Report on Expert Discussion on

The potential of initiatives of forest landscapes restoration for sustainable development and climate change mitigation and adaptation

15th May 2017, Bonn

INTRODUCTION

The Expert Discussion was attended by almost 30 participants from different sectors of civil society and government institutions including environmental and human rights NGOs, universities, indigenous peoples' organizations, development agencies and the Federal Ministry for Economic Cooperation and Development. After welcoming the speakers and participants, **Sabine Schielmann** from INFOE briefly set out the context of this expert discussion which was held in the framework of INFOEs current Information and Education Project on indigenous peoples' contributions to sustainable development and to climate change adaptation with the objective to promote a human rights based approach - and in particular the recognition of indigenous peoples' rights - in the implementation of the SDGs and Paris Agreement by Germany.

The focus on Forest Landscape Restoration (FLR) in this discussion was chosen because of the potential being attributed to measures of rehabilitation of deforested or degraded forests and wooded landscapes for reducing greenhouse gas emissions - thereby increasing climate change resilience and mitigation - for reaching international goals in forest protection and restoration, for restoring ecosystem services, preserving biodiversity and improving food security of the local population. However, as not all participants are familiar with FLR programmes and measures, we first wanted to look into what FLR is.

KEY NOTES

Ms. **Lena Bretas** (Federal Ministry for Economic Cooperation and Development (BMZ) Department for Rural Development, Landrights and Forests: Initiatives of Forest Landscape Restoration) informed the participants about existing and planned FLR initiatives with a focus on AFR100 which form part of BMZs recently adopted Forest Action Plan. The Forest Action Plan has three main pillars: REDD+, deforestation free supply chains and FLR. FLR initiatives and AFR100, the African Forest Landscape Restoration Initiative, are built upon BMZs work on forests over the last decade and evolved from the focus on forest and biodiversity, rural development and climate change. AFR100 also contributes to the BMZ Program ‚One World no Hunger' and puts a focus on the rights of stakeholders from the beginning on. Ms Bretas said that indigenous peoples are at the heart of sustainable landscapes. The AFR100 goal is to restore 100 million hectares of deforested land. 75 million hectares have been pledged by African countries so far. AFR100 focuses on building capacities, increasing agro-forestry and sustainable pastoral management, protecting biodiversity and is currently concentrating on building and strengthening the legal and administrative framework. It promotes multiple land uses and supposes African ownership of land, strengthening of women and indigenous rights. It is essentially a country led effort, meaning that leadership and responsibilities, including compliance with human rights frameworks, lies with the African partner countries.

The second keynote speech was presented by **Daniel Ole Sapit,** Program Coordinator at the Mainyoito Pastoralist Integrated Development Organization (MPIDO) and IPs Observer to FCPF

Participants Committee and IPs Observer to Carbon Fund for Anglophone Africa[1]. Mr Sapit first elaborated on the meaning of forests for indigenous peoples emphasizing the symbiotic relation of indigenous peoples to their environment, because their survival depends on the ecosystems they live in. They often produce the least emissions, but suffer the most because of effects of climate change, but also when chased away from their land in the name of climate change mitigation. So they are sometimes facing triple negative effects from climate change and responses to it. The unique challenges indigenous communities face are often not targeted in state driven programs and they are not represented in the discussions and decision-making processes despite the fact that FLR increasingly targets their territories.

Mr Sapit mentioned a number of relevant principles of FLR, also with respect to indigenous rights, including the multi-functionality principle, meaning multiple outputs with least trade-offs and with maximized synergies, the multi-stakeholder process and the resilience principle, i.e. to maintain or improve the ecological capacity of livelihood systems. He referred to existing human rights frameworks and explained the nexus of ecology and rights, emphasizing the need to build on local institutions to develop national policies and involve communities from the beginning in all phases/stages. This is the main lesson learned from his experience in working as Community Liaison with a BMZ supported landscape restoration project in 2009: The HASHI-project in Shinyanga, Tanzania was a success because local people got involved and process was built on existing local institutions instead of creating new ones. In contrast, the Loita Forest Project in Kenia failed because local indigenous Maasai were not involved and finally resisted state imposed plans.

PANEL

Mr Sapit highlighted some aspects of FLR potential as well as challenges, in particular with regard to the participation and rights of indigenous peoples and local communities. Taking this into account, how are these issues being addressed in the current process of developing AFR100? We understand that in the AFR100 process a 'code of conduct' document is being elaborated and would like to know more about the current AFR100 process from **Peter Saile**, Senior Adviser at GIZ

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International Forest Policy Program. Mr Saile informed the participants that 75% pledges had been made to date and that the challenge now is to get this implemented on the ground. The technicalities are less the challenge than governance issues. An early guidance document, also addressing governance issues, is planned to be developed by September. In this process, resources and experiences from other organizations involved, such as IUCN, FAO/CFS as well as the FCPF are being built upon. A top-down approach is being avoided.

