

Effect of land tenure on forest cover and the paradox of private titling in Panama

Kendra L. Walker^{a,b}

^aEnvironmental Markets and Solutions Lab, University of California at Santa Barbara

^bSmithsonian Tropical Research Institute
Apartado 0843-03092, Balboa, Ancón, Panamá, República de Panamá

klwalker@umich.edu

1 **Effect of land tenure on forest cover and the paradox of private** 2 **titling in Panama**

3 4 **Abstract:**

5 Meeting sustainable development goals requires policies that account for interrelatedness
6 in social and environmental issues such as land tenure and deforestation. This work takes
7 advantage of a nationwide titling campaign in Panama to explore the effect of private titling
8 on forest cover across a heterogeneous landscape covering all stages of forest transition
9 and diverse tenure arrangements. Situated in a broader matched analysis of the influence
10 of zoning and tenure on forest cover, private management is estimated to have contributed
11 to the deforestation of 1750-3650 km² of mature forest nationwide from 1990-2020 with
12 an average marginal effect of 15.3%. Conversely, Protected Areas and Indigenous Comarcas
13 are estimated to have protected 1700-3900km² and 500-1250 km² of mature forest,
14 respectively. Private titling is associated with increased deforestation both during titling
15 and years after, supporting observations that the titling process itself encourages
16 speculative deforestation by title seekers and that private landholders value natural forests
17 less than other land uses such as cattle. By disaggregating the data by region to highlight
18 different stages of forest transition as well as by processes of deforestation and forest
19 growth, this analysis shows that while private titling accelerates deforestation, it also
20 encourages investment in reforestation. This presents a paradox for private titles and
21 forests where agencies may perversely encourage speculative deforestation by creating
22 stronger markets for forest-ready landscapes than for intact natural forests. In cases such
23 as this one, where deforestation helps to secure a title, this paradox is confounded when
24 having a title is set as a precondition for participation in a forest conservation program.

25 **Keywords:** Land-use zoning, tenure, protected areas, deforestation, Panama, private titles

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27

28 **1. Introduction**

29 Tackling global sustainability challenges requires solutions that simultaneously
30 address interrelated components of socio-ecological systems (Berkes et al., 2003; Folke et
31 al., 2002; Sayer et al., 2013). Forests play a prominent role in sustainable development
32 through critical ecosystem services, climate change mitigation and adaptation, biodiversity
33 protection and human livelihood security (Katila et al., 2020; Timko et al., 2018; Seymour
34 and Busch, 2016). Despite a growing collection of international agreements to conserve
35 forests, however, deforestation has continued at an unsustainable pace (Baccini et al.,
36 2017; Curtis et al., 2018; NYDF Assessment Partners, 2019; IPBES, 2019; WWF, 2018).
37 Recent expansion of planted forests, primarily in temperate zones (Köhl et al., 2015), has
38 caused a decline in net forest loss (Song et al., 2018; FAO, 2015), which may allow global
39 forest trends to be framed in the optimistic terms of a forest transition (Song et al., 2018,
40 Rudel et al., 2019; Meyfroidt and Lambin, 2011). Implications for sustainability and
41 livelihoods, however, require nuanced examination of pathways of avoided deforestation
42 and forest growth (Griscom et al., 2020; Naudts et al., 2016; WWF, 2018) as well as regional
43 asymmetry in forest trends.

44 Curbing tropical deforestation is essential to achieving climate stability (Seymour
45 and Busch, 2016) and protecting biodiversity (Bradshaw et al., 2009). However, due to
46 large numbers of rural poor in forest-rich tropical countries (Wunder, 2001; Sunderlin et
47 al., 2008) and the highest global rates of urbanization and development (Swamy et al.,
48 2018), policy prescriptions for achieving sustainable development goals in the tropics often
49 pit people against forests (Chomitz, 2007; Hartshorn, 1995). This is commonly the case in

50 policies relating to tenure, or the institutions concerning who can access and benefit from
51 resources (FAO, 2002). Tenure policies favoring forest conservation often exclude peoples'
52 access to forests through protected areas (PAs). While PAs are generally effective in
53 reducing deforestation (Busch and Ferretti-Gallon, 2017; Min-Venditti et al., 2017), to the
54 point that they collectively reduced tropical carbon-based emissions by around 30% from
55 2000-2012 (Bebber and Butt, 2017), their exclusionary nature often negatively impacts the
56 livelihoods of people around them (Oldekop et al., 2015). Alternative tenure arrangements
57 such as communal management and private titling allow for people to garner economic
58 benefits from forested lands, but have more varied success in conserving forests.

59 The literature on the effect of tenure arrangements on forest conservation is deep
60 and varied, yet it usually relates to communal forest use and management. While not a
61 panacea (Baynes et al., 2015; Ostrom and Cox 2010; Holland et al., 2017), communal
62 management is generally found to benefit forest cover (Porter-Bolland et al., 2012; Min-
63 Venditti et al., 2017), especially when the community is homogeneous with low
64 immigration and high autonomy (Poteete and Ostrom, 2004; Agrawal and Chaatre, 2006;
65 Chhatre and Agrawal, 2009). Since the mid-1980s, land tenure reform has dominated many
66 international conservation and development policies. While such policies have focused
67 largely on strengthening communal tenure arrangements, there are many situations where
68 communities do not fit conservation-friendly prototypes or where poor land users do not
69 belong to such communities. In these spaces, issues of individual tenure have been the
70 focus of these policies in a simultaneous wave of private land-titling campaigns across the
71 tropics. The area of tropical forest owned privately increased by 122% from 2002-2008
72 (ITTO, 2009). While similar to earlier land reforms in their primary goal of poverty

73 reduction, these titling campaigns have differed in their general claim to underpin broader
74 agendas of sustainability and forest conservation (Pacheco et al., 2011; Sunderlin, 2011).

75 Securing land and property rights is considered critical to achieving the Sustainable
76 Development Goals (IEG, 2016) as a tool for reducing poverty and enhancing economic
77 development. Development institutions that advocate for and facilitate private-titling
78 campaigns generally maintain that private titling is likely to have a positive or neutral
79 effect on forests (Keipi, 1995; FAO, 2012; Deininger, 2003), although long term effects
80 remain understudied (Lawlor et al., 2020). Conservation literature suggests a more
81 dubious relationship between private titling and forest conservation even in the short
82 term, however. Recent meta-analyses of the effect of private land tenure on forest cover
83 have found mixed results (Min-Venditti et al., 2017; Katila et al., 2020; Busch and Ferretti-
84 Gallon, 2017). Clear ownership of forests can facilitate use of market mechanisms to
85 manipulate incentives toward forest conservation or afforestation and is thus often a
86 prerequisite for programs such as REDD+ and other Payment for Ecological Service (PES)
87 programs. Whether such projects are successful depends both on context-specific cultural
88 and economic factors as well as on the process of forest-cover change in question.

89 In cases where forests have already been degraded or deforested, secure private
90 tenure can lead to greater forest cover if it provides landholders with incentives or means
91 to invest in agroforestry or silviculture (Besley, 1995; Takahashi and Otsuka, 2016) or to
92 intensify agricultural production and thus spare other lands for regeneration. Conversely,
93 tree planting can be a means to demonstrate investment and thus enhance tenure security
94 (Barbier and Tesfaw, 2013; Sjaastad and Bromley, 1997). If titled, degraded lands that no

95 longer offer profitable agricultural returns can also be allowed to regenerate without fear
96 of being taken by squatters or the government due to inactivity (Kaimowitz, 1996).

97 The mechanisms through which private titling might curb deforestation in existing
98 forests are less straightforward. Secure private tenure can theoretically enhance forest
99 conservation if it obviates motives to cut trees to prevent others from doing so first
100 (Kaimowitz, 1996) or empowers landholders to prevent others from clearing forests
101 (Alston et al., 2000). However, these mechanisms only work if landholders consider forests
102 more valuable than other land uses, which is often not the case (Liscow, 2013; Angelsen
103 and Kaimowitz, 1999; Angelsen, 2007; Robinson et al., 2017). Formal titles may also allow
104 speculators to leave land idle without fear of invasion (Alston et al., 1996, Azevedo et al.,
105 2017). However, in the context of development, such land speculation is generally not
106 beneficial to poor smallholders (Fairhead et al., 2012). Largely for this reason, many
107 governments have historically recognized claims to lands only when landholders can prove
108 use, usually via clearing. When land clearing enhances one's claim to the land, private
109 titling has a negative relationship with forest cover (Angelsen, 2007; Arnot et al., 2011;
110 Araujo et al., 2009). One of the main reasons for titling private land advocated by
111 development agencies is that such titles enhance landholders' access to credit and ability to
112 invest (Feder and Feeny, 1991; Dorner, 1972; IEG, 2016). However, once provided the
113 means, landholders may invest in deforestation (Rasmussen et al., 2017, Deininger and
114 Minten, 1996). By entering forested lands into the market economy via formal titles, it is
115 also more likely that they will eventually be sold to larger landholders such as ranchers
116 (Schneider, 1994; Campbell, 2015). Empirical studies of efforts to establish or clarify

117 private tenure in forested landscapes are rare but suggest it is risky for both people and
118 forests (Robinson et al., 2014).

119 There have been few studies on the effect of private tenure on forest cover in
120 Central America in the last decades (Min-Venditti et al., 2017) despite several large-scale
121 land titling projects implemented in the same period (Keipi, 1999; Deere and Leon, 2002).
122 From 2001-2010, the moist forests of Central America suffered net forest loss, although, as
123 with global forests, this trend can be classified as an asymmetrical forest transition (Redo
124 et al., 2012) as losses were partially offset by net gains in dry and coniferous forests. In
125 Central America, land tenure is often secured by clearing forest (Ankersen and Ruppert,
126 2006; Liscow, 2013; Angelsen and Kaimowitz 1999; Jones, 1990). Land speculation by
127 cattle ranchers is considered a principal cause of deforestation in Latin America (Roebeling
128 and Hendrix, 2010), and there is evidence that recent land titling campaigns have fueled
129 this speculative drive for land (Kaimowitz, 1996). While land policies and private tenure
130 likely influence deforestation, they also influence forest recovery (Pacheco et al., 2011).

