



Forest Cover

Issue no.46, October 2014

About Forest Cover

Welcome to the forty-sixth issue of Forest Cover, newsletter of the Global Forest Coalition (GFC). GFC is a world-wide coalition of non-governmental organizations (NGOs) and Indigenous Peoples Organizations (IPOs). GFC promotes rights-based, socially just and effective forest policies at the international and national levels, including through building capacity of NGOs and IPOs in all regions to influence global forest policy.

Forest Cover is published four times a year. It features reports on important inter-governmental meetings by different NGOs and IPOs and a calendar of future meetings. The views expressed in this newsletter do not necessarily reflect the views of the Global Forest Coalition, its donors or the editors.

For free subscriptions, please contact Isis Alvarez at:
isis.alvarez@globalforestcoalition.org

Donate to GFC:
http://www.globalforestcoalition.org/?page_id=70

Follow GFC on Facebook:
<http://www.facebook.com/pages/Global-Forest-Coalition/313049337000> and Twitter:
<http://twitter.com/#!/gfc123>

CONTENTS OF THIS ISSUE

	Page
ExSilvis: Galvanising Action in Support of SIDS? <i>Fiu Mata'ese Elisara, Director of Ole Siosiomaga Society (OLSSI), Samoa</i>	2
COFO still Confusing Forests with Lumber <i>Miguel Lovera, Espacio Orgánico, Paraguay</i>	3
Twenty Years of the FSC: Remarks from 2014 General Assembly <i>Anatoly Lebedev, Bureau for Regional Outreach Campaigns, Russia</i>	4
Progress in the CBD—or not? <i>Nele Marien, CBD Alliance, Bolivia</i>	6
The Outcome of the Open Working Groups on SDGs: Ecosystems & Biodiversity <i>Isis Alvarez, Global Forest Coalition, Colombia</i>	7
Summits in New York: Fine Words on IP's Rights and Climate Change but Questions Remain <i>Kanyinke Sena, Doctorate of Law Student at the University of Arizona, Kenya</i>	9
Step Forward: First Social PreCOP in Venezuela and the Margarita Declaration <i>Mrinaini Rai, Global Forest Coalition, India/Thailand</i>	10
Calendar of Forest-related meetings	12



People's Climate March in New York. **Photo courtesy:** R. Howard/I. Alvarez



Ex Silvis: Galvanising Action in Support of SIDS?

By Fiu Mata'ese Elisara, Ole Siosiomaga Society (OLSSI), Samoa and Board Member of GFC

Samoa welcomed the opportunity for the Pacific to be the region selected for the 3rd United Nations Small Islands Developing States (SIDS) conference. The Major Groups that were involved in the conference were committed to the process and looked forward to being full partners in the spirit, letter, and implementation of its outcomes.

However, whilst there was a clear mandate for Major Groups to be an integral part of the preparatory negotiation process towards finalizing the Zero Draft, which has transitioned to the SAMOA Pathway as the Outcome Document of the 3rd International SIDS Conference, we registered at the outset our disappointment in the lack of participation of CSOs throughout the preparatory committee discussions. Our voices have been denied, our rights ignored as key stakeholders and as integral partners in the SIDS plight to achieve sustainable development. The failure of the process to comply with the requirement for our full, meaningful, and effective participation has marginalized us.

Those of us living in SIDS are acutely aware that although we are not responsible for climate change, we are most definitely on the frontline when it comes to having to deal with its impacts. Our countries are also particularly vulnerable to other natural disasters, and we have suffered greatly from the impacts of the recent financial, food and fuel crises.

In the Pacific, we are particularly concerned that current levels of global industrial activity will lead to a temperature rise that will impact severely on people's livelihoods and threaten the very existence of some of our countries. The fact that the world's governments are even now hesitating over when and how they might halt climate-damaging deforestation does not inspire confidence in this respect.



