REFERENCE SHEET

Incorporating Land and Resource Governance into Biodiversity Conservation Programming

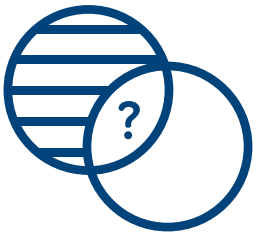
JULY 2022

Land and natural resources are discrete, finite, and fundamentally important assets. In developing countries, they constitute a substantial part of personal and national wealth. A country's approach to land and resource governance (LRG) can contribute significantly to its broader socioeconomic development. LRG is increasingly recognized as a foundational component of many key environment and sustainable development strategies. Effective LRG strategies at all scales can contribute to achieving positive human well-being and environmental outcomes (Tseng et al., 2021).

Strengthened LRG is a catalyst for sustainable economic growth. If well governed, land and natural resources are also fundamental for achieving many other development objectives, from conserving biodiversity and mitigating the impacts of climate change, to empowering women and bolstering civil society. If poorly managed, they can exacerbate environmental degradation and increase inequality, corruption, and conflict.

This reference sheet is part of a series of materials aimed at USAID Missions and other Operating Units interested in integrating LRG into their programming. Each reference sheet in this series briefly outlines existing evidence on the links between LRG and an adjacent development topic—in this case, biodiversity conservation—and provides practical guidance for integrating LRG considerations across the Program Cycle.

Quick links



Why LRG Matters for Biodiversity Conservation

Well-constructed policies that uphold and strengthen Indigenous Peoples', women's and local communities' land and resource rights create positive incentives that can work together with other policy levers to reduce or avoid habitat and biodiversity loss, and aid in carbon sequestration.

Investing in land rights' recognition, inclusive land governance, and land use planning can be cost-effective ways to implement natural climate solutions that achieve significant biodiversity conservation and climate mitigation gains. Well-constructed policies that uphold and strengthen Indigenous Peoples', women's and local communities' land and resource rights create positive incentives that can work together with other policy levers to reduce or avoid habitat and biodiversity loss, and aid in carbon sequestration.

LRG underpins site-based conservation strategies either through formal protected areas or through collectively managed lands, which are essential for the long-term conservation of biodiversity and which can provide important socioeconomic benefits (Bonilla-Mejía and Higuera-Mendieta, 2019; Blankespoor, Dasgupta, & Wheeler, 2017; Di Franco et al., 2016). Evidence shows that programs that strengthen the rights of Indigenous Peoples and customary communities help conserve vertebrate biodiversity and significantly reduce deforestation (Fa et al., 2020; Schuster et al., 2019; Oldekop et al., 2019). A recent systematic review found that improving tenure security improved the probability of "good forest outcomes" like slowing deforestation and maintaining or regenerating forest cover by 40 percent (Robinson, Holland, & Naughton-Treves, 2014). Another systematic review found, across 35 studies, that the existence of protected areas is regularly associated with less deforestation (Busch and Ferretti-Gallon, 2017). A third systematic review of the environmental impacts of property rights regimes found that the presence of clear, stable, and legitimate rights was largely associated with positive environmental outcomes in forests, fisheries, and rangelands (Ojanen et al., 2017). Transparent and inclusive LRG is particularly relevant for the success of incentive-based policy instruments, including payments for ecosystem services (PES) and REDD+ (Reducing Emissions from Deforestation and Degradation) (Sunderlin et. al, 2018).

Evidence also shows links between improving women's tenure rights and positive biodiversity conservation impacts. A recent systematic review also found that improving women's land rights encourages their investment in various natural resource management and conservation techniques, including soil conservation, terracing and bunding (Meinzen-Dick et al., 2019). An earlier study found that women's ability to access forests and to take part in decision-making regarding resource utilization is crucial to conservation (Keene and Ginsburg, 2017).

LRG may also be important to support positive outcomes for conservancies, which are emerging as a land governance approach that encourages conservation while also providing economic opportunities for local communities.

Conservancies are generally defined as nonprofit organizations owned and run by local communities and dedicated to the permanent protection and stewardship of lands for community benefit and for the public good (NOHLC, n.d.). In Kenya, the Northern Rangelands Trust is using a community conservancy approach to help communities reinvigorate traditional management systems and rehabilitate degraded areas across Kenya's northern rangelands. By 2019, the project had supported 39 community conservancies over an area of 42,000 square kilometers, permanently employing more than 1,000 people and benefiting a further 71,000 people from conservancy-funded development projects while also rehabilitating tens of thousands of acres of grazing lands and increasing wildlife numbers while increasing tourism revenue and generating income for conservancy members (NRT, 2021b; USAID, 2020).