131 This work explores the effect of tenure on forest cover in the Central American
132 nation of Panama and takes advantage of data from a large-scale private titling campaign to
133 elucidate the effect of private tenure and titling on forest cover. Although a small nation of
134 around 75,500 km², Panama presents an interesting microcosm of Central America with its
135 diverse representation of land uses and tenure arrangements and simultaneous presence
136 of all three forest transition stages, with “settled”, “frontier” and “remote” zones (Perz and
137 Skole, 2003). Although some consider Panama to have already undergone a forest
138 transition due to regrowth of forest in the settled region (Redo et al., 2012; Wright and
139 Samaniego, 2008; Hosonuma et al., 2012; Sloan, 2015), deforestation has continued at a

140 steady rate since 1990 in other regions (Walker, 2020). The national extent of the land
141 titling campaign and other tenure arrangements amidst this mosaic of forest processes
142 allows for insights into the effect of tenure and titling on forests to be broken down by
143 processes of deforestation and forest growth. Such disaggregation is important to elucidate
144 true impacts on forests and consequences for biodiversity and climate change mitigation.

145 The explicit goal of the titling program was to reduce rural poverty by increasing
146 farmers' access to credit (IDB, 2014). A full review of whether this formal privatization of
147 land and its insertion into the global market has had the intended effect of poverty
148 reduction in Panama is beyond the scope of this paper (see Spalding, 2017). Here I focus on
149 the environmental impact of titling and specifically on its effect on forest cover. Despite
150 publishing a lucid report on the tenuous and often catastrophic relationship between
151 private titling and forest cover in Central America (Jaramillo and Kelly, 1999) along with a
152 long passage describing the history of deforestation to gain possession of land in the
153 principal loan proposal itself (IDB, 2002), the InterAmerican Development Bank concluded
154 in various loan documents that the titling program was expected to have positive or neutral
155 effect on the environment. This work explores that relationship.

156 Exploration of effect of private titling on forest cover is first situated in a broader
157 analysis of the influence of different zoning/tenure arrangements on forest cover in
158 Panama. In assessing policy decisions such as zoning and titling on deforestation, the
159 counterfactual, or what would have occurred in the absence of a given tenure arrangement,
160 cannot be observed directly, and can only be approximated by controlling for
161 environmental and social variables that influence treatment and outcome (Burivalova et al.,
162 2019; Ferraro, 2009; Blackman, 2013). I controlled for such endogenous factors with

163 propensity score matching, which balances the treatment and control groups by equalizing
164 the probability of treatment based on a set of observed factors (Rosenbaum and Rubin
165 1983). I first estimated the effect of two restricted zones, PAs and Indigenous Comarcas, on
166 deforestation from 1990-2020 across Panama and compared these to estimates for effect of
167 private management and other Indigenous territories (where data allow) on deforestation
168 using the same methods. I then examined the effect of private titles explicitly by asking 1)
169 whether the PRONAT land-titling campaigns favored parcels with less forest and/or
170 increased recent deforestation rates, and 2) whether deforestation or regeneration rates
171 changed following attainment of a private title. Due to the relatively short amount of time
172 since titling for many of the titles issued during the PRONAT campaign, I repeated this
173 latter analysis for titles granted prior to the PRONAT campaign.

174

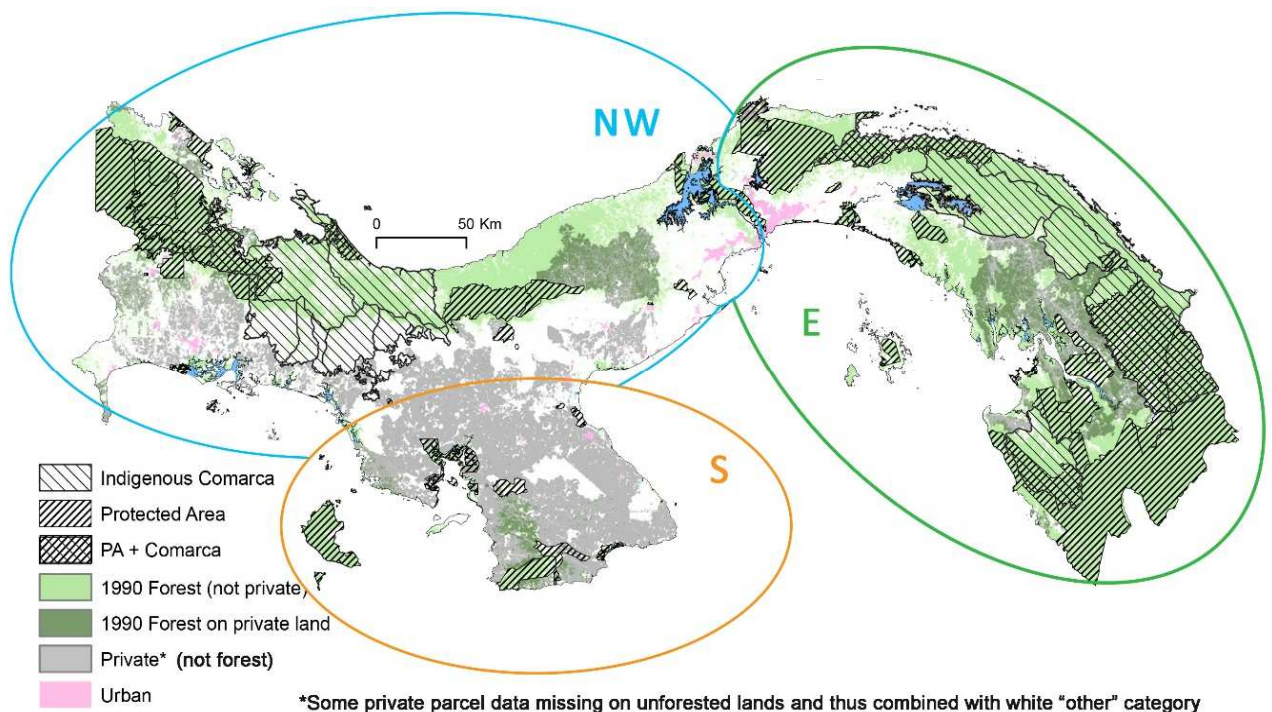
175 **Methods**

176 **2.1 Study area**

177 **2.1.1 Regional disaggregation of forest-cover change processes**

178 While more than 99.5% of Panama's land surface is naturally tropical forest
179 (Holdridge and Budowski, 1956), 47-50% mature forest remained in 1990 (ANAM, 2003;
180 Walker, 2020). Processes of forest-cover change under different tenure arrangements can
181 best be elucidated by dividing Panama into three regions (Fig 1). The southern region (S),
182 occurring along the western pacific coast, has been largely deforested since Spanish
183 settlement in the 16th century (Heckadon Moreno, 2009) and is now potentially regaining
184 some of its former forest (Caughlin et al., 2016; Metzel, 2010). This region represents the
185 post-transitional stage described by Angelsen and Rudel (2013) or the "settled" zone

186 described by Perz and Skole (2003). In contrast, the region east of the Panama Canal (E),
 187 can be considered the peak activity, or “frontier” zone, as rapid deforestation over the last
 188 few decades (Wali, 1993; Heckadon Moreno, 2009) has resulted in forest-agricultural
 189 mosaics as well as areas of rapid reforestation (Sloan, 2008). The Northwestern zone (NW)
 190 is also largely covered in forest-agricultural mosaic, but also contains a large “remote”
 191 zone, comprising mostly mature forests which are difficult to access and in economically
 192 impoverished areas (Wright and Samaniego, 2008), representative of the pre-decline stage
 193 of forest transition. The vast differences in the three regions in terms of their forest
 194 histories as well as timing and execution of titling campaigns precludes direct quantitative
 195 comparisons between regions. Nonetheless, these regions provide a firm framework for
 196 understanding the effect of tenure on forests cover when intersected with the key tenure
 197 regimes in Panama.



199 **Figure 1. Map of Panama with 1990 forest extent, zoning data and model regions**

200 ***2.1.2 Land zoning and tenure arrangements***

201 A large percentage of Panama's forests are found within restricted zones in which
202 use is prohibited for most of Panama's population. Protected Areas (PAs) covered 26% of
203 Panama's land area and contained 50% of the nation's mature forest cover in 2000 (ANAM,
204 2010; Walker, 2020). While tree cutting is prohibited in most PAs, deforestation rates may
205 be influenced by variances in funding and enforcement within each area (Oestreicher et al.,
206 2009; ANAM, 2006). Comarcas, or formal indigenous territories, covered an additional 20-
207 25% of Panama's land area and hosted an additional 20% of mature forest cover in 2000
208 (beyond that within the 26% of their area that overlapped PAs). Comarcas host nearly half
209 of Panama's indigenous population, or 6% of its total population (INEC, 2010) and accord
210 indigenous peoples some of the strongest constitutional rights in Latin America regarding
211 land tenure (Roldan Ortiga, 2004; Recio, 2014). Contradictory laws regarding resources
212 under and on the land have resulted in deforestation and conflict, however (Cansari and
213 Gausset, 2013; Vergara-Aseno et al., 2017; Velásquez Runk, 2012; Tresierra, 1999).

214 The remaining 60% of Panama's land area and 30% of mature forest cover is a
215 mosaic of land managed by the state, individuals, and indigenous groups with various
216 levels of tenure security. At least 9% of national land outside the Comarcas is managed by
217 indigenous groups as collective territories, with tenure rights informally recognized by the
218 government but no formal titles as of 2010 (Vergara-Asenjo and Potvin, 2014). Most of this
219 land overlaps with PAs, however. An additional 37% of Panama's land area was under
220 cultivation or pasture in 2000, with around 60% of these lands lacking formal title (INEC
221 and MIDA, 2001). Although lacking formal titles, most land users have held fairly secure

222 tenure under arrangements known as *Derechos Posesorios* or Rights of Possession
223 recognized by the government since the first Civil Code of 1917 (Spalding, 2017).

