

# Consultative Meeting, Kigali 19<sup>th</sup> July, 2022

## Ways to support indigenous peoples' tenure rights and forest guardianship

### Introduction:

At the 2021 Climate Change Conference (COP26), a group of donors made a Pledge to support tenure rights and forest guardianship of indigenous peoples and local communities in tropical and subtropical forests in Africa, Asia and Latin America (the IPLC Pledge). Indigenous peoples have expressed the need to ensure that the funding committed under the Pledge is channelled to them in ways that ensure alignment with the UN Declaration on the Rights of Indigenous Peoples, and enhance governance, ownership, empowerment, cost effectiveness and results.

In this context, the Ford Foundation, the Christensen Fund and the David and Lucile Packard Foundation have contracted Charapa Consult to facilitate a process to assess principles, standards and mechanisms for best supporting indigenous peoples' tenure rights and forest guardianship in accordance with the international legal framework for indigenous peoples' rights. The results of this process will be presented as general recommendations for consideration by donors and other supporters of indigenous peoples. The process will not generate recommendations for donors on how to allocate their funds, as this depends on the specific dialogues established between donors and their partners.

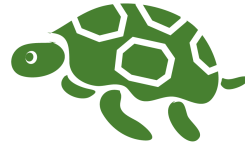
Taking advantage of the presence of indigenous organizations, in the context of the Africa Protected Areas Conference (APAC) in Kigali, Rwanda, a consultative meeting was organized. The meeting convened 36 indigenous leaders from anglophone Africa, along with 4 representatives of international support organisations.

The participants discussed three questions:

- What are the methods of channeling funds preferred by indigenous peoples?
- What are the obstacles for indigenous peoples to access funds?
- What are the key messages to donors to facilitate access to funds?

Below is a summary of the inputs provided by the participants.

### Priorities for funding



Non-recognition in legislation and policies of indigenous peoples' tenure rights as well as shrinking of civic space are among the biggest challenges. There is a need for initiatives that focus on the root causes of the problems and on indigenous peoples' real priorities and that support them to confront the shrinking of civic space in their respective countries.

Governments have different development ambitions and plans. To the extent possible, indigenous peoples should influence governments' strategic plans, and align their work with such plans to minimize risks and threats to their work. There is a need for communities to find a way to work with governments and for donors to allocate funds to support this work with governments to change their lack of political will.

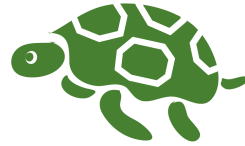
Governments should play a role in monitoring but not controlling the work of indigenous peoples' organisations.

If priorities and strategies for funding are only defined at the global level, some regions and sub-regions may lose out. For example, francophone Africa is marginalized in terms of accessing global funds. Priorities for funding should thus be identified at different levels, including at regional and sub-regional levels. Likewise, priorities should be defined from indigenous peoples' own perspectives. Funding should be responsive to and address different ecosystems. Importantly, all types of forests, including rangelands, should be eligible.

### **Preferred funding modalities**

In general, there are increased commitments to support indigenous peoples financially, but these promises are also creating frustration among indigenous peoples who feel they are being used, as the funds do not reach communities. All the big (non-indigenous) organisations have now set up departments for indigenous peoples; as a way to absorb the money. Hence, there is a risk that the commitments under the IPLC Forest Pledge may be "ghost funds" that will not reach indigenous peoples and local communities.

All participants agreed that there is a risk that funds will never reach indigenous peoples, if these are not channeled directly. The preferred modality is therefore that funds are transferred directly to indigenous peoples' organisations that have the capacity to manage funds and further transferred through existing community structures. Where this is not immediately possible, funding mechanisms should be established at regional and national levels. These mechanisms should have regional and/or national secretariats to ease access, monitoring and evaluation, and to reduce fraud and mismanagement. The mechanisms should channel funds through indigenous peoples' networks and consortiums to clusters of



eligible indigenous communities in specific areas. The most viable funding mechanisms per cluster and/or area should be identified.