And in Namibia, legislation granting ownership rights over local wildlife to community conservancies has resulted in these areas abandoning livestock production in favor of conservation practices, in turn increasing the wildlife, and tourism revenue in the conservancy areas (Novelli and Gebhardt, 2007; Robinson et al., 2018).

LRG is also critical to the functioning of fisheries and other marine environment. These habitats are increasingly impacted by climate change, which threatens to alter the quantity and distribution of fish stock, changes marine migration patterns, and increases competition over dwindling marine resources (USAID 2020). Despite a tendency to think of marine ecosystems as the"high seas"or "open water," research shows that these resources should not be governed through open access (e.g., unrestricted) regimes (Ibid). A systematic review of 29 fisheries studies showed that any sort of property rights regime (community, state, or mixed) was either equal to or better than an open access regime, at sustaining fish stocks and protecting the marine environment. Of all the regimes studied, community governance regimes performed the best (Ojanen et al. 2017). Improving the governance of fisheries and marine conservancies, for example by devolutiong their management to local communities, can reduce illegal logging of mangroves, destruction of marine flora and fauna, and unsustainable fishing practices (NRT, 2021a).

On the other hand, governance failures can increase threats and weaken conservation and natural resource management (Crespo et al., 2019). Poor LRG can be a barrier to conservation and weak tenure security can play a role in incentivizing

The presence of clear, stable, and legitimate rights was largely associated with positive environmental outcomes in forests, fisheries, and rangelands.

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environmentally damaging land use (Ding et al., 2016; USAID, 2018). For example, land governance regimes that fail to secure and enforce the rights of local populations or that provide tenure security for some while marginalizing others can be a driver of deforestation and unsustainable land use. In fact, conservation efforts themselves — for example, setting up protected areas — can come at the expense of the land rights of local communities (Bendzko et al., 2019; Robinson et al., 2018). In other cases, LRG programs may inadvertently create incentives for environmentally destructive land uses. For example, in some contexts land titling may encourage clearing forests for cattle ranching or commercial crop production (Armenteras et al., 2019).

The impacts of LRG interventions on biodiversity outcomes can be variable and it is challenging to generalize the findings from one location under a specific set of ecological, political and socioeconomic conditions to another (Robinson, Holland, & Naughton-Treves, 2014). For example, although there is evidence that titling Peruvian Indigenous lands decreased forest clearing by more than 75 percent and forest disturbance by approximately 66 percent over a two-year period (Blackman et al., 2017), it is unlikely that this outcome is generalizable across multiple contexts (Robinson, Holland, & Naughton-Treves, 2017). Put differently: the effectiveness of both formal and informal land tenure solutions is mediated by multiple interacting local factors (Hajjar et al., 2021; Robinson, Holland, & Naughton-Treves, 2014, 2017). And, in order to be most effective, LRG interventions should be adapted to their specific contexts. However, we do know that in general, documenting and clarifying land rights, and designating protected areas, tends to lead to positive biodiversity outcomes.

Different conservation outcomes may require different types of tenure security. In some cases, formal titling is a necessary precondition for engaging in conservation activities. For example, PES programs, in which ecosystem service beneficiaries compensate landholders for changing land use and management activities, may require those landholders to have clear and secure land rights as a precondition of entering into PES contracts (Naeem et al., 2015). In other cases, supporting informal tenure institutions and particularly resource users groups, may be effective enough to promote sustainable practices (Rudel et al., 2009). As a result, programs that work to strengthen LRG in service of conservation objectives should consider "locally-adapted governance" strategies that account for the unique conditions, threats, and drivers in specific areas of intervention (González-González et al., 2021).

In summary, LRG interventions are often critically important for creating incentives that encourage biodiversity conservation but deciding whether and how to apply these interventions requires careful consideration of local conditions, particularly power dynamics, and their role in the portfolio of actions designed to conserve biodiversity.

Insights from the Field and Research

Past and ongoing USAID projects and research demonstrate that land and resource governance programming can effectively contribute to biodiversity conservation-related development objectives.

In Zambia, USAID's Integrated Land and Resource Governance **(ILRG)** program is increasing women's participation in Community Resource Boards (CRBs), which manage natural resources and wildlife inside Game Management Areas, protected areas buffering national parks.

Also in Zambia, USAID's Community Forests Program **(CFP)** program supported the Government of Zambia's Reducing Emission from Deforestation and Degradation (REDD+) strategy by establishing the largest REDD+ program in Zambia and piloting innovative approaches to participatory forest management.

In Ghana, USAID's ILRG program collaborates with the cocoa sector (including Hershey's, ECOM, and Meridia) to help reduce deforestation by securing the land and tree tenure for cocoa farmers.

