TENURE & GLOBAL CLIMATE CHANGE
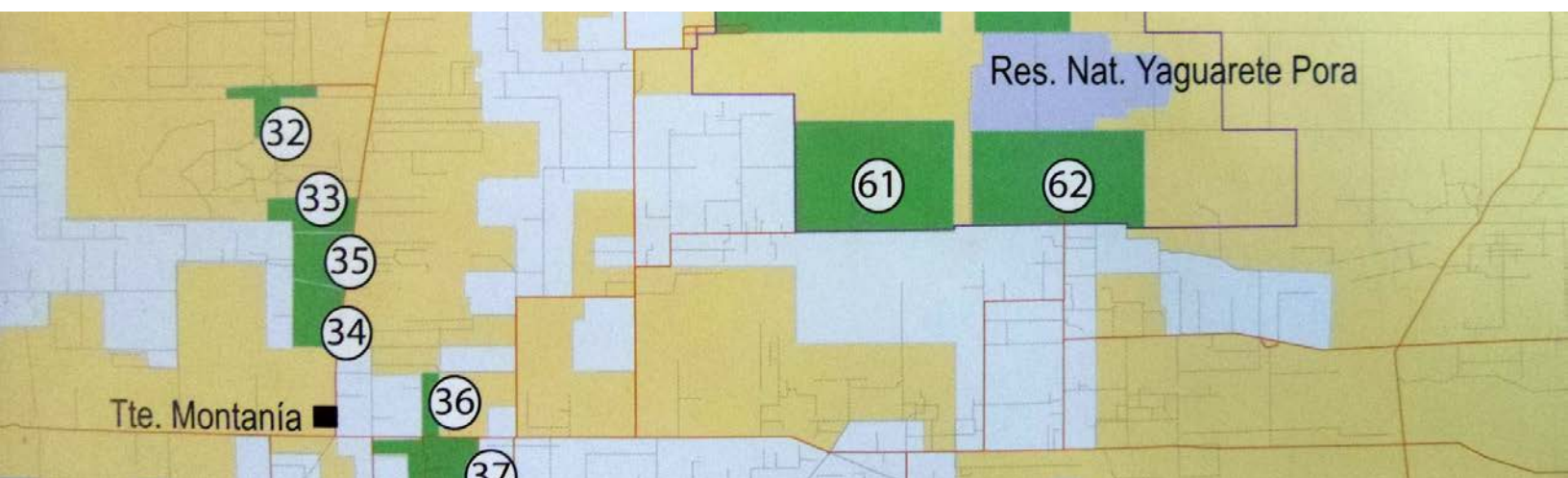## DOCUMENTING RIGHTS, REDUCING RISKS:
PLATFORM FOR REVIEWING INDIGENOUS CLAIMS TO LAND AND FORESTS

Examination of Lessons Learned in Paraguay

CONTENTS

Existing hard copy maps on lands and territories of indigenous peoples and communities in Paraguay.
PHOTO CREDIT: TGCC

The trends in Paraguay are reflected globally, as agriculture expands its footprint at the expense of Indigenous Peoples and forests. Companies around the world, especially those linked to major drivers of deforestation, face increasing pressure to address environmental and social risks in their supply chains, and many have already made zero deforestation and zero land grabbing commitments.

INTRODUCTION

Building on a review of the current status of land tenure and its relationship to deforestation and the private sector in the Paraguayan Chaco, the United States Agency for International Development (USAID) collaborated with FAPI, the *Federación por la Autodeterminación de los Pueblos Indígenas,* to create an interactive online map of indigenous lands in Paraguay through the USAID-funded Tenure and Global Climate Change program (TGCC). TGCC has carried out pilot activities in five countries to demonstrate how documentation of land and resource rights can support sustainable landscape management. The Paraguay intervention focused on the intersection of land tenure, deforestation, and private sector investments in the Chaco region, where commercial agriculture is expanding into the previously intact Chaco forest ecosystem. This expansion has triggered significant deforestation and land conflicts with the indigenous peoples of the Chaco, who have seen much of the region's forest turned to cattle ranches since 2000. As the country's agricultural exports grow, so too does the need for transparency and accessible data on indigenous lands, without which the agricultural sector would be unable to reduce their exposure to these risks.

