**Region: Polynesia**

Countries Include: The Cook Islands (NZ.), Easter Island (Chile), Niue, Samoa, Tokelau (NZ), Tonga, Tuvalu, Wallis & Futuna (Fr.)

**Color Key:**

No data or not enough to justify Grey;

Adverse or hostile conditions for IPLCs in the country Red;

Limited/conflicting progress in achieving IPLC recognition, rights, and supporting legal frameworks Yellow;

Strong legal frameworks, recognition, and willingness to support IPLC rights Green.

**Legal Framework, Scale of Recognition, & Government Willingness**

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| --- | --- | --- | --- |
|  | **Legal Framework** | **Scale of Recognition vs actual IPLC governance** | **Government willingness** |
| The Cook Islands - NZ. (Terrestrial) | According to [Landmark](http://www.landmarkmap.org/map/#x=-102.46&y=13.47&l=3&a=community_FormalDoc%2Ccommunity_NoDoc%2Ccommunity_FormalClaim%2Ccommunity_Occupied%2Cindigenous_FormalDoc%2Cindigenous_NoDoc%2Cindigenous_FormalClaim%2Cindigenous_Occupied), “The Crown formally recognizes and protects rights of traditional landowners through legislation. The Cook Islands Act prohibits alienation of customary land, whether to Cook Islanders or others.” Beyond a prohibition on alienation, the dimensions of those rights are not clear. For more information, refer to EOI. | According to [Landmark](http://www.landmarkmap.org/map/#x=-102.46&y=13.47&l=3&a=community_FormalDoc%2Ccommunity_NoDoc%2Ccommunity_FormalClaim%2Ccommunity_Occupied%2Cindigenous_FormalDoc%2Cindigenous_NoDoc%2Cindigenous_FormalClaim%2Cindigenous_Occupied),Customary lands account for 95% of the country land area, the rest is shared between public land (most) and little freehold lands. | No data- refer to EOI. |
| The Cook Islands - NZ. (Marine) | No data - refer to EOI | No data-refer to EOI | No data - refer to EOI. |
| Easter Island - Chile (Terrestrial) | Chile’s legal framework provides a basis to recognize IPLC ownership and control of landl.  (Source: RRI 2015: Who owns the World’s Land) | There is no data on recognition or or pending claims on Easter Island. | No data. Refer to EOI. |
| Easter Island - Chile (Marine) | According to [Too-Big to Ignore,](https://issfcloud.toobigtoignore.net/) there is a basis for co-management/governance of fisheries with IPLCs in Chile, although further details are unavailable. | At least one Indigenous fishery was identified by [Too Big to Ignore](https://issfcloud.toobigtoignore.net/) on Easter Island - whether it has been legally recognized by the government is not clear. | No data- refer to EOI. |
| Niue (Terrestrial) | According to [Landmark](http://www.landmarkmap.org/map/#x=-102.46&y=13.47&l=3&a=community_FormalDoc%2Ccommunity_NoDoc%2Ccommunity_FormalClaim%2Ccommunity_Occupied%2Cindigenous_FormalDoc%2Cindigenous_NoDoc%2Cindigenous_FormalClaim%2Cindigenous_Occupied): “The Crown formally recognizes and protects rights of traditional landowners through legislation ”although the dimensions of those rights are not clear. For more information, refer to EOI. | According to [Landmark](http://www.landmarkmap.org/map/#x=-102.46&y=13.47&l=3&a=community_FormalDoc%2Ccommunity_NoDoc%2Ccommunity_FormalClaim%2Ccommunity_Occupied%2Cindigenous_FormalDoc%2Cindigenous_NoDoc%2Cindigenous_FormalClaim%2Cindigenous_Occupied): (recognized) “Customary lands cover 98.5% of the country land area.” | No data -refer to EOI. |
| Niue (Marine) | No data - refer to EOI | No data-refer to EOI | No data- refer to EOI |