224 **2.1.3 Private titles and the National Land Titling Program in Panama**

225 Prior to the 1990s, formal private titles were infrequent in Panama; Of the 101,791
226 properties listed in the 1981 census, only 17% had formal titles (IDB, 2014). From 1996-
227 2011, Panama received loans from the World Bank and InterAmerican Development Bank
228 for a large land-titling program. The *Programa Nacional de Administración de Tierras*
229 (PRONAT) was formed for this purpose and dissolved at the end of its mandate, with titling
230 oversight passed to the larger National Land Administration Authority (ANATI). From
231 1999-2011, PRONAT surveyed 60% of the country, beginning in the NW region and
232 including the S and, to a lesser extent, the E regions after 2002. Although most unrestricted
233 lands were surveyed, 70% of parcels were not granted titles due to unspecified
234 discrepancies and boundary disputes (Recio, 2011). The data provided by PRONAT on the
235 74,376 titles that were formalized in that period as well as those that were not can provide
236 great insight into the effects of formal private titling.

237 **2.2. Data**

238 **2.2.1 Restricted zones (PAs and Comarcas)**

239 Protected area (PA) boundaries were provided by Panama's environmental ministry
240 (ANAM until 2014, now MiAMBIENTE) in 2011 in accompaniment to documentation on the
241 national system of protected areas (ANAM, 2006). Only protected areas established in or
242 before 2001 were considered in this analysis. Boundaries for indigenous Comarcas were
243 provided by Panama's census bureau in accompaniment to 2010 census data (INEC, 2011).

244 **2.2.2 Unrestricted zones (Private, Indigenous Territory and Other)**

245 Boundary data for private and state-managed property parcels were provided by
246 PRONAT in 2011. These data include title status for privately managed properties (formal
247 title issued prior to the PRONAT campaign, formal title issued during the PRONAT
248 campaign, and no formal title issued by the end of the campaign). Where PRONAT did not
249 issue a formal title, the status is marked as pending or in process, preventing distinction
250 between titles outright denied and those that may be granted later by ANATI. Information
251 on the precise year of titling is also missing for most of the titles granted. This dataset is
252 geographically incomplete and notably excludes parcels in and around the most urban
253 areas of Panama City and Colon. Most pertinent to this analysis, however, coverage of
254 parcels in forested areas is likely nearly complete for 2011 (PRONAT, Pers. Comm). In areas
255 surveyed by PRONAT, coverage is mostly wall-to-wall, delineating areas under government
256 jurisdiction as well as cooperative private management. Parcels managed by a private
257 owner or a private organization were included in the Private Title dataset, while all other
258 management arrangements outside of restricted zones were considered “Other”. This
259 category also includes all land not surveyed by PRONAT outside of restricted zones and
260 identified Indigenous Territory. These unsurveyed lands are mostly managed by
261 smallholders who do not possess a formal title but claim the land through traditional rights
262 of possession.

263 An Indigenous territory (IT) category was included to identify areas outside of
264 formal Comarcas but within territories managed by indigenous groups and under process
265 of legalization as either new Comarcas or Collective Territories. This variable is informed
266 by a map by Vergara-Asenjo and Potvin (2014) that was created to reflect the knowledge

267 and claims of indigenous authorities and is not necessarily in agreement with government
268 assessments.

269 ***2.2.3 Forest cover and change data***

270
271 Forest cover and change was estimated from a 35-year dataset of national forest
272 cover at 30m resolution based on Landsat imagery (Walker, 2021). Initial forest condition
273 in 1990 was determined from the 1987-1991 composite map that forms the base of the
274 time series, with mature forest defined as at least 80% canopy cover with trees at least 20
275 years old. This mature forest area was sampled with a random design stratified by region
276 and tenure type, resulting in two percent coverage of large categories and at least 5000
277 pixels for small categories. These 1990 forest sample pixels were then assigned a
278 dichotomous deforestation outcome based on whether they were ever observed as no or
279 low vegetation in the subsequent 30 years of time-series data. Methods to minimize the
280 effect of noise in the deforestation signal are discussed in detail in Walker 2020 and pixels
281 with signals flagged as low confidence were excluded from the sample.

282 ***2.2.4 Control variables***

283 Due to potential biases in application of zoning and tenure arrangements to areas
284 more or less likely to be deforested, factors influencing ease of deforestation and
285 attractiveness of other land uses need to be controlled for when estimating the effect of
286 such arrangements on forests. Based on observed biases in zoning repeated throughout the
287 literature (e.g. Joppa and Pfaff 2009), 14 cofounders were controlled for in matching
288 analyses of effect of PAs, Comarcas, and Private management in general (Table 1). These
289 include measures of local environmental conditions (forest type, climatic zone, elevation,
290 and elevation squared), measures of forest accessibility (distance to forest edge, distance to

291 any road, distance to water), measures of market access (distance to paved road, distance
292 to urban area, population density), and measures of agricultural suitability (slope, slope
293 squared, and distance to commercial agriculture in 1990).

294 Inclusion of environmental variables not only controls for the conditions themselves
295 but helps adjust for other unobserved variables that are spatially autocorrelated. Forest
296 type was extracted directly from the maps used for the forest-change analysis (Walker
297 2020) and was divided into two binary variables, mangrove and undisturbed, both
298 observed to have strong negative correlations with deforestation and likely high zoning
299 biases. Undisturbed pixels are defined as mature upland forest surrounded by eight forest
300 neighbors and with no observed past disturbance. Climatic zone is also a binary variable
301 and is based on a Köppen classification map provided by Empresa de Transmisión Eléctrica
302 (ETESA) Panama. While most of Panama has a tropical monsoon climate with a short,
303 distinct dry season, a large portion of the NW is wetter with almost no dry season, and a
304 large portion of the S and E is drier with a longer dry season. The Köppen climate variable
305 thus takes the form of Köppen_Wet for the NW and Köppen_Dry for the S and E regions.
306 Elevation provides an additional estimate of environmental condition and agricultural
307 suitability, although most effect occurs at extreme highs and lows, thus suggesting
308 importance of an elevation squared term. Likewise, slope constrains agriculture mostly at
309 the extreme levels and thus requires a square term. Elevation and slope were derived from
310 1-arc-second (approximately 30m) Shuttle Radar Topography Mission (SRTM) data
311 acquired from the USGS EROS archive.

312 Population variables were derived from data provided from the Panamanian census
313 bureau, both in published statistics (INEC, 1990; INEC, 2000; INEC, 2010) and GIS point

314 and polygon data. To create a smooth surface to represent population data at a similar
315 resolution as the other variables, rural populations were assigned to their corresponding
316 “populated place” points and then redistributed across space using a kernel decay radius of
317 one km, while urban populations were constrained within the boundaries of the urban
318 polygons provided by INEC. These urban polygons also served as the basis from which the
319 distance to urban center was derived. Road location and type was based on 2010 road
320 network data provided by the Smithsonian Tropical Institute GIS Lab (STRI, 2011).
321 Distance from roads reduces accessibility of forests to potential users but also reduces
322 demand for the land and thus likelihood of being granted protected status. Distance to
323 water, defined as navigable rivers and coasts, serves a similar role. Navigable rivers were
324 considered to be rivers large enough to be visible in the 30m resolution Landsat images
325 used to make the forest cover dataset and were digitized from such images. Two final
326 variables, distance to forest edge and distance to commercial agricultural, serve not only as
327 measures of accessibility but also controls for other unobserved variables related to forest
328 loss and agricultural suitability. Distance to the forest edge was derived from the same
329 1990 forest-cover map from which the sample was taken. Commercial agriculture was
330 derived from the 1992 Land use/Land cover map by Panama’s environmental ministry
331 (ANAM, 1992).

332 For analyses of the effect of formal titling on deforestation within private parcels,
333 factors expected to bias titling include geographic factors such as forest type and
334 accessibility, as well as socio-economic variables that influence a landholder’s incentives to
335 apply for a title and follow necessary protocol. The forest type variables mangrove and
336 undisturbed were included in the matching procedures for these, as mangroves are

Table1. Variable definitions		Units	Base source
Dependent variable			
Deforest	Deforestation detected from 1990-2020	0/1	Walker 2021
Treatment variables			
Restricted zone			
COMARCA	within an Indigenous Comarca	0/1	INEC 2010
PA	within a Protected Area established before 2001	0/1	ANAM 2010
Unrestricted zone			
PRIVATE	within private parcel boundaries from PRONAT	0/1	PRONAT 2011
PrePRONAT	title issued before PRONAT campaign (before 2000)		
PRONAT	title issued during PRONAT campaign (2000-2011)		
pending	parcel surveyed by PRONAT, but no title issued		
IT	Indigenous Territory outside of a Comarca	0/1	Vergara-Asenjo 2014
Other			
Covariates used in matching for zoning analyses			
MANGROVE	1990 forest type is mangrove	0/1	Walker 2021
UNDISTURBED	1990 forest type is undisturbed upland	0/1	Walker 2021
ELEV, ELEV ²	Elevation and Elevation squared	m	SRTM 2015
SLOPE, SLOPE ²	Slope and Slope squared	deg.	SRTM 2015
KOPPEN	Wetter (for NW) or Drier (for E & S) hydrological zone	0/1	ETESA 2007
URBANDist	Distance to urban area	km	INEC 2013
AGDIST	Distance to commercial agriculture in 1992	km	ANAM 1992
RDDIST_Pvd	Distance to a paved road	100m	STRI GIS 2011
RDDIST_All	Distance to any type of road	100m	STRI GIS 2011
PDEN1990	1990 population density, interpolated	pers/km ²	INEC 1990
WTRDIST	Distance to any navigable river or coastline	100m	
additional Covariates used in matching for titling analyses			
CowsPerCap	<i>Corregimiento</i> -(borough-)level cows per capita in 2010	cow/pers	INEC&MIDA 2011
PCNG9010	Population density change 1990-2010, interpolated	pers/km ²	INEC 1900 & 2010

337

338 generally protected regardless of zoning status and undisturbed forest suggests forest that

339 is both more difficult to clear and less likely to already be part of a managed system.