The resulting Paraguayan website platform, called *Tierras Indigenas Paraguay* (www.tierrasindigenas.org.py), was launched in November 2017, and it is intended that the data will be integrated into global platforms as well, like LandMark and Global Forest Watch. The increased availability of geospatial data on a public-oriented platform has great potential to boost the visibility of indigenous lands, and the transparency and availability of the data provides much needed inputs for the private sector to carry out due diligence activities to reduce social and environmental risk in their sourcing. While significant data had already been created by both indigenous groups and the government, these had not previously been systematically organized and made public via a mapping platform. This approach to consolidating existing data from disparate sources onto a public platform provides an important method of participatory mapping and rights recognition moving forward. This document provides a brief overview of lessons learned during the site's development and associated outreach as potential guidelines for the continued development of the platform, and for similar processes in the future.

USAID'S TENURE AND GLOBAL CLIMATE CHANGE PROGRAM

Using policy engagement, pilot interventions, in-depth case studies, and quantitative and qualitative analysis, the USAID Tenure and Global Climate Change program's objective was to advance knowledge and practice on how land tenure and resource rights relate to global efforts to mitigate and adapt to climate change. Through work in over ten countries, common themes have emerged related to: using mobile applications to secure tenure (MAST); supporting the recognition and documentation of customary rights; using pilot activities to inform national policy discussions in an iterative fashion; and, supporting the clarification of government and local resource rights and responsibilities in areas where there are overlapping or ambiguous laws and customs, such as coastal and marine zones, wildlife management areas and forested landscapes.

