

Annex 1

Questions for completing the Legal Review

Material for:



Activity 1



Scenarios relevant to relationship with the state and/or FLR projects

Questions	Y/N	Responses	Implications for FLR projects (see scenarios for some possibilities)	Potential solutions (see scenarios for some possibilities)
1-A All trees are property of the state (national or subnational, e.g. commune)				
1-A.1 According to law, are all trees (or all in some tenure types) the property of the state? Specify different responses by legal status in separate rows (e.g. state forests, protected areas). Add more rows as needed.		Tenure type:		
		Tenure type:		
		Tenure type:		
		Tenure type:		
1-A.2 Are certain species or types of trees considered to be the property of the state? Check for and list any protected species. Check law on and describe who the land law specifies has rights to planted trees.				
1-B Permission is needed from the state (national level) to prune or to cut down a tree				
1-B.1 and 1-B.2 According to law, is a permit required to cut down a tree? To prune a tree? Which species/ types of trees are cutting/pruning permits required for? Under what conditions are permits required (e.g. domestic v. commercial use)? Which level of the state requires these permits?				
1-B.3 According to law, is permission needed to transport tree products (timber, charcoal, other)? If yes, describe which products a transportation permit is required for.				



Questions	Y/N	Responses	Implications for FLR projects (see scenarios for some possibilities)	Potential solutions (see scenarios for some possibilities)
1-C All/some untitled land is the property of the state				
1-C.1 Is any/all untitled land the property of the state? Specify different responses by legal status in separate rows. Add rows as needed.				
1-D People may plant a tree or multiple trees as a means to establish a claim to state land				
1-D.1 Is there a legal dimension to this? E.g. Is there a state law that specifies whether planting a tree confers an ownership claim to the land it's on? Do the courts recognize planted trees as evidence of ownership in conflicts over land?				
1-E FLR projects may take away individual/family lands people were using for other uses				
1-E.1 How do FLR projects acquire land areas? Can they take away lands people were using for other purposes? Under what rules? (Compensation?) Explain.				

Annex 2

Village territory walk

Material for:



Activity 2

As you walk through the village territory, draw rough sketches of what you see and answer the questions in the chart. When adding the local terms, remember that there may be local terms for landscape features that scientists do not recognize as distinct features. Be sure to note these down also.

Village:		Date:		Person completing form:	
A1 What landforms are present? (valley bottom, floodplain, riverbanks, upland slopes, ponds, lakes, rivers, hills, etc.) What are the local terms for these landforms?	A2 Which landforms have trees on them?	A3 What configuration are the trees in each landform? (single trees, sparsely scattered individual trees, small groups of trees, tree plantations, agroforests, boundary plantings)	A4 What species of trees are on each landform? (exotic, indigenous, valued for timber, valued for fuel, valued for other products)	A5 How did the trees come to be on this landform? (Planted, protected natural regeneration, naturally grown)	A6 What other types of FLR practices are visible besides tree planting or natural regeneration protection? (erosion control measures, water saving measures, firebreaks, pastureland improvements, enclosures, other (describe))



Village:		Date:		Person completing form:	
<p>B1 What land uses are present? (rice fields, fallow fields, dryland crops, agroforests, woodlots, primary forest, secondary forests etc.)</p> <p>What are the local terms for these land uses?</p>	<p>B2 Which land use types have trees on them?</p>	<p>B3 What configuration are the trees in on each land use type? (single trees, sparsely scattered individual trees, small groups of trees, tree plantations, agroforests, boundary plantings)</p>	<p>B4 What species of trees are present on each land use type? (exotic, indigenous, valued for timber, valued for fuel, valued for other products)</p>	<p>B5 How did the trees come to be on this land use type? (Planted, protected natural regeneration, naturally grown)</p>	<p>B6 What other types of FLR practices are visible besides tree planting or natural regeneration protection? (erosion control measures, water saving measures, firebreaks, pastureland improvements, enclosures, other (describe))</p>



Village:		Date:		Person completing form:	
C1 What land tenure types are present? (state land, commune land, family or lineage land, household land, individually held land, etc.) What are the local terms for these land tenure types?	C2 Which tenure types have trees?	C3 What configuration are the trees in on each tenure type? (single trees, sparsely scattered individual trees, small groups of trees, tree plantations, agroforests, boundary plantings)	C4 What species of trees are present on each tenure type? (exotic, indigenous, valued for timber, valued for fuel, valued for other products)	C5 How did the trees come to be on this tenure type? (Planted, protected natural regeneration, naturally grown)	C6 What other types of FLR practices are visible besides tree planting or natural regeneration protection? (erosion control measures, water saving measures, firebreaks, pastureland improvements, enclosures, other (describe))



