

# INDIGENOUS PEOPLES AND LOCAL COMMUNITIES' LAND AND RESOURCE RIGHTS IN THE AGE OF CARBON MARKETS

*Landesa secures tenure, promotes benefits, and mitigates risks.*



Women elders in Ol Pwisimoru, Kenya. Photo credit: Deborah Espinosa, Landesa

As carbon markets take center stage, Indigenous Peoples and Local Communities (IP & LC) land and resource rights must be secured to protect people and planet. Landesa is uniquely positioned to do just that.

## Carbon Offset Projects on the Rise

Projects to reduce greenhouse gases (GHGs) are spreading rapidly across the globe. The ambitious scale of global commitments to reduce emissions, meteoric expansion of carbon markets, and rising investment in carbon projects all depend on land and resources that are held by IP & LC. Without careful advanced planning, **these solutions risk advancing climate goals at the expense of IP & LC.** As some of the world's most effective environmental stewards, failing to safeguard the land rights of IP & LC not only jeopardizes their lives and livelihoods, but undermines global efforts to combat climate change.



**Carbon markets are growing quickly and predicted to reach ~\$1 trillion in value by 2037 from ~\$2 billion in 2023.**

## Carbon Offset

### Project Impacts on IP & LC

To combat climate change while safeguarding human rights, new carbon offset projects should be conducted in a way that ensures IP & LC – experienced guardians of vast carbon-rich ecosystems – receive payments for their environmental stewardship, continue sustainable land use management, and generate income from land-based livelihoods.

Yet reports from across the world consistently indicate that these potential benefits are dwarfed by land and human rights violations, with IP & LC losing their livelihoods and ability to enjoy their traditional lands and resources. Too often, **imbalances in power, and access to information have resulted in serious human rights concerns, including:**

- **Forcible displacement of IP & LC or erosion of their land and resource rights**, resulting in violent conflict, insecure livelihoods, and dangerous conditions for displaced people.
- **Infringement on internationally guaranteed rights including Free, Prior, and Informed Consent (FPIC)**, resulting in imbalanced negotiations and lack of access to grievance mechanisms or redress.
- **Disregard for democratic and inclusive governance**, resulting in nonrepresentative decision-making and undermining the present and future wellbeing of IP & LC, especially women and youth.
- **Ineffective or inadequate benefit-sharing arrangements**, resulting in unfair compensation for IP & LC, particularly women.

Climate initiatives that sacrifice IP & LC rights are neither viable for these communities, suitable for long-term environmental protection, nor strategic for the corporate actors that may become publicly linked to the resultant human rights concerns. Insecure IP & LC land rights generate an insecure climate. **It is therefore imperative to recognize and protect IP & LC rights to land and resources, including carbon.**

# Landesa Strengthens Land Rights in Pursuit of Climate Goals

**Recognizing this concerning trend, Landesa promotes just climate solutions to strengthen IP & LC land and resource rights in partnership with governments, communities, CSOs, and the private sector.**

We strive to ensure that IP & LC land and resource tenure is respected, so IP & LC benefit from and are not harmed by carbon projects; ecosystems are managed sustainably and inclusively; and economic inequalities are addressed, including through transparent benefit-sharing mechanisms, rather than deepened.

**We support actions that 1) strengthen IP & LC land and resource rights and 2) ensure IP & LC access to information to make decisions with free, prior, informed consent about carbon projects that affect their land and natural resources.**

Landesa formulates land-based solutions to build climate resilience and ensure a secure future for people and the planet. **We do this by partnering with governments, civil society organizations (CSOs), communities, and companies to advance climate mitigation and adaptation through securing land tenure and resource rights.** Initiatives include:

- Informing laws and policy reforms that strengthen land and resource rights, emphasizing processes for FPIC, fair compensation for IP & LC, gender equity, and social inclusion.
- Advancing more transparent, consensual, and sustainable planning and investments as governments, communities, and corporations consider rolling out new carbon offset projects.
- Elevating IP & LC voices, including women and youth, while building coalitions for local-to-global advocacy that reinforces the importance of responsible nature-based projects and programs.

**With governments,** Landesa supports capacity to meet legal commitments related to land rights.

- In **Kenya**, Landesa provided recommendations for **the Natural Resources Bill** (2022) – a bill

that defines how local communities can share benefits from land-based resources.

- In **China**, Landesa provides legal research and consults with government to identify inclusive and remunerative models to define the carbon rights of small-scale farmers.
- In **South and Southeast Asia**, Landesa assesses opportunities for mangrove conservation via sustainable land use planning.

**With CSOs and communities,** Landesa advances climate mitigation and adaptation action by strengthening land and resource rights.

- Landesa partners with organizations like the **Rights and Resources Initiative** that center IP & LC, women, and youth to strengthen land and resource rights so they can better advance their self-determined economic and development aspirations.
- Landesa advises the **Climate Action for Smallholders Coalition** on land rights as part of higher-integrity carbon markets that make regenerative agriculture accessible, profitable, and sustainable.

With **private sector entities**, Landesa supports global programs by assessing potential risks and advising on best practices.

- Alongside **global** forestry company **Terraformation**, Landesa helps communities negotiate, evaluate trade-offs, and develop compensation mechanisms that reflect equal status as project partners.
- In partnership with **multinational food and beverage companies**, Landesa helps assess, advise, and mitigate potential risks in their investment in carbon removal projects.

In the face of ever-increasing demands for carbon offset projects, Landesa's collaboration with key stakeholders helps ensure that IP & LC rights are respected, enabling them to continue their critical role protecting the planet for all of us.



Mangrove forest expert Myo Zaw Oo on the Parchan River bordering Myanmar and Thailand.

**For additional information about our work, please contact [info@landesa.org](mailto:info@landesa.org).**