Deforestation progression (in red) from 2000 (top), 2010 (middle), and 2016 (bottom) in Paraguay's Chaco Region from http://tierrasindigenas.org.
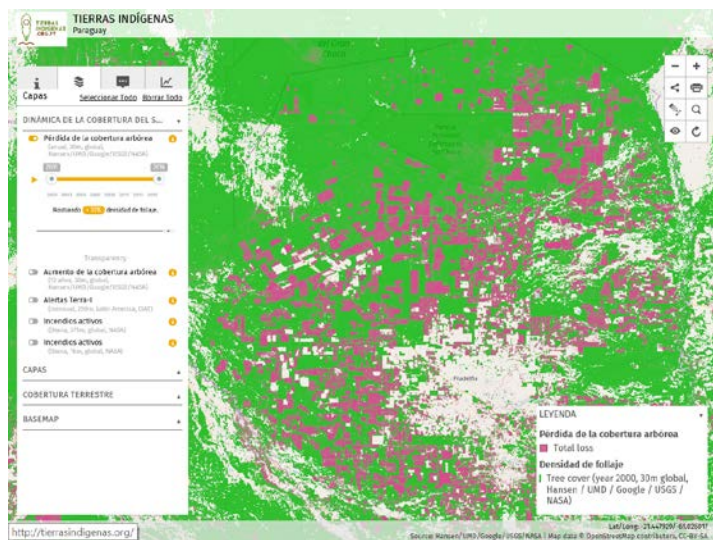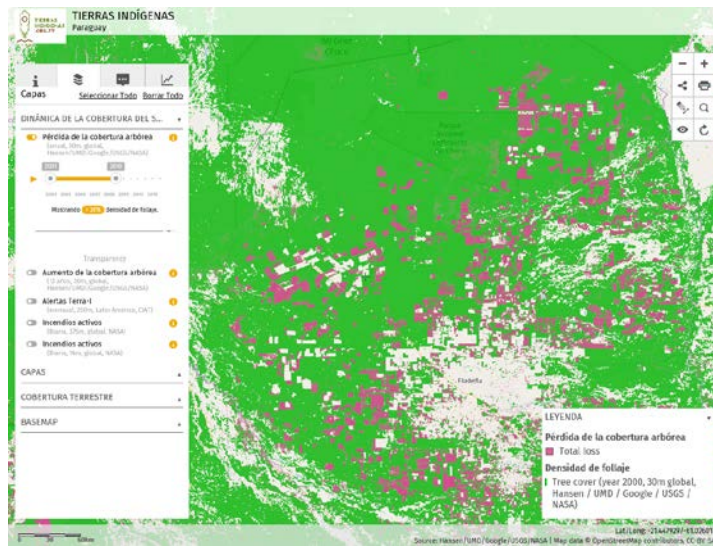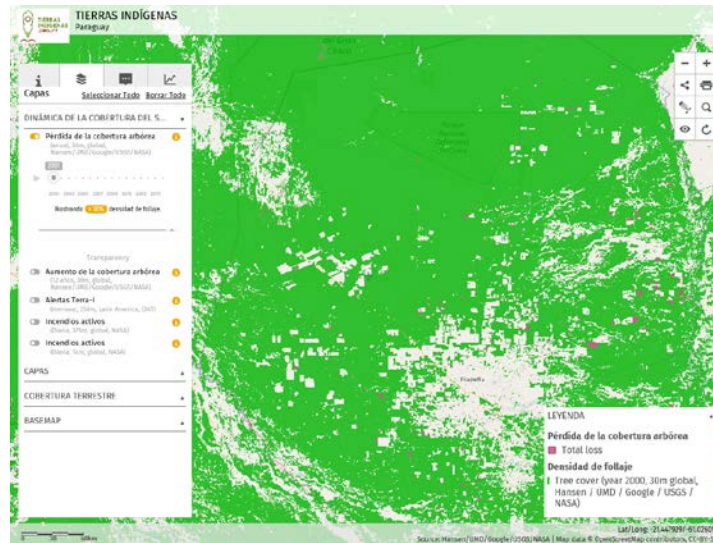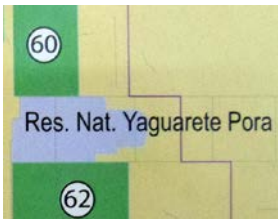
The program assembled existing claims to land and forests based on both digital and paper-based maps.
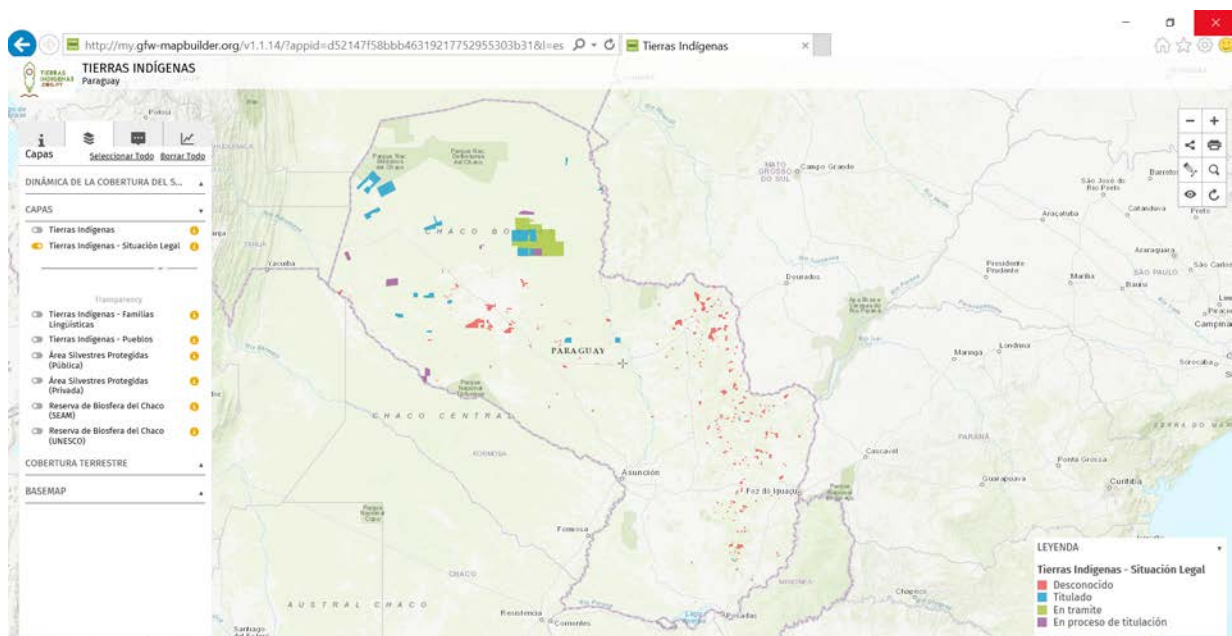
PHOTO CREDIT: TGCC

Home page of www.tierrasindigenas.py.org with over six hundred indigenous peoples claims with various levels of official recognition across Paraguay. [below]

ADMINISTRATIVE AND OPERATIONAL CONSIDERATIONS

LESSON: **Work with the right local partner**

As the intervention sought to apply GIS and technical assets (Global Forest Watch [GFW], Map Builder) to a politically sensitive and enduring challenge at the local scale (the lack of publicly available indigenous data), working with the right local partner was key to bridging this gap and successfully carrying out the intervention goals. The activity relied on a well-tested web-mapping tool, Map Builder, which integrates real-time satellite data with additional data layers. Tenure data tends not to be easily collected remotely. Thus, access to existing spatial data, either digital or on paper maps, or the ability to collect new information is critical. This is reliant on knowledgeable, well-connected, and trusted partners for data collection, management, publication, and related outreach.

