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Who Owns the World's Forests? Forest Tenure and Public Forests In Transition

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**WHO OWNS THE WORLD'S FORESTS?
FOREST TENURE AND PUBLIC FORESTS IN TRANSITION**

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Washington, D.C.

Center for International Environmental Law
Washington, D.C.

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Summary

Until recently, the answer to the question of who owns the world's forests was fairly straightforward. For most of modern history, governments have legally owned most forests. In the

Western world, this tradition of government ownership began in medieval Europe, where royalty excluded commoners and laid claim to forests to serve the interests of the manor. It was there, too, that the practice of modern forest management had its roots. The profession of forestry grew from the initial tasks of policing the grounds and ensuring a steady supply of forest products and wildlife for the crown. This tradition of government ownership and government-led forest management was transported to many colonies and adopted by imperial states in the sixteenth and seventeenth centuries. Throughout Africa, the Americas and South and East Asia, new governments took rights from native peoples and gave public forest agencies authority over essentially all natural forests—and indirectly, over large numbers of native inhabitants. A number of countries, including the United States, Mexico, China and Papua New Guinea, did not follow this path of government-dominated ownership. Still, since the Chinese revolution of the 1940s, global forest ownership has been largely static, and it is still largely dominated by government ownership.

But this picture of government ownership is beginning to change. Since the late 1980s, some governments of major forested countries have begun to reconsider and reform forest ownership policies. These transitions are driven by three primary considerations. First, governments are increasingly aware that official forest tenure systems in many countries discriminate against the rights and claims of indigenous people and other local communities. Although the data are incomplete, it is estimated that some 60 million highly forest-dependent indigenous forest people live in the rain forests of Latin America, West Africa and South East Asia. An additional 400 million to 500 million people are estimated to be directly dependent on forest resources for their livelihoods. Around the world, indigenous people have legitimate claims to more forest areas than governments currently acknowledge. In South and Southeast Asia alone, several hundred million people live on land classified as public forest. International conventions and national political movements are driving governments to recognize the traditional ownership claims of indigenous peoples and recognize legal ownership and land use rights held by them and other local communities.

There is also an increasing convergence of economic development and environmental protection agendas. Without secure rights, indigenous and other local community groups lack long-term financial incentives for converting their forest resources into economically productive assets for their own development. There is growing evidence that local community-based entities are as good, and often better, managers of forests than federal, regional and local governments. In addition, biologists and protected area specialists are beginning to change perspectives on human interactions with nature, acknowledging that the traditional management practices of indigenous peoples can be positive for biodiversity conservation and ecosystem maintenance. This positive outcome is best gained by devolving control of forest land to communities.

This report is an initial attempt to capture the pieces of this global picture using the available information. It presents a newly collected and aggregated set of official tenure data for 24 of the top 30 forested countries of the world and summarizes the findings from that data. These 24 countries represent approximately 93 percent of the world's remaining natural forest of approximately 3.9 billion hectares. This data is presented in a novel manner that more clearly distinguishes between community lands that are legally regarded as private property and those that are ostensibly in state ownership. This is a central difference, as private property rights are typically much stronger than rights to public forests. Given the predominance of public forest ownership, this report then describes the status of logging concessions in public forests -as a primary mode of government exploitation of forest lands.

Next, changes in forest tenure are illustrated by three major global trends in public forest ownership—all of which entail shifting ownership and access rights from governments to indigenous

and other local communities. Given the growing importance of community ownership, this report also reviews the emerging evidence of the possibilities created by community forest ownership and management. The report concludes with a description of the data's key implications and opportunities for key actors to address forest tenure issues.

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