340 Distance from forest edge and distance from any road were included as accessibility factors

341 likely to affect agents' access during the titling process as well as general market

342 accessibility. Distance to urban area, distance to a paved road and distance to commercial

343 agriculture were also included as indicators of market access and agricultural suitability.

344 Population change and cattle densities were selected as indicators of demand for titled

345 land. Population change was based on interpolated 1990 and 2010 population datasets

346 from INEC and methods discussed above. Cattle densities were obtained from the 2010
347 agricultural census at the level of the *corregimiento* (borough) (INEC, 2011). A set of
348 district-level poverty indices were also tested but found to have an insignificant effect on
349 titling propensity beyond other included variables. Ideally, parcel-level data would be used
350 to control for socioeconomic factors; however, such detailed data are not available. Use of
351 neighborhood-level variables serve as a proxy and help control for other unobserved
352 variables that are spatially autocorrelated.

353 ***2.3 Propensity-score matching***

354 Treatment pixels were matched to statistically similar control pixels with the
355 MatchIt package in R (Ho et al., 2011) using one-to-one nearest neighbor matching and a
356 propensity-score caliper of 0.2 to exclude pixels with poor matching potential. Exact
357 matches on mangrove were required due to the very strong influence of mangrove in
358 predicting treatment. Given the relatively large sample size and number of covariates,
359 simple one-to-one propensity score matching with a tight caliper was found to provide
360 sufficient area of common support and adequately reduce bias among covariates with
361 minimal computational load. Balance was considered good if the standardized difference in
362 means between the treatment and control groups did not exceed 0.15 for any covariate and
363 0.1 for the majority. The average treatment effect on the treated (ATT), in this case the
364 difference between deforestation within and outside of treatment zones, was calculated
365 based on the matched pixels. Cluster-robust standard errors were estimated using the
366 Sandwich package in R (Zeileis 2004, Zeileis and Graham 2020). For a dually robust
367 estimation of treatment effect (Imbens and Wooldridge, 2009; Blackman and Viet, 2018), a
368 logistic regression model was fit to the matched dataset and the average marginal effect of

369 the treatment (AME) was estimated using the R margins package (Leeper, 2016). Hybrid
370 matched-trend analyses incorporating methods such as differences-in-differences can help
371 overcome bias due to omitted variables (e.g. Brandt et. al, 2015). However, due to the
372 hypothesized influence of anticipated titling on deforestation and thus possible conflation
373 of treatment-outcome during even the baseline period of this study, such methods are not
374 possible here. Instead, Rosenbaum bounds were used to test the sensitivity of results to
375 unobserved confounding factors (Rosenbaum 2002, Blackman & Viet, 2018).

376 ***2.4 Effect of land zoning and tenure on deforestation***

377 To estimate the effect of PAs on deforestation, I matched sampled forest pixels
378 within PAs to forest pixels outside of restricted zones (PAs and Comarcas) within each
379 region. Likewise, to estimate the effect of Comarcas on deforestation, I matched sampled
380 forest pixels within Comarcas to forest pixels outside of restricted zones within each
381 region. To estimate the effect of private management on deforestation, sampled forest
382 pixels within known private parcels with any titling status (PrePRONAT, PRONAT or
383 Pending) were matched to forest pixels outside of the private parcel boundaries in each
384 region. It is assumed that these registered parcels are all under private management
385 although many have not received a formal title. Indigenous Territories were assessed in the
386 same way, with simple inside/outside matching.

387 Private parcels were then disaggregated by title group to estimate the effect of the
388 titling process itself on deforestation. Forested pixels within the subset of parcels titled by
389 PRONAT were randomly sampled and matched to forested pixels in other unrestricted
390 zones within each region. Deforestation was also disaggregated by timestep, to allow for
391 consideration of different processes before and after titling. For insight into longer-term

392 post-titling deforestation rates, a similar matching analysis was conducted with the subset
393 of parcels titled prior to 2000.

394 ***2.5 Parcel-level analyses of afforestation and net forest-cover change in private lands***

395 To gain insight into parcel-level titling and forest-change processes in privately
396 managed land, an additional dataset was created with data aggregated at the parcel level.
397 The data from PRONAT were first cleaned to remove duplicate entries, registration errors
398 and overlaps. All parcels less than 1000m² (slightly larger than a single Landsat pixel) were
399 excluded from analysis to further reduce errors created by registration overlaps. This
400 resulted in the removal of many true parcels in urban areas, however, it is unlikely to have
401 much effect on parcels where forest-cover change occurs.

402 To analyze whether titling was biased toward deforested lands, or whether parcels
403 with less forest cover had a higher likelihood of receiving a title, parcels receiving a title
404 during the PRONAT campaign were compared with surveyed parcels that were not granted
405 a title as of 2011 using logistic regression models. To analyze forest-cover trends in titled
406 parcels over time, the PrePRONAT set of parcels receiving titles prior to 2000 was
407 compared to the pending parcels that were surveyed but not granted a title as of 2011. By
408 aggregating land cover data within the parcels, more nuanced patterns of net forest-cover
409 change could be examined, combining both deforestation and regrowth. Afforestation was
410 estimated as the percent gain in forest from 1990-2020, while net growth was estimated as
411 the percent gain in both forest and high vegetation. Neither distinguishes between
412 processes of natural regeneration and active planting of trees or forest plantations. For
413 parcel-level analyses, generalized mixed models were fit to control for district-level

414 variation within each region. All covariates in Table 1 were included as possible controlling
 415 factors in these analyses.

416

417 **Results**

418 ***3.1. Naïve (unmatched) deforestation rates in land zoning units***

419

420 Privately managed parcels lost 45% of their forest cover from 1990-2020, while
 421 indigenous territories in the process of formalization lost 17%, formal Indigenous
 422 Comarcas lost 11%, and PAs lost 6% (Table 2). Based on naïve case-control assessment of
 423 deforestation, both PAs and Comarcas seem to be very effective in reducing deforestation
 424 in Panama and private management appears to contribute to accelerated deforestation.

425 While overall deforestation rates are lower in PAs than in Comarcas, this may be
 426 driven by a few very large and remote PAs. When data are examined at the level of the
 427 individual PA or Comarca, the average deforestation rate for Comarcas is slightly lower
 428 than for PAs (Fig 2). Unit-level aggregation also reveals that while most PAs have low
 429 deforestation rates, high forest loss has occurred in some PAs.

430

431

Table 2 Panama forest cover and deforestation by tenure type and region

Tenure	% of 1990 Forest				Deforested 1990-2020			
	All	NW	E	S	All	NW	E	S
All Restricted	70%	24%	43%	3%	7%	10%	5%	2%
PA only	21%	8%	10%	3%	6%	8%	6%	2%
+ Comarca	13%	3%	10%	na	6%	11%	4%	na
+ other IT	15%	5%	10%	na	3%	3%	3%	na
Comarca only	20%	8%	12%	na	11%	16%	7%	na
All Unrestricted	30%	14%	14%	2%	27%	23%	33%	14%
Private*	8%	3%	4%	1%	45%	38%	62%	17%
IT (outside PA)	3%	1%	2%	na	17%	19%	17%	na
Other*	19%	11%	8%	0%	21%	23%	24%	7%
All	100%	38%	57%	5%	13%	15%	12%	7%

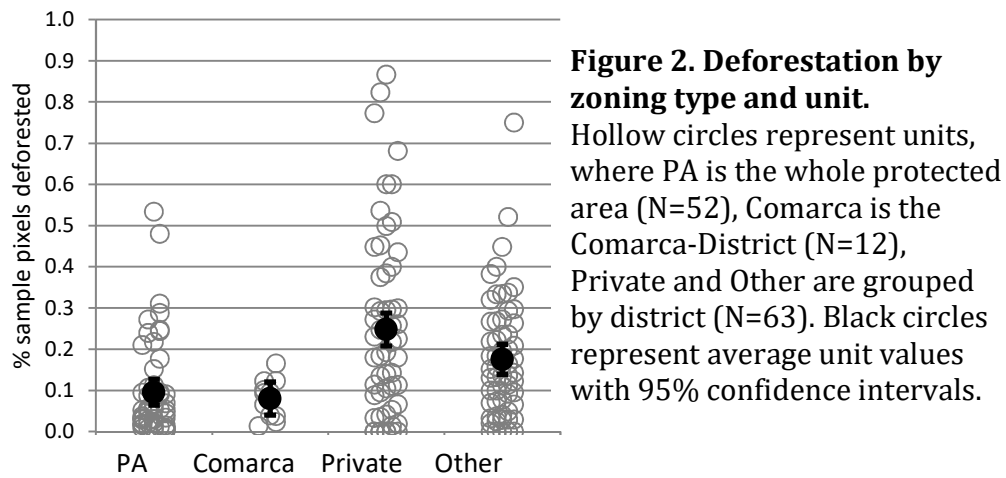
* Private parcels missing from the data given by PRONAT are mixed in with Other