FAPI was ideal in this role, serving as a trusted convener for their indigenous member organizations (magnifying the reach of the project), presenting savvy and connected approaches to engaging in national politics around indigenous land issues, and demonstrating operational competence in managing partner meetings and media outreach. While the data and the final product (the platform itself) face the challenge of being perceived as "unofficial data" due to not being direct government publications, FAPI's reputation and influence have made the project and output much more credible and trustworthy than an effort directly managed or executed from abroad by an international NGO. FAPI's status and approach were essential in accessing datasets from the government and other institutions.

A rancher in the Chaco moves his cattle to different pastureland. NGOs were essential to initiate engagement between different stakeholders within supply chains.

PHOTO CREDIT: TGCC

LESSON: **Navigate the interests of multiple stakeholders and collaborators**

The intervention came at an opportune time, given the increasing global attention on the social and environmental impacts of agricultural expansion and the sourcing polices of commodity supply chain companies. This created a healthy environment in which activities of this sort would be received as constructive by both project participants and external collaborators and users, whereas in other circumstances, such a product could be perceived as a threat to the beef industry. International NGOs active in Paraguay were supportive of the project. For example, World Wildlife Foundation (WWF) Paraguay plays a prominent role locally through its USAID Alliance for Sustainable Development Partnership with Minerva Foods, and has transitioned relatively recently to establishing constructive engagements with commodity production stakeholders in the Chaco. WWF staff participated in technical collaboration and data sharing, and emceed the launch event, bringing their convening power to the table. One of FAPI's current funders, Rainforest Foundation Norway, saw value in the project and provided much-needed financial support for local events, including the launch and web hosting support post-TGCC.

The private sector, specifically certain players in the cattle industry and financiers, were eager to integrate the data into their due diligence processes. Both local banks and an international development finance institution were already engaged in efforts to use geospatial approaches to evaluate and reduce risk from commodity sourcing. As a result, they welcomed the increased data availability on land tenure claims to complement their own efforts, which had previously lacked broad indigenous data, or had been using incomplete or out of date maps. The limitation is that companies without responsible sourcing policies or operational procedures to implement them will be less likely to use these resources in their decision making process. Nevertheless, as the industry matures and seeks to access higher value export markets, the demand for data should increase and those who are currently not aware or interested in the platform, may find it useful in the future.

Finally, the constellation of indigenous peoples' organizations appeared to be universally supportive of the platform creation. The member organizations of FAPI approached the intervention from an already advanced technical understanding, with data in hand, and an eagerness to work on the activity. This encouraged an environment of collaboration, as opposed to the potentially difficult dynamic of an international organization working with a single local partner on a locally misunderstood or unwelcome initiative. There is scope to engage broader communities of indigenous peoples from across Paraguay into the platform, and to use it as a repository for data beyond the Chaco.

The beef industry is the major private sector actor in the Chaco region. As the industry seeks to broaden access to high value international markets, there will be increased scrutiny of the underlying land rights in production areas.

PHOTO CREDIT: TGCC

POLITICAL CONSIDERATIONS

LESSON: **Consider the sensitivities required to build legitimacy**

The activity development process and partners had to navigate the rapid timeline with the challenge of building partnerships among groups that have not historically worked together. The activity was anticipated to involve a direct partnership among the CSOs, government and private sector. Based on early interactions with private sector stakeholders in the beef industry, no individual company was prepared to join the partnership. No company was willing to jump ahead of the competition, though a number of actors expressed early interest in the findings, and high participation in the platform launch indicates this awareness of the potential of the platform.

