contributing to factors or processes that may cause or exacerbate conflict, violence and insecurity within and between communities, between communities and governments, and between communities and the private sector.

## **How does the Tenure Facility address Indigenous Peoples' rights?**

The Tenure Facility supports the implementation of Indigenous People's rights to land and forests through catalytic investments. It works directly with the organizations representing Indigenous Peoples and local communities and their allies, providing financial and technical support. The Tenure Facility is committed to upholding the human rights of all. It also promotes human rights-based approaches to tenure security and economic development within the bounds of the supported projects. Full respect for the rights of Indigenous Peoples and local communities and their full participation in development of all projects in a culturally appropriate manner are fundamental to the functioning of the Tenure Facility. The Tenure Facility ensures that all projects respect the full intent of international human rights and Indigenous Peoples' laws and standards as described in the United Nations Declaration on the Rights of Indigenous Peoples, the VGGTs, and other relevant international human rights policy and law.

## **How does the Tenure Facility address women's rights to land?**

Indigenous and rural women comprise more than half the up to 2.5 billion people who rely on the world's community lands, but remain disproportionately constrained by laws and regulations. The Tenure Facility is committed to promoting gender equality and the empowerment of women, and to reducing social inequities in access to tenure and its benefits. It ensures that all projects advance, within culturally appropriate norms, the equal rights and equal protections of women, minorities and socially deprived peoples, particularly regarding land rights and governance.

## **How does the Tenure Facility work with governments?**

Securing tenure rights for local communities can help governments meet their national and international development and climate change commitments. The Tenure Facility generally operates within or seeks to improve existing government and international standards, and works in tandem with various international processes. It develops specific approaches and practical tools for securing and implementing land rights in rural areas that can be scaled-up and translated across different climate zones and adapted to local realities.

## **How does the Tenure Facility work with private sector locally and nationally?**

The Tenure Facility is responsive to the growing global land and forest tenure crisis that often pits communities, businesses, and governments against one another—a crisis that is growing as result of unclear or undocumented rules for land and forest governance and government development approaches that often privilege the industrialization of forests and lands over community rights. Unresolved conflicts over land tenure significantly increase the financial risks for companies in the infrastructure, mining, agriculture, and forestry sectors. Such conflicts can increase operating costs as much as 29 times the baseline scenario, and lead to the abandonment of up-and-running operations. The Tenure Facility addresses potential or actual conflict situations with the private sector at the community and national levels. For example, in Mali, the Tenure Facility pilot project facilitated the first discussions between a mine and a community. The Tenure Facility complements the work of the private sector, existing international structures, and governments and seeks to improve existing standards and practices. Its operational focus is on developing specific approaches and practical tools for securing and implementing land rights.