Lead thematic discussants (L-R): Fiu Mataese Elisara; Gordon Bispham; Hemsing Hurrinag; and Ananda Trotman. Source: <http://www.iisd.ca/sids/sids2014/29aug.html>

At least our plight is on the intergovernmental radar. In September, governments met to address the challenges faced by small island developing countries at the UN's 3rd SIDS Conference, which was held in Apia, Samoa. It could be argued that the negotiators were at their most creative when it came to naming the outcome document - The new 'SAMOA pathway' actually stands for 'SIDS Accelerated Modalities of Action'.¹

Climate change was quite rightly a key priority, and the UN Secretary General characterised the conference as starting the "drum roll for action" in the run up to UNFCCC COP-21 in Paris next year. But will it? And how well will the other elements of the SAMOA Pathway actually be implemented? At least the SAMOA Pathway does recognise that climate change has increased the intensity of disasters, and

that technical assistance and finances are needed for early warning systems for SIDS.

The theme of the conference—'The Sustainable Development of SIDS through Genuine and Durable Partnership'—was also well chosen, and can be interpreted as a recognition of all the Rio Principles, especially the principle of common but differentiated responsibility. With this in mind states need to ensure the development of an effective post-2015 follow-up to the Hyogo Framework for Action on disaster risk reduction (which expires next year). They must also implement the polluter pays Rio principle by ensuring that developed states deliver on risk insurance for SIDS.

¹ <http://www.sids2014.org/index.php?menu=1537>



The SAMOA Pathway also includes important new areas relevant to SIDS such as food security and nutrition, the management of chemicals and waste, gender equality and women's empowerment, and invasive alien species, all of which was welcomed by civil society.

On the other hand, it is very disappointing to see that the issue of land was completely ignored, especially since it was a key thematic issue in the Barbados Plan of Action (BPoA) in 1994. Given the pivotal importance of customary tenure and ownership of lands in most SIDS, it is critical that this issue is given the attention it deserves. This is increasingly important, as the expulsion of land-owners from their lands and territories in SIDS is accelerating, including because of new forms of monopoly control over land, forests and water, the global imposition of intellectual property rights regimes, the advance of monoculture plantations, and false solutions to climate change.

Culture is also deprioritised in the Samoa pathway. This is a lamentable step backwards. Culture should be the fourth pillar of sustainable development for SIDS.

Similarly, and quite shockingly, the rights of Indigenous Peoples barely warranted a mention, in spite of the fact that BPoA, Agenda 21, Rio+20 "Future We Want", and UNDRIP all highlight the special situation of Indigenous Peoples, and this September heralded the first World Conference on Indigenous Peoples (as described later in this publication).

Biodiversity continues to be a priority in the SAMOA Pathway, quite rightly, but the most ambitious element of the plan is to put a price on all the goods of nature and privatise them. 'The Economy of Ecosystems and Biodiversity' (TEEB), as it is sometimes referred to, is the final assault on forests and other ecosystems and life, and on the people whose livelihoods are based on agriculture, hunting, and fishing in SIDS.

Developed countries should also be focusing on accelerating the implementation of the Green Climate Fund and expediting initial resource mobilisation for SIDS, including for the development of a Vulnerability Index and Measurement specifically designed for use in SIDS.

States also need to invoke the precautionary approach rather than pursuing a 'green economy' transformation: the green economy does not reduce climate change or environmental deterioration, it supports those who have enough money to continue polluting. Many of the mitigation 'solutions' (eg. REDD+) now being proposed will result in land grabbing, violate SIDS' and Indigenous Peoples' rights, and perpetuate poverty, and are considered false solutions to climate change.

Nevertheless, in spite of these failings, I hope that the SAMOA Pathway will provide an innovative framework that is used to develop its laudable theme in future months and years.

For example, genuine and durable partnerships for sustainable development in SIDS will entail the international community accepting that it bears the moral responsibility, and in turn the financial burden, for mitigation and adaptation with respect to climate change. This in turn means that states must take immediate action in their own backyard as well as supporting SIDS' efforts to build their resilience.

COFO still confusing forests with lumber **by Miguel Lovera, Espacio Orgánico, Paraguay**

[The 22nd session of the Food and Agriculture Organization's \(FAO\) Committee on Forestry \(COFO\) was held at FAO headquarters in Rome, Italy, on 23-27 June 2014.](#)

The items on the agenda included income, employment and livelihoods; forests and family farming; payments for ecosystem services and forest financing; contribution to global processes and initiatives; forests and the Sustainable Development Goals; and the Zero Hunger Challenge.