Similarly, during intervention scoping, FAPI and its members opted to not directly involve the Paraguayan government, or at the very least avoid a scenario where the project outputs would be subject to review or vetting by government agencies. This approach inevitably created certain costs and benefits, and in retrospect appeared to be the correct course of action. A significant concern was that direct government involvement would risk the capacity of the intervention to illustrate and present the indigenous lands data from the perspective of the indigenous peoples themselves, many of whom have quite mixed feelings towards the national government due to the historic marginalization that Paraguay's indigenous people have experienced. While the data ultimately included on the platform was linked to either existing government-produced geospatial data or, failing that, to formally submitted claims, the wherewithal of participants to manage the data as they saw fit was a critical factor in instilling a sense of ownership among FAPI's members. The pace of the intervention would have posed challenges for a government agency, so the team developed the platform independently and then later included other stakeholders.

The Paraguayan government possesses an extensive set of indigenous data among the indigenous census, national cadaster, and the indigenous affairs agency (INDI), but these data are not cross referenced, cleaned, and presented in a consistent and publicly accessible manner. This was a key motivation, despite the risk of alienating or embarrassing government agencies who would ostensibly be party to the creation of such a platform. As with other kinds of data release activities and public policy discussions, a solely civil society-led initiative can have the helpful effect of nudging the government to fill gaps in sharing data publicly. In this case, FAPI enjoys a constructive, if at times somewhat adversarial, relationship with some government agencies, and considered the platform development worthwhile vis-à-vis its potential to harm these relationships. In the long term, the government may create its own platform, or include indigenous data more comprehensively in the national cadaster. For the near future, at least, a civil society-led initiative has raised the bar and provided a constructive outlet for organizing the data.

LESSON: **Outreach to achieve impact**

Projects that increase data transparency and availability may be successful on their own terms, but will only be effective means to an end if users are aware of the data, accept the value of the work, and make use of it. FAPI preferred to keep relatively quiet during the initial scoping and project development phases to prevent misinterpretation of the project prior to its launch, but once ready, the outreach across many avenues was, and continues to be critical to a successful and ongoing use of the platform. The platform was launched in a well-attended event with more than 120 people attending, including representatives of approximately 10 indigenous groups, meatpacking and financial institution representatives from the private sector, Paraguayan ministries, and a range of domestic and international civil society organizations that work on indigenous issues, human rights, and ecosystem conservation. FAPI's efforts to cultivate press coverage in Paraguay, and assistance from World Resources Institute (WRI) internationally, culminated in successful [TV and radio interviews](), local newspapers, and [some coverage]() internationally.

FAPI's engagement with many local groups and data providers (including some ministries) and the project GIS consultants all contributed critical relationships for sustainability and use during platform development and following the launch. Issues around data often appear to be technical in nature, but the ability to pick up the phone and request a meeting or verify a file is priceless in this context. An international or disconnected group would have a very difficult task to execute the activity or ensure a positive reception without these personal and institutional links.

Finally, the outreach with the private sector began in earnest following the project launch. These user groups are largely focused on discrete risk analysis and are not otherwise deeply involved with indigenous land rights issues (and indeed would prefer not to be). Better data availability simply provides an easier means to reduce risk in one aspect of their sourcing and investment policies. Discussions with slaughterhouse companies, development finance institutions, local banks, and the Sustainable Finance Roundtable occurred largely once the platform was launched and the utility of the product could be demonstrated. This has paved the way for the integration of the platform's data within social and environmental risk evaluation and sourcing policies of these institutions, and will continue to do so following the formal end of the USAID-supported work.

LESSON: **Create an inclusive brand identity**

FAPI opted to hire a local firm to develop a brand identity and logo for the platform, and chose to represent the platform as being separate in name, and potentially in the long term, institutionally, from the organization itself. Project participants preferred to ensure that in the long-term, the project would be seen as a resource and a venue for all of Paraguay's indigenous peoples, many of whom are affiliated with other federations, especially in the eastern part of the country. The visual brand likewise created an appealing image for the site and promotional materials, and lent independence to the project. This approach to platform ownership supports the effort to boost indigenous land transparency without hinging on the particular views of FAPI and its positioning in Paraguay. The main potential downside of this approach is that without specific funding sources or broader engagement from other indigenous peoples' groups, the platform may fall by the wayside.