| Samoa (Terrestrial) | According to [Landmark](http://www.landmarkmap.org/map/#x=-102.46&y=13.47&l=3&a=community_FormalDoc%2Ccommunity_NoDoc%2Ccommunity_FormalClaim%2Ccommunity_Occupied%2Cindigenous_FormalDoc%2Cindigenous_NoDoc%2Cindigenous_FormalClaim%2Cindigenous_Occupied): “The Constitution of Samoa formally recognizes and protects customary land tenure, and prohibits further alienation of customary land than the 19% of the country land area that had already been converted to freehold (4%) or public land (15%) by the time the country achieved independence (1962).” Beyond a prohibition on alienation, the dimensions of those rights are not clear. For more information, refer to EOI. | According to [Landmark](http://www.landmarkmap.org/map/#x=-102.46&y=13.47&l=3&a=community_FormalDoc%2Ccommunity_NoDoc%2Ccommunity_FormalClaim%2Ccommunity_Occupied%2Cindigenous_FormalDoc%2Cindigenous_NoDoc%2Cindigenous_FormalClaim%2Cindigenous_Occupied), 81% of the country is recognized as under customary tenure. | No data-refer to EOI. |
| Samoa (marine) | No data-refer to EOI. | According to Too Big to Ignore, the only fisheries with reports were not IPLC managed. This doesn’t mean that the legal regime does not exist, only that they were not reported.  Refer to EOI. | No data - refer to EOI. |
| Tokelau - NZ (terrestrial) | According to [Landmark](http://www.landmarkmap.org/map/#x=-102.46&y=13.47&l=3&a=community_FormalDoc%2Ccommunity_NoDoc%2Ccommunity_FormalClaim%2Ccommunity_Occupied%2Cindigenous_FormalDoc%2Cindigenous_NoDoc%2Cindigenous_FormalClaim%2Cindigenous_Occupied): “The Crown formally recognizes and protects rights of traditional landowners through legislation. The Tokelau Amendment Act of 1967 prohibits alienation and disposition of Tokelauans' land, except to the Crown or among themselves and in accordance with custom.” Beyond a prohibition on alienation, the dimensions of those rights are not clear. For more information, refer to EOI. | According to Landmark, “Customary lands cover 98% of the country land area, the rest being equally shared between public land and freehold lands (1% each).” | No data- refer to EOI. |
| Tokelau - NZ (marine) | No data - refer to EOI | No data-refer to EOI | No data-refer to EOI |
| Tonga (terrestrial) | According to [Landmark](http://www.landmarkmap.org/map/#): “The Constitution of 1875 transferred all the ownership of the land in the country to King Tupou I, whose dynasty is still ruling Tonga. This marked the end of traditional land tenure systems. Thus, there is no more customary land in the country, all of its land mass being public land.” | There appears to be no recognition of IPLC land rights in Tonga. | No data -refer to EOI. |
| Tonga (marine) | No data - refer to EOI | No data-refer to EOI | No data-refer to EOI |
| Tuvalu (terrestrial) | According to [Landmark](http://www.landmarkmap.org/map/#x=-102.46&y=13.47&l=3&a=community_FormalDoc%2Ccommunity_NoDoc%2Ccommunity_FormalClaim%2Ccommunity_Occupied%2Cindigenous_FormalDoc%2Cindigenous_NoDoc%2Cindigenous_FormalClaim%2Cindigenous_Occupied): “The Crown formally recognizes and protects rights of traditional landowners through legislation.” although the dimensions of those rights are not clear. For more information, refer to EOI. | According to [landmark](http://www.landmarkmap.org/map/#x=-102.46&y=13.47&l=3&a=community_FormalDoc%2Ccommunity_NoDoc%2Ccommunity_FormalClaim%2Ccommunity_Occupied%2Cindigenous_FormalDoc%2Cindigenous_NoDoc%2Cindigenous_FormalClaim%2Cindigenous_Occupied) “Customary lands account for 95% of the country land area, the rest being mostly public land (5%) with less than 0.1% freehold lands.  As customary tenure is extensively protected in the constitution or by law, we may consider that all customary lands are formally recognized in the country.” | No data-refer to EOI |
| Tuvalu (marine) | No data - refer to EOI | No data-refer to EOI | No data - refer to EOI |
| Wallis & Futuna - Fr. (terrestrial) | No data - refer to EOI | No data-refer to EOI | No data- refer to EOI |
| Wallis & Futuna - Fr. (marine) | No data-refer to EOI. | No data-refer to EOI | No data-refer to EOI |