Global Forest Coalition representatives have attended COFO sessions since the mid-1990s. Throughout that time - some twenty years - we have seen a firm neoliberal bias toward timber production and entrepreneurial/private sector exploitation of forests. This is still the case and may never change. The COFO has the peculiarity of consecrating all values and needs of forests to monetary or commercial values. It is hard to see



how a forum like this can address the multiple, actually countless values of forests for forest peoples. This is clearly seen when most proposed actions tend to introduce cash payments for forests services or products or conservation, regardless of the traditional uses the different cultures ascribed to them.

Nevertheless throughout the years we have challenged, and will continue to challenge that agenda. GFC has brought the messages of hundreds of Indigenous Peoples' Organisations and NGOs engaged at all levels to COFO. They have collectively challenged the reductionist paradigm that seeks to secure unrestricted private sector access to the treasures of the forests and their peoples. Many would like to see these critical issues on the formal agenda.



Logs ready for export in the Peru Amazon. **Photo courtesy:**
Wendy Francesconi.

Instead the overwhelming preference is now for 'market solutions,' dismaying forest communities. Every 'solution' during this 'neoliberal era' has facilitated the appropriation of the lion's share of any benefits by the private sector. But what is a good deal for a few is destroying forests and forest peoples' habitats worldwide. Land grabbing - mainly in forestlands and frequently for the expansion of the agricultural cattle ranching frontier - is, in our experience, happening on a daily basis. The 'cofoan' approach to environmental services becomes, in practice, a handout from forest communities to private sector entrepreneurs, and biodiversity offsets allow polluting companies to continue polluting, even when this is highly undesirable in terms of mitigating climate change.

Another agenda item, confusing to forests peoples and peasants - perhaps deliberately - is that of 'forest and family farming'. The main problem with the use of this terminology in the present context of forest ownership and worldwide access is that it often supports the further isolation of communities, confining them to limited, defined spaces while reserving wider ownership and commercial space for the private sector including multinational corporations.

We live in years of aggressive and unbridled expansion of the private sector in the remaining forested and other biodiverse areas. But we also live in years of unprecedented resistance to the neoliberal model of opportunistic exploitation of people and resources. We need to ensure that resistance is felt in COFO.

Twenty years of the FSC: remarks from 2014 General Assembly **By Anatoly Lebedev, Bureau for Regional Outreach Campaigns, Russia**

When I first came across the ideology of voluntary forest certification, I wondered if the model was historically unique, creating a compromise between three distinct groups of people who have been in a bloody war for the same piece of treasure.

The FSC has an extremely complicated system of standards, indicators, auditors, accreditation, risks assessment, financial relations and marketing tools. It generates tons of documents, and millions of FSC-timber dollars flow around the world, with those who are making money from timber also paying for FSC logo and services.²

The area of FSC-certified forests is expanding and there is a growing volume of certified timber products. Critically, FSC forests include operations in Intact Forest Landscapes (IFL) and High Conservation Value (HCV) forests, which are supposed to be protected by the FSC's Principle 9 (which states that forest managers should manage these areas in a way that maintains or enhances their specific values).³

² <https://ic.fsc.org/3-steps-to-certification.36.htm>

³ <https://ic.fsc.org/the-10-principles.103.htm>



But, despite our efforts and expenditure, despite all the standards and indicators and so on, these IFL and HCV forests are still being destroyed and degraded, even in FSC-certified forests.⁴ For example, Greenpeace estimates that between 2000 and 2013 around 10% of IFL forest loss in Canada, Russia and Gabon was in FSC-certified areas. In the Republic of Congo and Cameroon the proportion was even higher, over 20%. Furthermore, these figures might be even greater in reality, because (a) ‘controlled wood’ is not being properly controlled⁵ and (b) there is a lack of detailed information about FSC-certified concessions and areas of wood supply.

These issues, raised by Greenpeace, became key topics for discussion during the 2014 Assembly and provided a key context for debate about the FSC’s strategic plan. The eventual approval of ‘Motion 65’ on protecting IFL and HCV forests⁶ was met with long and stormy applause. However, it has been observed by some experts that there are now two opposing kinds of forest use. One is forestry—the science, art, and craft of creating, managing, using, conserving, and repairing forests and associated forest resources. The other might be called ‘wood mining’—the practice of destructive wood extraction from intact natural forests. ‘Sustainable management’ is thus a very misleading name for forest mining in IFL/HCV forests, which needs to be stopped.

