

## Terms of Reference: Reference Group

### Inclusive Process to assess Principles, Standards and Mechanisms to support Indigenous Peoples' Tenure Rights and Forest Guardianship

#### Background

At the 2021 UN Climate Change Conference (COP 26), a group of bilateral donors and philanthropic funders pledged to contribute 1.7 billion USD to support the advancement of indigenous peoples' and local communities' forest tenure rights and greater recognition and rewards for their role as guardians of forests and nature. The financing under Indigenous Peoples' and Local Communities' Tenure Rights and Forest Guardianship Pledge will be directed at:

- Channeling support to Indigenous Peoples and local communities, including through capacity building and financial support for group activities, collective governance structures and management systems, and sustainable livelihoods;
- Activities to secure, strengthen and protect Indigenous Peoples' and local communities' land and resource rights, including, but not limited to, support to community-level tenure rights mapping and registration work, support to national land and forest tenure reform processes and their implementation, and support to conflict resolution mechanisms.

Indigenous peoples have expressed the need to ensure that the funding committed under the Pledge goes directly to them, to ensure alignment with UNDRIP and other human rights instruments, and to enhance governance, ownership, empowerment, cost effectiveness and results. Consequently, the Pledge donors and funders have committed *“to promote the effective participation and inclusion of Indigenous Peoples and Local Communities in decision-making and to include and consult them in the design and implementation of relevant programmes and finance instruments, recognising the specific interests of women and girls, youth, people with disabilities, and others often marginalised from decision-making”*.

With the USD 1.7 billion Pledge increasing the funding available for directly supporting indigenous peoples in tropical and sub-tropical forests, there is a need to facilitate an inclusive process with indigenous peoples, donors, support organisations and other relevant stakeholders to identify and assess principles, standards and mechanisms to support indigenous peoples' tenure rights and forest guardianship in accordance with the international legal framework for indigenous peoples' rights. Consequently, based on initial discussions with indigenous experts, a group of funders to the Pledge<sup>1</sup> decided to initiate and support such a process. The funders have contracted a team of independent technical consultants to facilitate the process<sup>2</sup>.

#### Outputs

The aim is to undertake a broad, inclusive, transparent and participatory process with representatives of indigenous peoples, donors and relevant support organisations, which will result in the following outputs:

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<sup>1</sup> Initiated by the Christensen Fund, the Ford Foundation and the Packard Foundation

<sup>2</sup> Charapa Consult has been contracted to facilitate the process (see: [www.charapa.dk](http://www.charapa.dk))

- An **overview of existing implementation mechanisms and funding modalities** to advance indigenous peoples' forest tenure rights and greater recognition and rewards for their role as guardians of forests and nature.
- A **review of experiences and lessons learned** related to diverse funding modalities for indigenous organisations and communities
- A set of **principles and standards**, based on the UNDRIP for the governance and management of projects and funds, which meet the requirements for accountability and transparency of both donors as well as indigenous peoples' institutions at all levels.
- An **assessment of how these principles and standards can be operationalised** in a range of mechanisms and modalities (existing and emerging) to ensure direct support to indigenous peoples' tenure rights and forest guardianship.

Further details on the scope, process, methodology and detailed timeline are found in the Information Note, available at [www.charapa.dk](http://www.charapa.dk)

## Reference Group

### Role and tasks

To support and orient the process, a Reference Group will be established. The role of the Reference Group is to:

- Oversee the process, and provide input to the consultants regarding methodology and outreach;
- Assist and participate, as possible, in focus group or regional meetings
- Assist in ensuring broad outreach and dissemination within their regions/constituencies during and after the consultative process;
- Provide comments on draft materials and outputs, and
- Approve final documents

Once constituted, the members of the Reference Group will select two co-convenors among the donor and the indigenous members. The co-convenors will act as facilitators of Reference Group meetings, and will coordinate with the consultants.

Members of the Reference Group will be requested to participate in three on-line meetings (inception, mid-term and final). Further, they will also be invited to participate in one on-line focus group meeting or a face-to-face meeting organised in their respective regions. Finally, they will be requested to review and comment on draft documents.

There will be translation in English, French and Spanish at all Reference Group meetings, and all draft materials will also be available in three languages,

Reference Group members are not remunerated but all costs related to their participation in meetings and consultations (e.g. translation services, travel and accommodation and per diem) will be covered.

### Selection of the Reference Group

The Reference Group will comprise 10-12 indigenous representatives from tropical and subtropical forest regions in Africa, Asia, and Latin America, and 5-6 representatives of donors to the Pledge.

The indigenous members of the Group should represent a diversity of indigenous organisations (regional and national organisations and networks) as well as a diversity of experiences in securing and strengthening

tenure rights with support from bilateral cooperation, regranting schemes, direct grants etc. Likewise, the members from the donors should reflect the diversity of the signatories to the Pledge, including bilateral agencies and philanthropic funders. Both indigenous and donor representatives will be appointed based on self-selection among their constituents. The self-selection process among indigenous organisations will be coordinated by the following resource persons (who do not aspire to become members of the group)::

- Africa: TBD
- Asia: Ms. Joan Carling, Indigenous Peoples Rights International
- Latin America: Mr. Alfredo Ernesto Rivera Melgar, Foro Indígena de Abya Yala,

The self-selection process among donors will be coordinated by:

- Mr. Casey Box, The Christensen Fund

## Reference Group timeline and key activities

When	What
May	<p><b>Establishment of Reference Group:</b></p> <ul style="list-style-type: none"> <li>Self-selection processes among donors and indigenous organisations</li> </ul>
June-July	<p><b>Inception meeting:</b></p> <ul style="list-style-type: none"> <li>● Agreement on overall methodology and process action plan, including dates and venues for regional meetings</li> <li>● Discussion and subsequent approval of inception report</li> </ul>
	<p><b>Consultative process:</b></p> <ul style="list-style-type: none"> <li>● Assist in ensuring a broad outreach within their regions/constituencies during the consultative process</li> <li>● Assist and participate in focus group/regional meetings in their respective regions</li> </ul>
	<p><b>Midterm Reference Group meeting:</b></p> <ul style="list-style-type: none"> <li>● Presentation of key findings from desk review and consultative process</li> <li>● Discussion of findings and recommendations</li> <li>● Agreement on ways forward</li> </ul>
August	<p><b>Dissemination and validation of drafts:</b></p> <ul style="list-style-type: none"> <li>● Review of drafts</li> <li>● Assist in the dissemination of drafts and call for comments to those previously consulted</li> </ul>
Sept	<p><b>Final Reference Group meeting:</b></p> <ul style="list-style-type: none"> <li>● Approval by the Reference Group of final documents</li> <li>● Assist in the dissemination of final documents</li> </ul>

## **Contact point**

The Reference Group's consultancy contact point is team leader Ms. Birgitte Feiring, [bfeiring@gmail.com](mailto:bfeiring@gmail.com).

Information about the process and documents will be made publicly accessible at the following website:  
[www.charapa.dk](http://www.charapa.dk).