In Brazil, USAID's Biodiversity Conservation of Public Lands in the Brazilian Amazon project helped strengthen conservation and management of biologically significant target areas located within public lands and their buffer zones in the western Brazilian Amazon biome.

In Liberia, USAID's Mobile Approaches to Secure Tenure **(MAST)** was tested and adapted to help communities define, map, record, and document their land and resources to enhance biodiversity conservation, while improving community forest management.

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Talking points

To make the case for LRG as a biodiversity con servation solution, use the following talking points that link LRG with conservation outcomes, policies, and priorities.

- When Indigenous Peoples have strong land and resource rights they are less likely to deforest and more likely to maintain or regenerate forest cover.
- When Indigenous Peoples have weak rights to their land and resources, they are more likely to overuse them or engage in environmentally destructive behaviors.
- Clear land and resource governance can make or break incentive-based policy instruments like payments for ecosystem services (PES) and REDD+ (Reducing Emissions from Deforestation and Degradation).
- Research shows that programs that strengthen the rights of Indigenous Peoples and customary communities can conserve biodiversity and significantly reduce deforestation.

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Further Resources

PROGRAMMING LRG

Whether through standalone programs or as a component of larger programs, improving LRG can increase the effectiveness of USAID's forestry and biodiversity work and improve outcomes.

The LRG Division in USAID's Center for Environment, Energy, and Infrastructure (EEI) provides a wide range of evidence-based technical advisory services and tools to help Missions better understand LRG trends as they relate to forestry and biodiversity. The resources can help effectively plan, implement, and evaluate LRG programs. These include:

How to incorporate LRG across the Program Cycle (see Annex A)**:**

- Integrating LRG into the Country Development Cooperation Strategy (CDCS)[1]
- Designing LRG Projects and Activities
- Monitoring, Evaluating, and Learning from LRG Programs
- Geospatial analysis, strategic planning, and LRG assessments and analysis

Available mechanisms to support LRG programming (see Annex B).

ADDITIONAL LEARNING

Need more inspiration? Check out these additional resources linking LRG and forestry and biodiversity.

- Land and Development: A Research Agenda for Land and Resource Governance at USAID
- Evaluation: Community-Based Forest Management Program in Zambia
- Evaluation: Supporting Deforestation-Free Cocoa Initiative in Ghana
- Issue Brief: Climate Change, Property Rights and Resource Governance
- Issue Brief: Tree and land tenure nexus in Cote d'Ivoire
- Brief: Tree Tenure and Benefit Sharing in Cocoa Growing Areas of Ghana

1 Sections 118 and 119 of the Foreign Assistance Act (FAA) mandate country-level analyses that support the integration of conservation actions into missions' Regional and Country Development Cooperation Strategies (RDCS/CDCS). The recommendations that emerge from these analyses help identify how to strengthen tenure security and formalize property rights to improve biodiversity conservation outcomes.

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ANNEX A:

Integrating and Funding LRG across the Program Cycle

The EEI/LRG team is available to help Missions and Operating Units with each of the following Program Cycle analysis considerations.

Integrating LRG into the Country Development Cooperation Strategy

Incorporating LRG into the Country Development Cooperation Strategy (CDCS) process should start with examining how LRG will present the Mission with opportunities to achieve high-level development outcomes. The assessment above will assist in this regard. For example, if the Mission is contemplating a development objective (DO) related to democracy-building outcomes, understanding the impact of improved land and resource rights on these broader outcomes will help the Mission understand whether to incorporate LRG into the DO or Intermediate Result (IR) that feeds up to the DO. Even if the Mission determines that LRG does not warrant a DO or IR, it may still be useful to consider LRG trends, both during the life of the CDCS and beyond, as part of scenario planning.

Integrating LRG into Project Design and Implementation

Integrating LRG may entail a stand-alone project, or it may involve integrating LRG as a component of a broader project. The general process is as follows:

- **Initial Assessment:** Consider how an LRG project or component would contribute to achieving a DO or IR within the CDCS Results Framework. This step should involve an assessment of the particular development challenge, how LRG impacts that challenge, and how LRG solutions can contribute to addressing that challenge. This Toolkit (Sections 5 and 6, particularly) provides questions to ask and key considerations. One critical task is to identify key stakeholders, who may include national and municipal institutions (for example, the national or local land ministry), civil society organizations, other donors, private sector actors, and local communities within the planned intervention area. In particular, it is important to pay attention to stakeholders with traditionally vulnerable land and resource rights, including women, youth, ethnic minorities, and Indigenous Peoples.