It is clear that the current situation is very different to that proscribed by Principle 9, and it will be extremely difficult to turn it around. A transition period is needed, may be several years even. But FSC must be clear that after this transition period it will come back to the initial idea of Principle 9, that management activities in HCV forests will maintain or enhance the attributes which define such forests. FSC must show that Principle 9 is no less important than any of the FSC’s other principles and criteria.

To this end another enduring problem still has to be resolved: the fact that auditors’ costs are covered by the company being certified, creating a direct financial dependence and consequent lack of objectivity. There are already many examples of auditors turning a blind eye to serious violations of required standards. Companies also use their right to choose a certifying body to choose the same friendly auditors over and over again. There needs to be an intermediary organisation involved, that selects the certifying bodies and collects and channels the certification fees. However the General Assembly rejected this proposal (although it agreed auditors should be replaced every five years).

On the other hand one positive development within the FSC is its increased regard for forests’ ecosystem services. Although valuing forests can be complex, lessons learned in World Bank institutions many years ago may be learned and adapted to the FSC’s framework of standards.

In conclusion, the FSC, as with any system invented by human beings, is not perfect. A key lesson here is that standards, even very strict and detailed standards, will never work properly without constant and professional pressure, especially from civil society and local communities. Its efficacy will continue to depend on all of us, those of us who live with the forest, by the forest, for the forest or thanks to the forest.



FSC certified ex-grassland. Photo courtesy: Wally Menne.

⁴ <http://www.greenpeace.org/international/Global/international/briefings/forests/2014/Progress%20Report%202014%20Q2.pdf>

⁵ <http://www.greenpeace.org/international/Global/international/briefings/forests/2014/Progress%20Report%202014%20Q2.pdf>

⁶ <http://ga2014.fsc.org/motion-updates-205.motion-65-high-conservation-value-2-hcv2-intact-forest-landscapes-ifl-protection>



Progress in the CBD—or not?

by Nele Marien, *CBD Alliance, Bolivia*

In June, Montreal was again the scene of meetings of the Convention on Biological Diversity (CBD): first one week of the Working Group on Review of Implementation (WGRI 5), then one week of the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA 18). These meetings were both preparing discussions and documents for the forthcoming 12th Conference of the Parties (COP 12) to be held in the Republic of Korea in October.

Working Group on Review of Implementation

At WGRI 5 the major focus was on financial resources. There is still a substantial gap between financial needs and the resources that are being made available, and opinion is polarised with respect to the kind of finance that is deemed acceptable. Specifically, should innovative financial mechanisms and the private sector play a role in filling this financial gap or not?

WGRI 5 also requested the future implementation of a revised financial reporting framework. This certainly seems to be needed, as finance for the CBD and biodiversity-related funding is not flowing as promised.

Lack of finance has been identified by many developing countries as a main reason why the Aichi Targets are not progressing as planned. On the other hand developed countries are pointing the finger at developing countries for not putting sufficient effort into implementing the targets. Are they already collectively preparing for failure, and searching for culprits, six years before the end of the current programme of work elaborated under the 2011-2020 Strategic Plan?

Regarding poverty eradication, WGRI 5 encouraged parties to integrate biodiversity into poverty eradication and development strategies, and to elaborate policies empowering Indigenous and Local Communities, and the poor, marginalised and vulnerable. However, the clearer—but still voluntary—guidelines developed in a previous workshop on the same issue, in Chennai, were only ‘taken note of’.

Stakeholder participation was also discussed in WGRI 5. There were nice words spoken about enhancing stakeholder participation, but nothing concrete emerged about how to actually implement these good intentions.

Korea used WGRI-5 to announce that a ‘Pyeongchang Roadmap’ on implementation would be presented to COP 12 for approval. What this will imply in practice remains a mystery however, and the big worry civil society has is that the roadmap will prioritise certain elements of the Aichi Targets and their implementation over and above others, and promote business-related ways of implementing the CBD’s Strategic Plan.

It was finally decided that this would be the last WGRI meeting, as a new Subsidiary Body on Implementation will replace the WGRI in future, thereby enhancing the status of the work of this group.

Subsidiary Body on Scientific, Technical and Technological Advice

After the failed experiment to include a more ‘general debate’ at SBSTTA 17—which actually led to endless panel discussions with the real discussions taking place in late night sessions—it was now time to get back to work in SBSTTA 18, preparing decisions for the upcoming COP.