Governance structures should be set up at different levels, to ensure that indigenous peoples are included in the decision-making processes regarding the grants. Participation in the governance structures should be rotational and include all bio-cultural regions.

Some indigenous peoples and communities seem invisible to donors. Regional and country-level mechanisms can ensure that those indigenous peoples who are not well-recognised are also considered.

Donors need to operate with due diligence in the funding process and establish mechanisms for direct engagement and consultations with indigenous peoples. As part of the consultative process, indigenous peoples must be able to influence decisions regarding the choice of funding modalities.

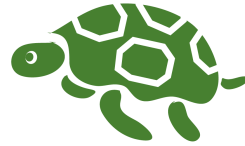
Any modality for giving more direct and tangible support to indigenous peoples will require institutional strengthening of existing organisations and networks. Hence, capacity-building must be a core component of any support to indigenous peoples' tenure rights and forest guardianship.

In some cases, where indigenous organisations do not have the required experience and technical skills, it may be necessary to work through intermediaries to support indigenous peoples. In these cases, donors should still maintain a direct dialogue with indigenous peoples to distinguish those intermediaries that are true allies of indigenous peoples and seriously support community voices in a transparent manner, from those that are simply gatekeepers for direct access to funding. There must also be an assessment of the criteria used by intermediaries to distribute funds and an assessment whether some peoples/communities are missing out. In any case, indigenous peoples themselves should be able to identify the trusted intermediaries that they chose to work with.

### **Enhancing access to funding**

In some countries, restrictions of civic space provide barriers for indigenous peoples to access funding. Likewise, many indigenous organisations face limitations related to access to technology and to internet.

Although donors have the will to provide more direct support to indigenous peoples, their requirements often constitute the 'devil in the detail', which effectively deny indigenous



peoples access to funds. This becomes a vicious cycle where the lack of capacity to handle donor requirements result in a lack of access to funding - with the result that the required institutional capacity is never developed.

Bureaucratic requirements and lack of flexibility are major obstacles, and do not reflect the urgency of securing indigenous peoples' tenure rights and conserving forests and ecosystems. Specifically, participants identified the following barriers for accessing funds:

- Exclusion of indigenous peoples in prioritization and decision-making regarding funding
- Restrictions in the focus and priorities for support (e.g. exclusive focus on forest conservation)
- Lack of common voice and competition among indigenous peoples instead of supporting each other
- Elite capture of funding
- Limited communication and access to information about funding opportunities and lack of material in simple language.
- Language differences, which are not just about the actual language used (English or French, for example) but also about the technical vocabulary of donors.
- Pre-determined application formats, which, for example stipulate word limits that do not correspond with indigenous peoples' oral cultures that value story-telling
- Demanding eligibility criteria, which often require official registration of indigenous peoples' organisations
- Long processing and approval processes by donors, which exhaust communities
- Heavy reporting requirements, which reduce the focus of indigenous organisations to report writing, and thereby reduce their capacity to defend forests.
- Short timeframes and one-off support, which suggest short-term solutions for long-term problems
- Capacity gaps and lack of support for institutional capacity-building of indigenous peoples' organisations
- Lack of transparency in allocation of funding (e.g. under the Pledge)

### **Key Messages to donors:**

Participants identified the following key recommendations to donors:

- Make long-term predictable funding available to indigenous peoples in all ecosystems



- Provide direct funding to indigenous peoples' organisations or through regional and national mechanisms
- Overcome obstacles and prohibitive requirements through tailored regional/national approaches
- Allocate funds to strengthen the institutional capacities of existing national and regional networks, and support the establishment of rotational indigenous governance structures for dialogue and decision-making regarding funding
- Establish friendly application and reporting procedures
- Where the involvement of intermediaries is necessary, allow indigenous peoples to choose their own trusted intermediaries
- Build the capacity of donors to work with indigenous peoples
- Enhance accountability and transparency from the donor side, e.g. regarding commitments and implementation under the IPLC Pledge.