441

442

443

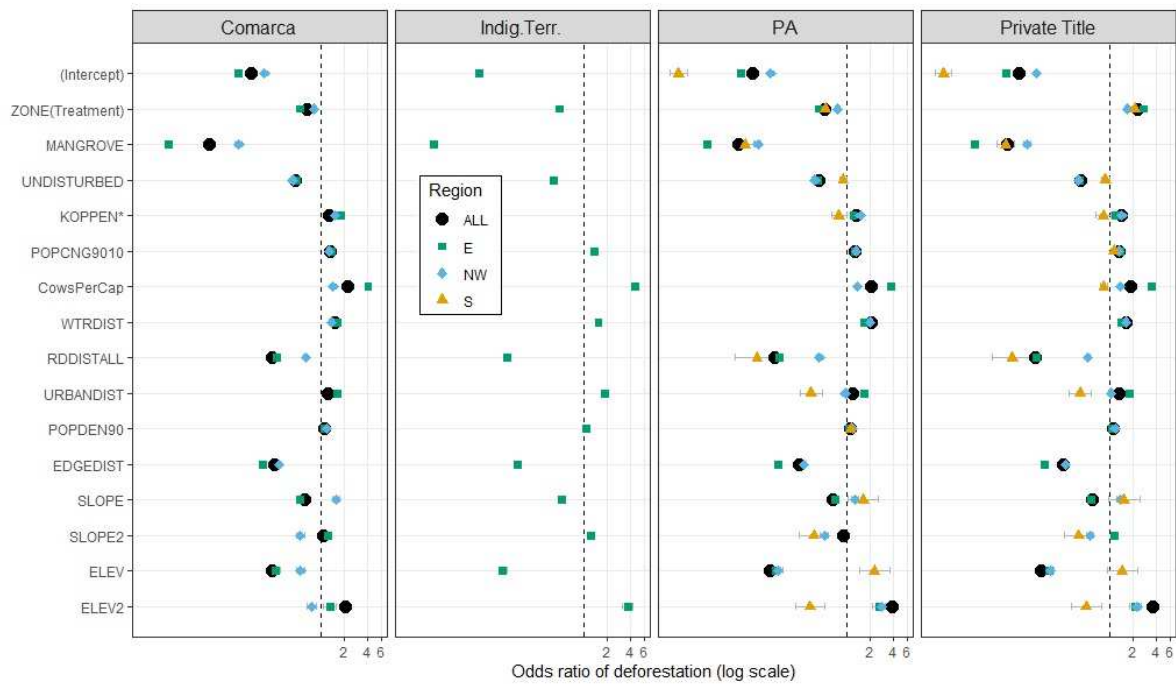
444



445

446 3.2. Drivers of deforestation

447 While tenure zoning and deforestation correlate strongly in all models, other
448 variables have stronger correlations. When all covariates are set to a standardized scale
449 with a mean of zero and a standard deviation of 0.5, the variables that emerge as the
450 strongest predictors of deforestation are mangrove, distance from any road and distance
451 from the forest edge, all with strong negative relationships with deforestation (Fig 3).
452 Elevation is also a strong predictor of deforestation in the NW and E regions, with pixels at
453 higher elevations less likely to be deforested. In the S region, pixels at higher elevations
454 were more likely to be deforested, although this effect is weak, likely due to the low
455 variation in elevation in the region. Other covariates including slope, 1990 population
456 density, distance from agriculture, Köppen climatic zone, and distance from a paved road
457 have significant but weak effects in most models. The relationship these covariates share
458 with deforestation, coupled with their expected effects on zoning and titling decisions
459 discussed in section 2.2.4, demonstrates the need for matching analysis in assessing the
460 effect of zoning and titling on deforestation.



462
463

Figure 3. Effect of tenure zoning and covariates on 1990-2020 deforestation overall and by region. All variables are standardized to have a mean of zero and sd of 0.5, with dichotomous variables centered. All Zone (treatment) estimates are significantly different than no treatment at $p < .0001$

468

3.3. Biases in land zoning by tenure type

470

Naïve case-control figures ignore the possibility that factors that affect

471

deforestation pressure may also affect zoning decisions. Such biases are evident upon

472

inspection of the propensity of tenure assignment based on confounding variables (Fig. 4).

473

A pixel is much more likely to be within a Comarca if it is farther from a road, an urban

474

center, or the forest edge, especially in the E region. In the NW region, pixels at higher

475

elevations, with steeper slopes and with wetter climates are also more likely to be within a

476

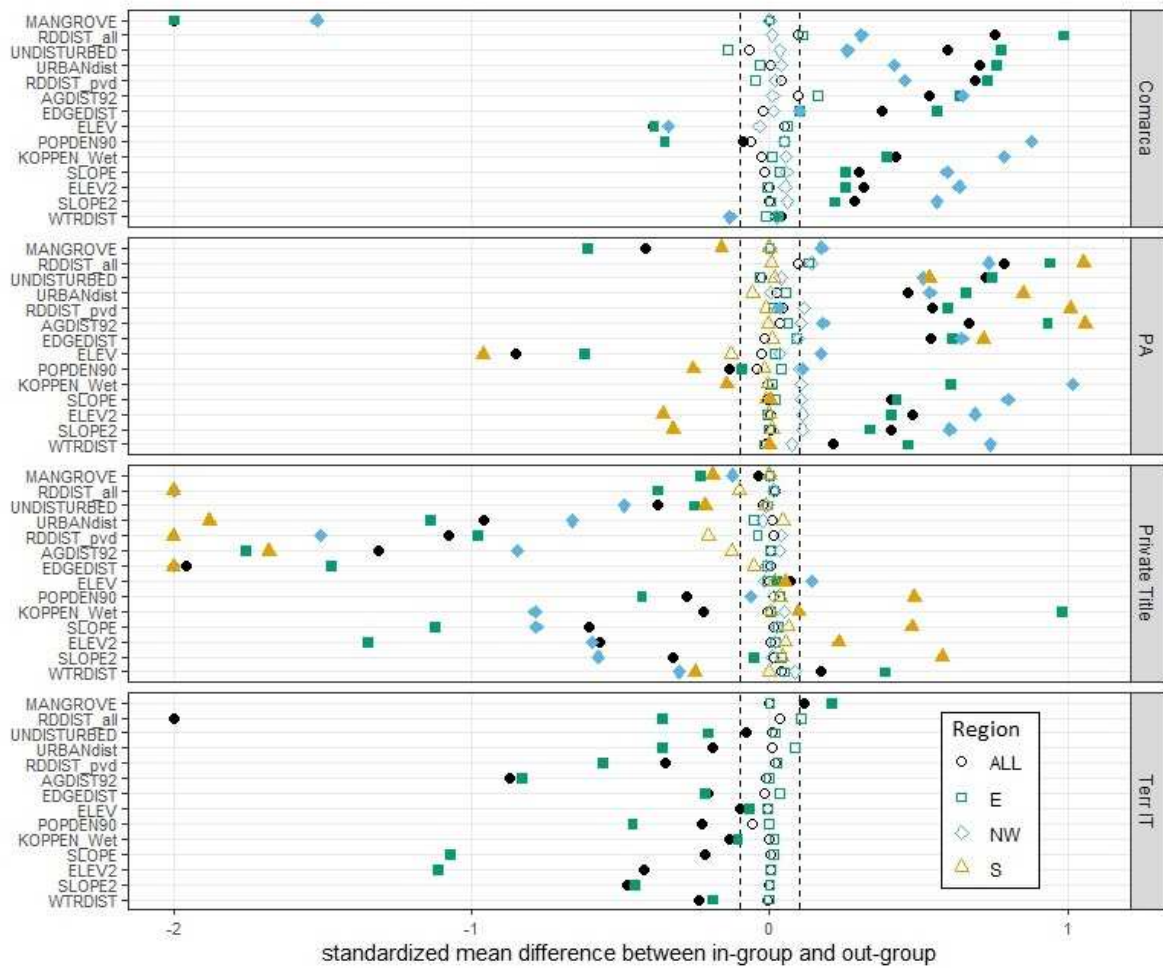
Comarca. The same general biases apply to PAs, although pixels farthest from roads and

477

from the forest edge are more likely to be within PAs than Comarcas in the NW region. In

478

the S region, where there are no Comarcas, pixels farther from a road, commercial



479

480 **Figure 4. Covariate influence in propensity of zoning assignment for forest pixels**
 481 Before matching (filled) and after (hollow)

482

483 agriculture, or an urban center are much more likely to be within a PA. The opposite biases

484 occur for private parcels in all regions. All noted biases were substantially reduced in the

485 matching procedure, with the standardized mean difference between treatment and

486 control below 0.1 for most covariates and below 0.15 for all covariates.

487

488 **3.4. Effect of land zoning on deforestation**

489 **3.4.1. Average treatment effect on the treated (ATT) from matched samples**

490 Based on the average effect of the treatment on the treated (ATT) calculated for the
 491 matched samples (Table 3), PAs reduced deforestation by 10.2% nationwide compared to
 492 unrestricted zones, with a greater effect of 10.4% in the E region and lesser effect of 3.9%
 493 and 3.0% reduction in the NW and S regions, respectively. Comarcas had a similar effect on
 494 deforestation rates nationwide, with 8.0 % reduction overall compared to unrestricted
 495 zones. However, this effect was much stronger in the E region than in the NW region. Pixels
 496 under private management had deforestation rates 15.6% higher than other zoning
 497 nationwide. This effect was much stronger in the E region, with 24.6% greater forest loss,
 498 and weaker in the S region, with only 6.2% greater forest loss compared to other zones.