- **Project Design:** Prior to developing a project, in addition to mandatory analyses, it may be beneficial to conduct additional analyses relevant to LRG, including political economy analysis, future scenario planning/analysis, youth analysis, and conflict analysis. As the project is being designed, it is key to embed local ownership in the process by consulting with key local stakeholders to ground-truth the appropriateness of the activities. It is especially important to include sub-national government actors as stakeholders.

Monitoring, Evaluating, and Learning from LRG Programs

Regular monitoring and review of LRG projects can support both adaptive management and accountability. All LRG activities should follow the Agency's monitoring and evaluation guidance in ADS 201.

- **Develop a Project Monitoring, Evaluation, and Learning (MEL) Plan as part of project design and update it during project implementation.** The MEL Plan should define how the project team will collect, organize, analyze, or apply learning gained from project data collection, along with appropriate indicators and disaggregation. The MEL Plan should also define a learning plan, especially given the cross-cutting and context/setting-specific nature of LRG work. Such a plan might examine opportunities for relevant stakeholder engagement within the Mission, or with other donors, the national government, and beyond in order to enhance collaboration and synergies across sectors and settings. Similarly, a learning plan could highlight how to share and apply implementation lessons regarding opportunities, needs, or constraints in one context or setting, or around the complex interplay between sectors and rural/urban settings. Finally, a learning plan might specify analytical tools to be used, processes for developing participatory learning/research agendas, and reflective processes to ensure that triggers for change in approach are noted and acted upon. If the MEL Plan contemplates an impact evaluation, this evaluation should be planned at the outset of the project, as impact evaluations are more difficult to incorporate once a project is under way.
- **Facilitate an intentional approach to collaborating, learning and adapting (CLA).** CLA is particularly important for LRG activities because they are often components of larger projects, and because LRG interventions must work in concert with other activities to be effective. Collaboration approaches could include joint work planning and regular partner meetings that facilitate knowledge and/or data sharing. Discussions during these meetings could focus on challenges and successes in implementation to date, changes in the operating environment or context that could affect programming, opportunities to better collaborate or influence other actors, emerging risks that threaten the achievement of objectives, and/or other relevant topics.

ANNEX B:

Available Mechanisms

EEI/LRG manages an Indefinite Delivery and Indefinite Quantity Contract (IDIQ) and several Task Orders related to land and resource governance.[2] The following mechanisms are available for Mission and Operating Unit (OUs) buy-ins.

- **Strengthening Tenure and Resource Rights II (STARR II) Indefinite Delivery Indefinite Quantity Contract (IDIQ):** Managed by EEI/LRG, the STARR II IDIQ is a $650 million, multi-faceted field support mechanism available for Missions and other Operating Units to buy into for activities through July 2025. STARR II is designed to provide short- and long-term technical assistance to improve land tenure, property rights, and resource governance through targeted interventions or integrated activities in support of broader development objectives. Missions and OUs can either buy into the existing STARR II Task Orders listed below, or procure a new Task Order under STARR II. Read more here.

- **Integrated Natural Resource Management (INRM):** This Task Order under the STARR II IDIQ is available for Missions and OUs to buy into for activities through July 2025. INRM provides on-demand support services and technical assistance across a wide array of environmental and natural resource management issues and sectors. The activity aims to strengthen the impacts of environmental programs, identify and adopt best practices for integration, respond to strategic shifts at the Agency, and build constituencies for integrated programming to achieve development and humanitarian assistance outcomes. INRM is designed to support the uptake of principles and approaches outlined in the Agency's Environmental and Natural Resource Management (ENRM) Framework. Read more here.

- **Integrated Land and Resource Governance (ILRG):** This Task Order under the STARR II IDIQ is available for Missions and OUs to buy into activities through July 2021, with option years extending to July 2023. ILRG can provide short- and long-term technical assistance, analytical services, and field implementation across the following areas of support: land and resource law and policy development; policy implementation, including clarifying, documenting, registering, and administering rights to land and resources; building land and resource governance capacity of local institutions; and facilitating responsible land-based investment. Read more here.

- **Artisanal Mining and Property Rights (AMPR):** This Task Order under the STARR II IDIQ is available for Missions and OUs to buy into for activities through September 2021, with option years extending to July 2023. AMPR is USAID's flagship project for addressing complex development challenges in the artisanal and small-scale mining (ASM) sector. The program is primarily focused on diamonds in the Central African Republic, but is designed to provide on-demand, short-term technical assistance to any USAID Mission and Operating Unit (OU) on development challenges associated with ASM. Read more here.

2 U.S. Agency for International Development, "Funding/Contract Mechanisms," *LandLinks*, accessed April 26, 2021, https://www.land-links.org/tools-and-mission-resources/funding-contract-mechanisms/.

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