However, the week started with depressing (although not unexpected) news. The publication of Global Biodiversity Outlook 4 (GBO4) showed that most of the Aichi Targets are way off-track, and some elements are even worse than the baseline situation. Those targets that showed positive progress were generally more related to awareness and decision-making, rather than biodiversity indicators.

The treatment of Synthetic Biology as a New and Emerging issue captured quite a lot of attention, generating late-night negotiations. Even so, it was remarkable that debate about this highly delicate issue barely recognised the need to apply the precautionary principle, and the proposed draft text called for approval of synbio procedures under a range of circumstances, rather than allowing it only in very specific cases. After intense discussion, a severely bracketed text was forwarded to the COP, where the fight will continue.

Battle lines were also drawn over Biodiversity and Climate Change. It was initially expected that there would be a short text welcoming the outcome of the UNFCCC Warsaw Framework, and highlighting the importance of biodiversity-related benefits and safeguards for REDD (Reducing Emissions of Deforestation and Forest Degradation). However, this issue also generated a heated late-night debate, between Belgium and a group of mainly developed countries on the one hand, and Brazil and several developing countries on the other. After lengthy discussion, Bolivia proposed further text regarding the use of non-market based mechanisms to protect



forests. After this proposal, it was decided to end the debate altogether and send the whole text in a bracketed version to the COP. To be continued...

Regarding Ecosystem Conservation and Restoration, emphasis was put on the contribution of ecosystem conservation and restoration to the Sustainable Development Goals, and the recognition of Private Protected Areas in conservation and encouragement of the efforts of the private sector. It seemed to escape many parties that in this way Indigenous Peoples' and Community Conserved Territories and Areas (ICCAs) and the participation of Indigenous Peoples and Local Communities (ILC) in managing protected areas seem to be less important than ever.

In addition, even though numerous reports have shown the negative impacts of biofuels on biodiversity—with a particularly high impact on land use change at the expense of forests—the CBD has not enhanced its work in this area. Worse, the Secretariat only presented an information note, which was then refuted by parties with interests in the biofuel industry. The draft recommendation for the COP only requests the Secretariat to revise and further peer-review the information document. Real action to halt this perverse industry seems further away than ever.

Overall, SBSTTA left a feeling that no real progress is being made, and that worrying developments are going unchecked.

The Outcome of the Open Working Groups on Sustainable Development Goals – Goal 15: Ecosystems & Biodiversity⁷

By Isis Alvarez, Global Forest Coalition, Colombia

Last week, the Climate Summit took place in New York, under the umbrella of the United Nation's General Assembly (GA). The outcome document on the Sustainable Development Goals (SDGs) that was negotiated during 13 sessions of the Open Working Group (OWG) on the SDGs was adopted by the GA.

There were fears not just among civil society but also among some governments that the already contentious SDGs document, which had finally been agreed after more than 36 hours of deliberation (with only a few reservations), might be re-opened, potentially leading to a further weakening of some of the language. Even though the SDG outcome document is far from ideal, as language to drive real transformational change is lacking⁸, it does include important issues that have been hard fought for during the OWGs. The biggest fears related to:

1. Goal 5: Achieve Gender Equality and Empower All Women and Girls

In particular, Target 5.6 managed to include a reference to 'sexual and reproductive health and reproductive rights' even though a contact group had previously failed to reach agreement. Overall, despite wide support, the Vatican and Saudi Arabia blocked consensus and the reference made it through only after explicitly mentioning to the Programme of Action of the ICPD and the Beijing Platform for Action.

2. Goal 10: Reduce Inequality within and among Countries

Language on inequality was retained here even though it was argued by some that targets from this Goal could be addressed in *Goal 1 - End Poverty in All its Forms Everywhere*, *Goal 16 - Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels*, and *Goal 17 - Strengthen the means of implementation and revitalize the global partnership for sustainable development*.