Table 3: Effect of tenure type on 1990-2020 deforestation in Panama, nationwide and by region, based on three estimation models:
 rawDM is difference of the means of the naïve (unmatched) data. ATT is Average Treatment effect on the Treated for matched data. AME is Average Marginal
 Effect of treatment based on a logistic regression model estimated post-matching. Numbers in parentheses are 95% Confidence Intervals.

method	Panama (ALL)		E		NW		S		
	percentage point change	forest effect (km2)	percentage point change	forest effect (km2)	percentage point change	forest effect (km2)	percentage point change	forest effect (km2)	
PA	rawDM	-22.0	3902	-39.0	3116	-16.0	934	-12.0	137
	ATT	-10.2 (-10.6,-9.8)	1809	-10.4 (-10.9,-10.0)	1117	-3.9 (-4.4,-3.3)	228	-3.0 (-4.0,-2.0)	34
	AME	-9.7 (-10.2,-9.2)	1720	9.3 (-9.7,-8.8)	999	-3.7 (-4.3,-3.2)	216	-3.6 (-4.6,-2.7)	41
COMARCA	rawDM	-18.0	1255	-27.0	941	-8.0	82		
	ATT	-8.0 (-8.4,-7.7)	558	-18.3 (-18.9,-17.8)	638	-2.7 (-2.3,-3.1)	28		
	AME	-7.3 (-7.6,-6.9)	509	-14.0 (-15.5,-14.)	488	-2.6 (-3.1,-2.0)	27		
other	raw DM	-11.0	101	-19.0	131				
Indig. Terr.	ATT	-11.7 (-12.6,-10.8)	107	-17.6 (-18.7,-16.5)	121				
	AME	-9.7 (-10.6,-8.9)	89	-14.6 (-14.5,-13.5)	100				
Private	raw DM	32.0	-3650	55.0	-2658	24.0	-1252	14.0	-817
	ATT	15.6 (15.2,16.2)	-1780	24.6 (24.8,26.5)	-1189	8.9 (7.9,9.8)	-464	6.2 (5.7,8.1)	-362
	AME	15.3 (15.8,15.7)	-1745	24.1 (23.4,24.8)	-1165	9.1 (8.3,10.0)	-475	5.9 (5.2,7.6)	-344

All estimates are significant $p < .0001$.

499
 500 [editable table included as separate file]

501

502 3.4.2. Average marginal effects (AME) from post-matched models

503 The double-robust method of fitting logistic regression models to the matched data
 504 produced slightly lower but similar effect estimates for all treatments (Fig 4). The average
 505 marginal effect on 1990-2020 deforestation is -9.7% for PAs and -7.3% for Comarcas
 506 nationwide. Based on this most conservative estimate, PAs and Comarcas have contributed

507 to the avoided deforestation of 1720 km² and 509 km² of mature forest from 1990-2020,
 508 respectively. Most of this conserved forest occurs in the E region, as this region had both
 509 the most mature forest and the most deforestation pressure during the study period. In this
 510 region, Indigenous Territories outside of Comarcas have as strong an effect as PAs on
 511 protecting forest cover per area of forest due to their co-occurrence with covariates
 512 associated with high deforestation pressure. In contrast to the protective nature of PAs and
 513 Indigenous lands, Private management has contributed to the deforestation of an estimated
 514 1745 km² of mature forest nationwide.

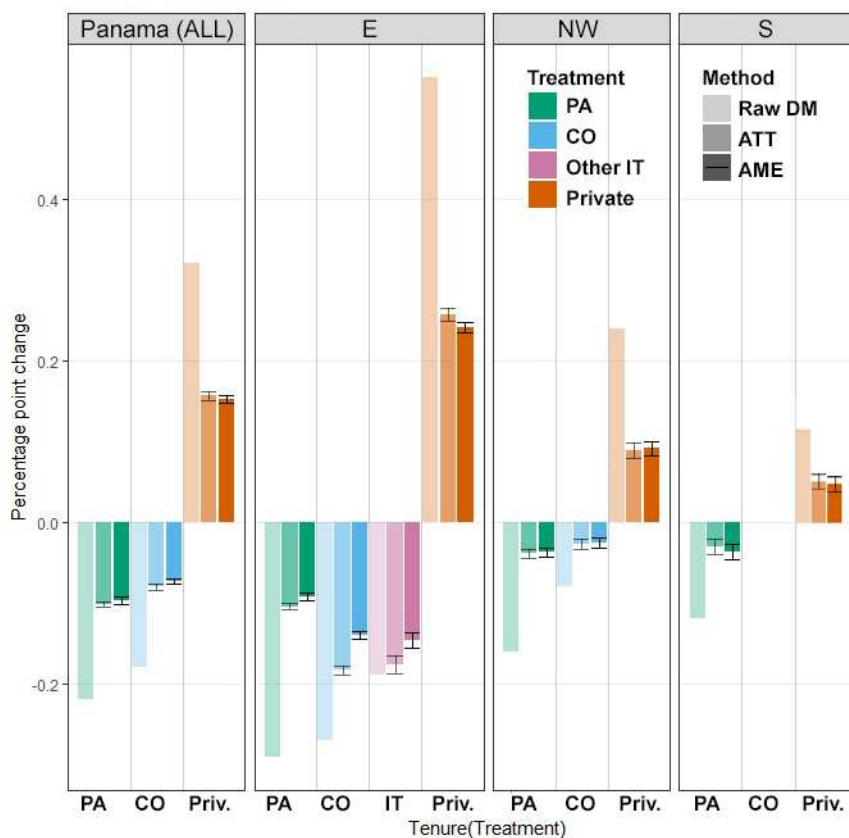


Figure 5. Effect of tenure zoning on 1990-2020 deforestation with three estimation methods

515

516

517

518 **3.5. Titling of privately managed parcels**

519

520 **3.5.1 Titling trends and factors affecting likelihood of receiving a title**

521 For the 167038 private parcels >1000m² in the PRONAT dataset, average parcel size
522 is 10.7 ha and median size is 2.3 ha. Of the 165176 parcels for which title status is clear,
523 18% were titled before 2000, 28% were titled during the PRONAT campaign, and 54%
524 were still in process (not granted) when the campaign ended in 2011. Although some large
525 urban areas were excluded from the dataset and small parcels <1000m² were removed, a
526 large percentage of the parcels still occur in urban and suburban areas. Only 26% of parcels
527 had any mature forest in 1990 (Table 4). Half as many parcels granted titles by PRONAT
528 had mature forest in 1990 compared to parcels surveyed but not granted titles, suggesting
529 a titling bias towards lands with less forest cover. This does not apply to the S region,
530 however, where parcels with titles granted under PRONAT had more forest and less low
531 vegetation than parcels not granted titles. Regression models confirm that the percent of
532 the parcel covered by mature forest in 1990 and 2000 significantly decrease odds of
533 receiving a title in the E and NW regions. Parcel area and distance from a paved road also
534 decrease odds of a parcel receiving a title, while population density and the number of
535 cows per capita in the area increases odds of receiving a title (p < .001 for all variables
536 mentioned, models provided in A.1 – A.3).

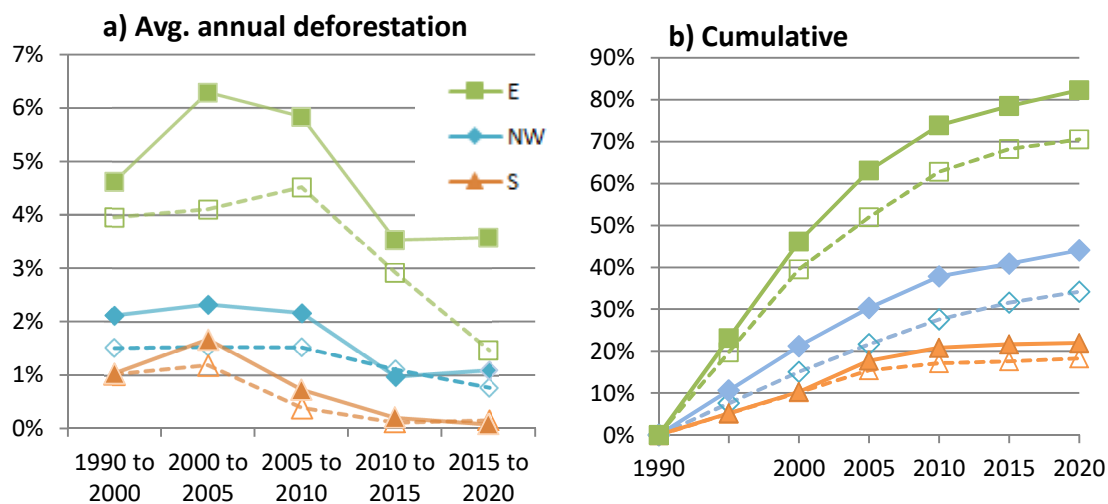
Table 4. Private parcels >1000m² in PRONAT dataset by title status and region

	# parcels >1000m ² in dataset				% of parcels with forest in 1990			
	All	E	NW	S	All	E	NW	S
titled prior to 2000	29073	3149	7700	18224	19%	28%	44%	6%
titled by PRONAT	46438	286	21520	24632	17%	46%	23%	11%
title not yet granted	89665	14061	52197	23407	34%	57%	37%	11%
ALL	165176	17496	81417	66263	26%	52%	34%	10%

537 **3.5.2 Effect of titling on immediate deforestation**

538 While the data on percent forest cover in parcels granted titles versus those with
539 titles still pending suggest a bias toward granting titles to parcels with less forest, they do

540 not on their own inform whether titling influences deforestation because they do not reveal
 541 the timing of the loss of forest. It is plausible that parcels settled and deforested long ago
 542 would be more eligible for titling due to longer occupancy, for example. However,
 543 comparison of deforestation rates of forested pixels in titled parcels with those in matched
 544 pixels in other unrestricted zones suggests that titling does elevate deforestation. In all
 545 regions, forest pixels in parcels titled during the PRONAT campaign had significantly higher
 546 1990-2020 deforestation compared to matched pixels. Annual deforestation rates within
 547 parcels titled by PRONAT were significantly higher than outside in the period prior to
 548 titling (1990-2000) and peaked during the titling campaign (2000-2010), before falling to
 549 similar rates as outside following titling (Fig 6). Total average marginal effect of PRONAT
 550 titling on deforestation for 1990-2020, estimated with the doubly-robust propensity-score
 551 matching and regression models was $3.5\pm 3\%$ in the NW region, $9.1\pm 5\%$ in the S region, and
 552 $9.2\pm 9\%$ in the E region (Fig 7). The low confidence in the estimates for the E region is the
 553 result of low sample size caused by few titles issued by PRONAT in this region and lack of
 554 suitable data for matching.