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[1] See the presentation by Daniel ole Sapit on the INFOE Website

Regarding experiences, instruments and mechanisms to draw on and consider when addressing governance and rights issues, Ms. **Marion Aberle,** Senior Advisor on Land Policy at the Deutsche Welthungerhilfe e. V., referred to the 'Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security' (VGGT) and the Voluntary Guidelines on the Right to Food, two instruments that they are working with in communities in Africa[2]. Conflicts arise due to decreases in arable land because of population growth. Land grabbing is taking place in highly fertile areas which poses a problem especially for indigenous communities who are not supported by rights systems. Welthungerhilfe substantiated a connection between land-grabbing and hunger. To address these conflict issues, the VGGT and the Voluntary Guidelines on the Right to Food together can be used to support:

➢ protection and consolidation of the legitimate rights of indigenous peoples and local communities
➢ right to information, consultation, participation; relevance of prior informed consent
➢ Information work needed on VGGT and continuous use of this instrument
➢ "country led" versus "government led" process
➢ avoiding "green grabbing" (land grabbing for climate protection reasons)
➢ implementation of integrated systems

DISCUSSION

The open discussion with participants was lively and benefitted from the diverse perspectives represented. Quite a number of questions were directed to the BMZ and GIZ representatives for more information regarding the implementation of AFR100 measures. BMZ is currently supporting four African countries and is providing technical support and advisory as well as contributing to the development of financial instruments.

One of the main topics of discussion centred on the practical and political challenges to implement FLR measures in accordance with a human rights approach. It was stated that States (need to) operate in a Human Rights framework which consists of nine core international human rights treaties, of which all UN Member States ratified at least one. 80 % have ratified four or more conventions that guarantee fundamental human rights, including of indigenous peoples. In this context, the UN Declaration on the Rights of Indigenous Peoples is relevant, in particular Article 8.2:" *States shall provide effective mechanisms for prevention of, and redress (b) Any action which has the aim or effect of dispossessing them [indigenous peoples] of their lands, territories or resources;[…]".* Within the international human rights framework, guidelines serve to translate international instruments into a domestic legal framework. In any case, a contextual analysis lies at the beginning of any measure or intervention in order to identify the multiple stakeholders, the legal framework and rights situation at the local and national level and from there on develop an adequate approach and strategies in the local context. In this process, community protocols, among others, should be taken into account and feed into guidelines for operation/implementation. The contextual analysis is particularly important to prevent 'land-grabbing' as without a thorough analysis in particular at the local level, rights issues, including conflicts, interests and experiences of communities which are not reflected at the national/legal level, will be ignored (in decision-making).

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[2] See presentation by Marion Aberle on INFOE Website.

Another core issue and challenge of FLR is the economic viability of measures, including for the local people. This needs to be addressed taking into account different time levels. For the local communities measures must be viable and integrated in the local system. On the national level and from the perspective of investors, a long term approach is needed as there are no short term profits. In this context, it must be considered that FLR measures face, similar to REDD+ measures, a financial competition with economically more lucrative interventions such as landgrabbing, illegal logging etc. What is needed is an integrated approach which also includes a business model and addresses the different time frames, stakeholders' interests and participation as well as possible risks. There is no single solution or approach but it needs to be bottom-up and developed with meaningful participation of the communities concerned in the local context.

During the discussion some notes regarding the potential and challenges of FLR had been taken:

FLIPCHART NOTES
Potential
- share experience
- learn from indigenous peoples and communities
- develop flexible, multi-faceted approaches
- sustainable success when local communities are participating and have legal framework that guarantees land rights

Challenges
- find out which resources are available
- develop advisory for governments
- find out which approach fits
- develop principles which guarantee rights
- more practical tools – reach communities, understanding "on the ground"
- responsibility of national governments
- identify national rights/legal framework ; bring together with human rights framework
  >> dialogue necessary
  >> where is intervention/advice necessary/possible?
- economic viability of initiatives (consider different time frames) >> more successful?
- role of investors (impact/private/ dev banks) >> high expectations as critical point; consider possible risks in relation to investors
- How to upscale? under human rights, ecological and financial aspects
- long term vs short term gains
- Land rights often not a priority for donors

The need to continue discussing, sharing experiences and FURTHER developing guidance on FLR was stated and one possible forum for this could be the Global Landscape Forum to be installed during the UNFCCC COP23 in Bonn.