TECHNICAL CONSIDERATIONS

LESSON: **Develop platforms with local technical skills**

In addition to the critical collaboration with FAPI, the project benefitted from having skilled technical capacity in the form of local consultants who were hired for the duration of the platform development. While FAPI's collaborators included those with GIS experience, technicians dedicated to the intervention helped to achieve strong results. Both consultants had prior knowledge of GFW and Map Builder, and had years of experience working in GIS in Paraguay on similar issues. The work itself ranged from rather mundane data cleaning to more elaborate integration of the data into a web platform, but the consultants' experience was essential. The value of data visualization on a platform of this nature relies on the underlying organization and consistency of the data management process created by technical staff. Without skilled data management, a compilation of data from many sources would result in a confusing mess. As mentioned above, the technical assistance of the consultants also reflected the professional connections of long experience working on GIS projects in Paraguay. Without a confirmed funding source to fund technical consultants for years into the future, it is difficult to forecast how FAPI will approach the process of expansion of the platform, though their current planned funding stream supports involvement of a consultant and basic edits and additions to the site requiring limited effort. Nevertheless, participatory mapping exercises with data that requires updating place long-term technical commitments on organizations with limited long-term funding certainty and limited in-house technical capacity.

LESSON: **Consider hosting and domain management needs**

A similar project executed elsewhere will have to consider how best to name the site (the web address), the domain (.org, or .org.py in this case), and where the data itself will be hosted. FAPI chose to purchase both the international (.org) and local (.org.py) versions of Tierras Indígenas, though the local domain has proven more difficult to set up. Hosting services can provide relatively inexpensive options locally and internationally, and in this case GFW's Map Builder servers will continue to host the data to be accessed via both web addresses. A longer-term hosting of the data on a separate, independent service would be an option, however, should FAPI choose to do so.

LESSON: **Focus on clarity in background documentation**

An often underappreciated but critical element of a publicly accessible web map is the accompanying documentation on data sources and meaning of each data point. Misinterpretations and objections are inevitable even with extensive and clear documentation, and data collected by a single source. Maps are inherently political and each user will have her or his own interpretation. The goal should be to anticipate likely misunderstandings, clarify the source(s) and date(s) of the data, explain how the data was collated, and ensure that the legend and classifications appearing on screen are clear and accurate, among other information. Feedback from users is helpful in editing future versions of the metadata and other clarifying texts, and will be incorporated into the process for submitting and incorporating new and revised data.

LESSON: **Ensure that the data is connected to other platforms where possible**

A single platform is limited by its audience and specific network of users, even when accessible via web search. A linking of map data (in a live, dynamic way, or through a secondary data upload) from the core platform to other sites can help reach new audiences and users who might use the data but in a different context. Tierras Indígenas data are already linked into the LandMark platform, filling in a complete gap in Paraguay indigenous lands there, and will subsequently be integrated into GFW. GFW's private sector-oriented application, GFW Pro, is currently in development, and will integrate Paraguay data into its risk evaluation tools, facilitating their visibility for finance and commodity sourcing due diligence processes that had previously been difficult or impossible due to a lack of data.

LOOKING FORWARD

As the USAID-funded portion of the platform came to a close, there were positive signs of continued enthusiasm for development and potentially expansion of the platform. Among the initial possibilities are an expansion of the geographic and demographic scope to proactively include indigenous groups of eastern Paraguay among the project participants, and to continue the labor-intensive review of individual geographic features (polygons in GIS-speak), whether or not they are already formally claimed or titled, and if so, in whose name. There is also interest to explore the use of the platform in conjunction with active field monitoring via mobile applications, like GFW's Forest Watcher application.

The long-term prospects for funding these activities, including the regular meetings of project participants and the continued efforts of the technical consultants are uncertain, despite confirmed support for the short to mid-term through FAPI's other supporters. The participation of a significant number of groups and the links to multiple institutions (beyond WRI and GFW) bodes well for the kind of broad coalition that might best attract funders, however it also poses risks of "slipping through the cracks."

Other regions and coalitions may also be interested in replicating this platform creation and management model. Building off of the suggestions in the previous page, a platform of this type would be most useful and effective where: a) there is a clear need, i.e. government or civil society has not yet collated – and published – a systematic mapping of indigenous lands; b) there exists an already formed federation or convening organization that can serve as the axis for executing the project; and, c) geospatial data has already been collected, perhaps in a piecemeal or non-standardized fashion. Finally, while more public and transparent land tenure information, and the visibility it provides, may be the end goal in and of itself for some groups, this is especially urgent in regions experiencing large-scale agricultural expansion. Whether in response to an already recognized gap in data availability, or as a means to highlight the lack of due diligence processes in agricultural production and trade, clarity on indigenous lands must be an essential element for socially and environmentally sustainable sourcing.