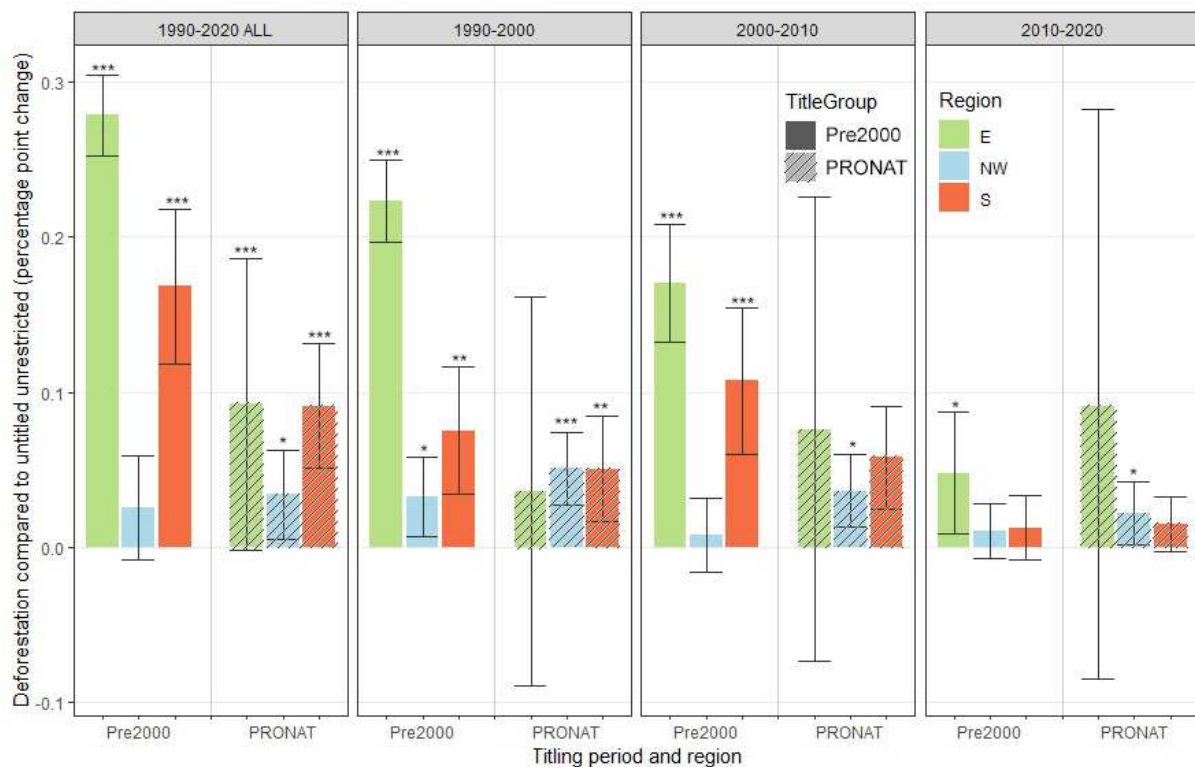


556 **Figure 6: Deforestation of 1990 mature forests within parcels titled by PRONAT**
 557 **compared to other matched unprotected lands.** Solid lines and markers represent pixels
 558 within parcels titled by PRONAT 2000-2010. Dashed lines and hollow markers represent matched
 559 pixels in other unprotected lands.

560

561 **3.5.3 Effect of titling on longer-term deforestation and regrowth**

562 To assess whether titling impacts deforestation over the longer term, titling prior to 2000
 563 was used as the treatment in a similar analysis as with the PRONAT campaign. The average
 564 year of titling for these parcels was 1989 with a median of 1993. In all regions, parcels with
 565 titles issued prior to 2000 have higher deforestation compared to matched unrestricted
 566 lands (Fig 7), although the trend in the NW region is not significant after 2000. Total
 567 average marginal effect of titling on deforestation for 1990-2020 for titles issued prior to
 568 2000 is $28\pm 3\%$ in the E region, $17\pm 5\%$ in the S region, and $3\pm 3\%$ in the NW region.



569

570 **Figure 7: Average Marginal Effect (AME) of titling on deforestation from 1990-2020**
 571 disaggregated by time step, title period and region. Marginal effects are statistically
 572 different for titled parcels compared to matched pixels in unrestricted lands at $*p < .05$
 573 $**p < .01$ $***p < .001$.

574

575 While deforestation was accelerated in titles across all regions, regional distinctions
576 become clear when net forest-cover change is examined instead of raw deforestation. In
577 private parcels with some forest cover in 1990, net forest cover decreased by an average of
578 24.3% in the E region and 5.9% in the NW region, but increased by an average of 2.8% in
579 the S region (Table 5). This difference can be explained by initial forest-cover conditions;
580 forested private parcels were covered by an average of 48% forest in 1990 in the E region
581 and 35% in the NW region but only 16% in the S region. In private parcels with no forest in
582 1990, afforestation rates were actually lowest in the S region (Table 5), but because far
583 more parcels in the S region lacked forest in 1990 (Table 4), and average 1990 forest cover
584 for all private parcels >1000m² was 1.5% in the S compared to 25% in the E and 12% in the
585 NW, this relatively low rate of regrowth results in a perceivable trend of growth in the
586 region (Walker, 2020; Wright and Samaniego, 2008).

587 To examine whether titling affects forest growth, either as forest plantations or
588 regeneration, parcels without forest titled prior to 2000 were compared to those not yet
589 titled as of 2011. In all regions, parcels with secure titles had significantly lower 1990-2020
590 growth of both forest and high vegetation than those with titles still in process in 2011,
591 even when controlling for confounding variables such as parcel size as well as
592 district-level variance (Table 5, full models in Appendix (A.4 to A.9)). The relationship
593 between titling and regrowth is best explained in the form of a zero-inflated model, where
594 untitled parcels have significantly higher odds of remaining completely deforested
595 compared to titled parcels, but have a significantly greater extent of regrowth if any

596 regrowth occurs. This suggests that private parcels are rarely completely abandoned once
 597 titled, yet they may be cleared and later abandoned if no title is secured.

598

Table 5: 1990-2020 Forest-Cover Change in private parcels >1000m² (average % parcel)

Title status	Parcels with forest in 1990			Parcels with no forest in 1990					
	Net forest cover change			Afforestation			Net growth ^a		
	E	NW	S	E	NW	S	E	NW	S
Titled prior to 2000	-24.1	-3.6	2.3	1.6*	1.4*	0.4*	0.3*	3.7*	1.6*
Titled by PRONAT (2000-2011)	-24.6	-6.3	2.6	1.3	2.3	1.0	3.8	4.7	3.1
Title still in process as of 2011	-24.8	-6.1	3.5	4.6*	4.5*	0.8*	4.7*	7.8*	2.6*
ALL	-24.3	-5.9	2.8	3.7	3.5	0.8	3.4	6.5	2.5

* difference between parcels with titles and still in process is significant at $p < .01$

^a Net change in high vegetation and forest combined

599

600 4 Discussion and Conclusions

601 4.1 Modelling limitations

602 This study is underpinned by a relatively robust 35-year vegetation-cover change
 603 dataset targeted specifically for Panama. While errors in this dataset are comparatively
 604 well assessed and documented for a forest-cover change analysis of this nature (Walker
 605 2020), errors do still exist. Errors in missed and false deforestation are assumed to be
 606 distributed randomly across zoning and titling units, although this may be untrue
 607 especially in the case of deciduous trees, which are more dominant in agricultural areas.

608 This bias, coupled with the fact that the 1990 base map only has five years of prior
 609 Landsat imagery to inform it, likely results in some activity related to re-clearing of
 610 fallow areas and planted trees being recorded as deforestation. Accounting for
 611 undisturbed forest and distance from forest edge in the matching analysis helps
 612 distribute any such bias evenly across the treatment units. For the titling analyses in

613 particular, ground-based assessment of parcels and-or sample pixels would be useful to
614 determine whether any bias remains.

615 Socioeconomic variables at the parcel level would also provide for a much stronger
616 assessment of titling effect. Propensity-score matching was used to help reduce biases
617 between lands more likely to receive titles, however the assumption of
618 unconfoundness, or that all factors affecting the treatment that may also affect the
619 outcome are observed and controlled for, may not be fully satisfied in this case. While
620 socioeconomic factors were controlled for at the local level through variables known to
621 correlate with poverty (Wright and Samaniego, 2008), individuals within these areas
622 may still differ systematically. Poorer land users may be less likely to seek a title, for
623 example because of tax expectations that may come with it, and less likely to receive a
624 title because they have a harder time providing evidence for their presence on the land.
625 The significant differences observed in deforestation rates between titled and untitled
626 parcels were found to be fairly robust to unobserved covariates, with Rosenbaum
627 gamma coefficients around two, indicating that a variable would need to double the
628 odds of treatment for differences to be rendered insignificant. Nonetheless, it is possible
629 that individual socioeconomic circumstances could affect titling odds in such a way.
630 The question remains whether those less likely to request or receive a title due to
631 socioeconomic conditions are also less likely to deforest land regardless of titling status.
632 The theoretical and geographic framework provided here could be strengthened with
633 groundwork including parcel visits and interviews with titleholders/seekers.

634
635 **4.2 Main policy findings**
636

637 ***4.2.1 PAs and Indigenous Comarcas reduce deforestation***

638

639 This analysis supports the findings of others that restricted zones reduce deforestation in
640 Panama, with PAs and Comarcas having the strongest and second-strongest effect,
641 respectively, on avoided deforestation in all regions. While forests in lands designated as
642 PAs or Comarcas have lower deforestation at the aggregate level, they are not a panacea in
643 and of themselves. High levels of deforestation have occurred in a small percentage of PAs
644 and in some locations within Comarcas, particularly within Ngäbe-Buglé in the NW region.
645 While indigenous people are certainly responsible for some deforestation within these
646 areas (Smith et al., 2017), they have also defended their forests from invasions by mining
647 companies and developers (Jordan, 2018; Cansari and Gausset, 2013) and lost a large
648 swath to a government-sponsored hydroelectric project (Velásquez Runk, 2012; Jordan
649 2018).