Village:		Date:		Person completing form:	
D1 How do people access land? (inheritance, purchase, sharecropping, rentals, gift, borrowing, customary use rights etc.) What are the local terms for these land access types?	D2 Which land access types have trees?	D3 What configuration are the trees in on each land access type? (single trees, sparsely scattered individual trees, small groups of trees, tree plantations, agroforests, boundary plantings)	D4 What species of trees are present on each land access type? (exotic, indigenous, valued for timber, valued for fuel, valued for other products)	D5 How did the trees come to be on this land access type? (Planted, protected natural regeneration, naturally grown)	D6 What other types of FLR practices are visible besides tree planting or natural regeneration protection? (erosion control measures, water saving measures, firebreaks, pastureland improvements, enclosures, other (describe))



Village:	Date:	Person completing form:
E1 What are the main social groups? (Consider: migrants, ethnic groups, poor HH, people with disabilities, women)		E2 How does this affect their land tenure or how they get land?

Annex 3

Interview questions based on tenure-FLR scenarios

Material for:



Activity 1 and 2



TABLE 1.

Scenarios relevant to relationship with the state and/or FLR projects

Questions	Y/N	Responses	Implications for FLR projects (see scenarios)	Potential solutions (see scenarios)
1-A Are all trees the property of the state (national or subnational, e.g. commune)?				
Check one: <input type="radio"/> yes <input type="radio"/> no <input type="radio"/> sometimes [Explain below]				
1-A.1 On what types of land do trees belong to the state (e.g. state forests, protected areas, private land)? Add more rows as needed.				
1-A.2 Which species or types of trees (e.g. planted trees, native trees) are the property of the state?				
1-A.3 What rights do local people have to trees or tree products on state land?				
1-B Is permission needed from the state (national level) to prune or to cut down a tree?				
Check one: <input type="radio"/> yes <input type="radio"/> no <input type="radio"/> sometimes [Explain below]				
1-B.1 If yes or sometimes, when is a permit required to cut down a tree? For what types of uses (e.g. domestic, commercial)? On what types of land? For what types of trees?				



Questions	Y/N	Responses	Implications for FLR projects (see scenarios)	
1-B.2 When is permission from the state needed to prune a tree? For what types of uses (e.g. domestic, commercial)? On what types of land? For what types of trees?				
1-B.3 Is a permit required from the state to transport logs or other tree products? When is it required? (for what type of uses)? For what products? For what species?				
1-B.4 Are the laws and regulations behind these permissions enforced? How does this affect local people?				
1-C Does untitled land belong to the state?				
Check one: <input type="radio"/> yes <input type="radio"/> no <input type="radio"/> sometimes [Explain below]				
1-C.1 If yes or sometimes, what types of untitled land belong to the state? Add rows as needed.				
1-C.2 Is there a risk for planting and protecting trees on untitled land (explain). Add rows for different land types or examples.				
1-C.3 What incentives are there for people to plant or protect trees on untitled land?				

Questions	Y/N	Responses	Implications for FLR projects (see scenarios)	Potential solutions (see scenarios)
1-D Do people plant trees as a means to claim state land?				
Check one: <input type="radio"/> yes <input type="radio"/> no <input type="radio"/> sometimes [Explain below]				
1-D.1 If yes or sometimes, how do people use tree planting to make land claims in the state domain?				
1-D.2 How is this perceived (e.g. a risk, an opportunity)?				
1-E Do FLR projects take away individual or family lands that people were using for other uses?				
Check one: <input type="radio"/> yes <input type="radio"/> no <input type="radio"/> sometimes [Explain below]				
1-E.1 How do FLR projects acquire land for their activities?				
1-E.2 Can projects take away lands people were already using? Has this happened in your area?				
1-E.3 If yes, were the people whose land was taken compensated for the loss of their land? Was the compensation fair?				
1-F Are collective lands seen as vulnerable to expropriation by large-scale FLR projects?				
Check one: <input type="radio"/> yes <input type="radio"/> no <input type="radio"/> sometimes [Explain below]				
1-F.1 Are collective lands, such as pastures, wooded savannas, or forests, likely to be expropriated by large-scale FLR projects? (Explain) Has this happened in your area?				
1-F.2 If yes, were the people whose land was taken compensated for the loss of their land? Was the compensation fair?				



TABLE 2.

Scenarios relevant to general land use, characteristics of the parcel and local preferences

Questions	Y/N	Responses	Implications for FLR projects (see scenarios)	Potential solutions (see scenarios)
2-A Where are local people more likely to plant trees or protect naturally growing trees?				
2-A.1 Where are people planting trees and why? (Consider e.g. size of parcel, relation to agriculture, distance from home, erosion control)				
2-A.2 What kinds of trees are people planting and why? (Consider e.g. woody species, timber, fruit trees, exotics, natives)				
2-A.3 Are there areas where people protect trees growing up on their own? On what types of land and why? (Consider: e.g. size of parcel, relation to agriculture, distance from home, erosion control)				
2-A.4 What trees are people keeping and why? (Consider woody species, timber, fruit trees, exotics, natives)				



TABLE 3.