650 The role indigenous populations and environmental activists play in defending
651 forests against large-scale land invasions and development projects can be obscured by
652 analyses such as the one presented here. To estimate the effect of a policy without
653 observing what would have occurred without the policy, variables that bias policy
654 implementation, such as proximity to roads, must be controlled for. If PAs are established
655 mostly in areas far from roads, they will naturally have lower deforestation pressure and
656 thus less deforestation. After controlling for such variables in an econometric analysis,
657 Nelson et al., (2001) concludes that PAs such as Darien National Park in the E region of
658 Panama have made little difference in deforestation compared to what would have
659 happened in their absence. While the data presented here suggest differently, even with the
660 most conservative model, it is difficult to provide a precise effect estimate due to difficulty

661 in separating accessibility variables from the treatment over the long term. For example,
662 while a PA is more likely to be established in an area farther from roads, later roads are less
663 likely to be built in a PA. Darien National Park is a clear example of this inseparability,
664 where conservation activists have, to date, effectively blocked the completion of the
665 Transamerica highway through the Darien in the name of the PA (Miller, 2014). Comarcas
666 present a similar difficulty with treatment bias and effect over the long term, as roads and
667 other development projects are often actively resisted by their populations (Cansari and
668 Gausset, 2013; Savener, 2013). For these reasons, I provide three estimates of effect for
669 each treatment. The actual effect of PA and Comarca on deforestation likely lies somewhere
670 between the naïve case-control estimates and the most conservative AME estimates.
671 Regardless of the conservativeness of the model, the results show a clear beneficiary effect
672 of PAs and Comarcas on forest cover across Panama.

673 ***4.2.2 Indigenous territories reduce deforestation despite insecure tenure***

674
675 Lands under customary management by indigenous groups but not yet formally
676 titled or designated as a Comarca have higher deforestation rates relative to restricted
677 zones. These lands, however, are also in areas with higher deforestation pressure due to
678 proximity to roads and urban centers. When accessibility variables are controlled for in the
679 E region, land outside of Comarcas and PAs under indigenous management have
680 deforestation rates as low or lower than PAs. Effect could not be evaluated in the NW
681 region due to deficiency of data for matching. Nonetheless, this result supports that
682 reported by Vergara-Asenjo and Potvin (2014) who found around 7% reduced
683 deforestation in all indigenous territories from 1992-2008 using different mapping
684 methods. This strong reduction in deforestation is especially notable in that it occurs

685 despite vulnerability of these territories to invasions and deforestation caused by outsiders
686 (Vergara-Asenjo, 2017; Holmes et al., 2017).

687 **4.2.3 High deforestation in private parcels is likely increased with titling**

688 Land titling is viewed as an effective tool to reduce poverty, as evidenced by
689 Panama’s pledge for 100% of its adult population to have secure tenure through a private
690 or collective title by 2030 to meet the sustainable development goals (CCND, 2017). For
691 land titling to have the full intended effect of reducing poverty, however, care needs to be
692 taken to prevent deforestation and environmental degradation that would
693 disproportionately affect the same land dwellers (Rasmussen et al., 2017; Wali, 1993,
694 Heckadon Moreno 1985; IDIAP, 2010). The analysis of effect of titling on deforestation
695 presented here reveals the threat that granting private titles poses to remaining forests
696 across Panama. The observed bias in issuing titles to parcels with less forest, along with the
697 higher deforestation observed in titled parcels during the titling process, supports the
698 observation of many that the act of deforestation is itself an investment in more secure
699 rights (Arnot et al., 2011; Heckadon Moreno, 2009; Wali, 1993; Peterson St.-Laurent et al.,
700 2013; Velazquez Runk, 2017) as elsewhere in Latin America (Ankersen and Ruppert,
701 2006). Despite an extensive note of this historical tendency of the agrarian code to
702 encourage deforestation in the process of formalizing tenure, the loan proposal for the
703 large-scale titling PRONAT project concluded with the expectation that the project would
704 “not result in significant or foreseeable adverse environmental impact” (IDB, 2002). This
705 analysis highlights such adverse environmental impact so it may be foreseen in future
706 projects.

707 **4.3 Perverse incentives of reforestation**

709 As a signatory to the New York declaration of forests, Panama's government has
710 professed commitment to halving natural deforestation by 2020 and ending it by 2030.
711 REDD+ preparations have also been ongoing since 2009 (UN-REDD, 2016). However,
712 rather than modify laws and institutions to better promote sustainable use of existing
713 forests, the general environmental strategy in Panama is trending towards reforestation
714 efforts, such as the pledge of the Alliance for Reforesting One Million Hectares to restore
715 13% of Panama's land area by 2030 as part of the global Bonn Challenge (FCPF, 2017;
716 Miambiente, 2019). Such efforts can help explain the regeneration in the S region of
717 Panama and fit within a larger context of forest transitions across Latin America, where
718 landholders allow tree cover to expand on their lands if they receive economic benefits for
719 doing so (Rudel et al., 2016; Kaimowicz, 1996) or simply no longer benefit from agriculture.

720 For a forest transition via reforestation or regrowth to be beneficial, however,
721 mature natural forest must already be depleted. This is true in the S region, but not in the
722 other regions of Panama. In areas with remaining natural forest, a paradox occurs when
723 economic benefits of forests to landholders are more heavily associated with reforestation
724 than with conservation. The case presented here is similar to that in Nicaragua (Liscow,
725 2013), where titled land has higher deforestation rates, but also greater extent of planted
726 forest. Speculative deforestation occurs as a cost of creating better markets for land and
727 tree planting without creating markets for the positive externalities provided by mature
728 forests. The perverse incentives of land titling and reforestation projects echo current
729 debate of zero net deforestation policies that allow for reforestation to offset deforestation
730 (Garrett et al., 2019) as well as early critiques the Clean Development Mechanism

731 providing disproportionate value to international afforestation and reforestation projects
732 compared to protection of intact forests (Murray, 2000; Nieston et al., 2002).

733 A system that encourages deforestation and promises rewards for subsequent
734 reforestation is not only inefficient but detrimental to biodiversity (Gibson et al., 2011) and
735 climate change initiatives (Watson et al., 2018) and can have negative consequences on
736 livelihoods (Uriarte and Chazdon, 2016; Lazos-Chavero et al., 2016). Restoring forests does
737 not offset deforestation, particularly of primary forests, because it takes over a decade
738 (Griscom and Ashton, 2011) to even a century (NYDF Assessment Partners 2019; Bechara
739 et al., 2016) to recover lost ecosystem function and services. Passive regeneration often
740 never recovers original forest diversity (Griscom and Ashton, 2011), while monoculture
741 forest plantations offer neither the biodiversity nor the ecosystem services of natural
742 forests (Hooper, 2008; Hall et al., 2011; Meyfroidt and Lambin, 2011). Even the most
743 ardent advocates for forest regeneration in Latin America acknowledge that curbing
744 deforestation of existing tropical forests yields the most benefits to the carbon budget and
745 that regeneration projects must be supplementary to such efforts (Chazdon et al., 2016).

746 ***4.4 Path forward: coherent landscape approach***

747 Despite declaring a new era of forestry policy focused on integrating forests in
748 sustainable economic development (World Bank, 2004; Chomitz, 2007), the World Bank
749 continues to advocate that “due to their complexity, land projects are best handled as
750 stand-alone operations rather than as part of multi-sectoral operations” (IEG, 2016).
751 Tendencies toward tackling tenure and titling lands before addressing environmental
752 issues on those lands may seem practical but can further unsustainable forces (Bastos Lima
753 et al., 2017), as seen here in the case of Panama. To meet ecological, economic and

754 livelihood goals, multilateral and national institutions need to commit to coherent policies
755 that acknowledge the interdependence of these goals (Ribot et al., 2006; IPBES, 2019) as
756 well as heterogeneity of the landscape (Sayer et al., 2013). Such tailored management
757 requires institutional coordination that may take many years to develop but can provide
758 promising results over the long term in Latin America (Estrada-Carmona et al., 2014). In
759 the absence of such coordination, private titling fuels the already powerful and
760 fundamental forces of business-as-usual neoliberalism, which commoditize and exploit
761 forests to the primary benefit of wealthy elites (Alston et al., 1996; Fairhead et al., 2012).

762 Panama's strong network of PAs and ongoing work on Indigenous lands provides a
763 foundational sketch that can be refined for robust management of its forests. In the
764 agricultural mosaics between PAs and Comarcas, there is opportunity to address
765 development issues while simultaneously conserving and connecting forests if strategies
766 are tailored to the landscape as well as socio-political context (Chomitz et al., 2006;
767 Agrawal et al. 2014). This work highlights the need to disaggregate national strategies by
768 forest transition zone and history to avoid creating stronger markets for reforestation than
769 conservation where native forests exist. In the S. region of Panama that has been largely
770 deforested historically, a "restore" pathway focused on efforts to help farmers enhance live
771 fences, riparian corridors, and other strategic tree cover on their lands might be most
772 effective (Garen et al., 2011; Garen et al., 2009; Metzel and Montagnini, 2014). In the
773 frontier and forested regions, however, there is still great need for incentive-based policies
774 such as REDD+ to encourage tree conservation on private lands. Although the effect of
775 titling by PRONAT could not be fully analyzed in the E province due to the campaign's

776 inability to issue the targeted number of titles, trends from past titling in the region show
777 the drastic impact that private titling can have on forests frontier zones.

778 Market opportunities for incentive-based forest conservation mechanisms may exist
779 (Duke et al., 2014, Coomes et al., 2008), yet more contemplation is needed regarding the
780 often-required prerequisite of clear and irreversible land tenure (UN-REDD, 2017; Mateo-
781 Vega et al., 2018; Wunder, 2013). This work highlights a paradox for private titles and
782 forest conservation where titling land as a necessary condition for participation in forest
783 conservation programs may result in loss of forest cover at least in the period before the
784 conservation programs come into play.

785

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794

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