Scenarios related to relationships with local authority (commune, forest management committee, traditional, other)

Questions	Y/N	Responses	Implications for FLR projects (see scenarios)	Potential solutions (see scenarios)
3-A Is permission needed from a local authority to plant a tree or protect a naturally growing tree?				
Check one: <input type="radio"/> yes <input type="radio"/> no <input type="radio"/> sometimes [Explain below]				
3-A.1 If yes or sometimes for tree planting, which local authority has to grant permission to plant a tree, and on which type of land? Add rows as needed.				
3-A.2 If yes or sometimes for protecting naturally growing trees, which local authority has to grant permission to protect a naturally growing tree and on which type of land? Add rows as needed.				
3-A.3 How do these permissions affect the decision to plant a tree? To protect naturally growing trees?				
3-A.4 Who owns the tree / tree products once it is planted or protected?				



Questions	Y/N	Responses	Implications for FLR projects (see scenarios)	Potential solutions (see scenarios)
3-B Is permission needed from a local authority to cut down a tree or gather tree products (e.g. shea nuts, wood)?				
Check one: <input type="radio"/> yes <input type="radio"/> no <input type="radio"/> sometimes [Explain below]				
3-B.1 If yes or sometimes for cutting down a tree, which local authority has to grant permission to cut down a tree?				
3-B.2 If yes or sometimes for gathering tree products, which local authority has to grant permission to gather which tree products?				
3-B.3 Is a permit required from a local authority to transport logs or other tree products? When is it required (for what type of uses)? For what products? For what species? By which authority?				
3-B.4 How do these permissions affect the decision to plant or protect these types of trees?				



TABLE 4.

Scenarios related to variations by relationships with other local people, including between primary and secondary rightsholders

Questions	Y/N	Responses	Implications for FLR projects (see scenarios)	Potential solutions (see scenarios)
4-A Does planting a tree increase tenure security?				
Check one: <input type="radio"/> yes <input type="radio"/> no <input type="radio"/> sometimes [Explain below]				
4-A.1. If yes or sometimes, on what types of land does planting a tree increase security? Does the type of tree that is planted make a difference? Explain.				
4-A.2 Does protecting naturally growing trees increase tenure security? If yes, on what types of land? Does the type of tree matter? Explain.				
4-A.3 Are there other things people do to enhance tenure security?				
4-B Are secondary rightsholders permitted to plant trees on the land of the primary rightsholder/ owner?				
Check one: <input type="radio"/> yes <input type="radio"/> no <input type="radio"/> sometimes [Explain below]				
4-B.1 If yes or sometimes, under what circumstances can secondary rights holders plant trees on the land of primary rights holders?				
4-B.2 Are there some species that are exceptions? Which ones?				



TABLE 5.

Scenarios related to variations by social group

Questions	Y/N	Responses	Implications for FLR projects (see scenarios)	Potential solutions (see scenarios)
5-A Do rights to plant trees differ depending on the social group or social rank within the community?				
Check one: <input type="radio"/> yes <input type="radio"/> no <input type="radio"/> sometimes [Explain below]				
5-A.1 Do migrants have the same rights as locals to plant trees? If not, what are the rules for migrants? On what type of land are those rules applied?				
5-A.2 Do lower caste or historically marginalized groups have the same rights to plant trees? If no, how are the rules different? On what types of land are those rules applied?				
5-A.3 Do poorer households have the same rights as wealthier households to plant trees? If no, how are the rules different? On what types of land are those rules applied?				
5-B Do women make decisions about tree planting and/or management?				
Check one: <input type="radio"/> yes <input type="radio"/> no <input type="radio"/> sometimes [Explain below]				
5-B.1 Do men consult with or make joint decisions with women about tree planting or management? If yes, on what types of land? What types of trees?				
5-B.2 If women plant trees, what species do women plant?				

Questions	Y/N	Responses	Implications for FLR projects (see scenarios)	Potential solutions (see scenarios)
5-C Do women have different land rights than men?				
Check one: <input type="radio"/> yes <input type="radio"/> no <input type="radio"/> sometimes [Explain below]				
5-C.1 Can women own land under state law?				
5-C.2 Can women own land by customary law or tradition? Do they own land in this community? Explain.				
5-C.3 If women own land, is their land ownership recognized and secure? Explain. How does tree planting affect women's tenure security?				
5-D Do daughters inherit land?				
Check one: <input type="radio"/> yes <input type="radio"/> no <input type="radio"/> sometimes [Explain below]				
5-D.1 If no, how does that affect their interest in planting or protecting trees?				