⁷ This is a continuation of an article featured in [Forest Cover no.45](#) and contains also information included on the final DPI/NGO Conference Declaration 2014 and accompanying Resource Document that can be seen via <http://outreach.un.org/ngorelations/files/2014/08/ResourceDoc25Aug2014.pdf>

⁸ See the "Women's 8 Red Flags" following the conclusion of the Open Working Group on Sustainable Development Goals (SDGs)' by the Women's Major Group <http://www.womenmajorgroup.org/womens-8-red-flags-following-the-conclusion-of-the-open-working-group-on-sustainable-development-goals-sdgs/>



3. Goal 13: Take Urgent Action to Combat Climate Change and its Impacts

Since the beginning there have been heated discussions about a potential clash between this goal with the UNFCCC mandate. The dispute was settled by adding a reference of '*acknowledgement that the UNFCCC is the primary international, intergovernmental forum for negotiating the global response to climate change*'. A stand-alone goal remained thus acknowledging that one of the greatest challenges of our time in the framework of the post-2015 agenda; leaving it out would have meant that such an agenda is definitely disconnected from reality.

4. Goal 16: Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels

This was possibly the most contested goal that after two sessions of a contact group failed to reach consensus; not only the inclusion of a reference to the 'rule of law' but merging targets into other goals, among many other issues, made it difficult to reach an agreement⁹. In the end, after running out of time and after several hours of coming back to the different targets in this goal, it seems governments understood that compromises needed to be made if they were to leave the room.

Goal 15: Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss

There was less at stake with this goal, but only because it is already very weak. Absurdly enough the term 'conservation' was dropped out of the title in the final version of the OWG document. In addition there is no reference to indigenous peoples, local communities or women. This is a significant failing given the fact that it is increasingly recognised that community governance plays a central role in ecosystem protection, conservation and restoration¹⁰, and because it ignores the role and traditional knowledge of Indigenous Peoples, local communities and especially women. For these reasons the goal will not bring about the desired outcomes. The sustainable management of forests and terrestrial ecosystems, halting deforestation and the degradation of forests, and increasing ecosystem restoration globally, including through the early prevention of deforestation and degradation in primary forests, cannot be achieved if strategies continue to exclude people.

Furthermore, in Target 15.2, which relates to Sustainable Forest Management, it is important to consider the risks resulting from 'afforestation', which allows harmful industrial monoculture tree plantations to replace natural forests and other ecosystems and hence, generates biodiversity loss, depletion of waterways, and other significant environmental and social damage, including land grabs.

Target 15.3 incorporates a dangerous reference to achieving a 'land-degradation neutral world'. It is virtually impossible for land restoration in one location to effectively and equitably 'offset' land degradation in another location because of the likely differences in biodiversity in the two different places and the negative impacts that land degradation has on communities. The fact that the target entirely overlooks these risks is likely to mean that it will drive actions that actually have detrimental effects on ecosystems and biodiversity. Similarly, national and regional proposals on biodiversity offsetting, such as the European Commission's No Net Loss Initiative,¹¹ continue to be promoted, disregarding the further damage that they may do to the world's biodiversity.¹²

Finally, if there are genuine intentions to conserve and protect the world's last remaining forests and other ecosystems, the FAO's definition of forests needs to be revised. Forests are not just a collection of planted trees, and a holistic definition of forests needs to reflect this, incorporating forests' complex processes and cycles that create and maintain the high levels of animal and plant biodiversity that many creatures and life forms, including ourselves, depend upon.

⁹ For further analysis on goals and targets, please refer to <http://www.iisd.ca/vol32/enb3213e.html>

¹⁰ See for example: People or Parks: The Human Factor in Protecting Wildlife <http://e360.yale.edu/feature/people-or-parks-the-human-factor-in-protecting-wildlife/2707/> or Community control of forests could help combat climate change

<http://www.theguardian.com/global-development/2014/jul/25/forests-land-rights-deforestation-climate-change> or Local Communities Playing Vital Role in Marine Conservation <http://ourworld.unu.edu/en/local-communities-playing-vital-role-in-marine-conservation>

¹¹ http://ec.europa.eu/environment/nature/biodiversity/nnl/index_en.htm

¹² See an open letter addressed to the EC regarding the harmful potential effects of biodiversity offsets <http://naturenotforsale.org/letter2eu/>



Summits in New York generate fine words on indigenous peoples' rights and climate change but questions remain

By Kanyinke Sena, Doctorate of Law student at the University of Arizona, Kenya

The first ever World Conference on Indigenous Peoples was held at the UN headquarters in New York, 22-23 September 2014. The conference, attended by world leaders, concluded with more pledges by governments to support the rights of indigenous peoples as affirmed in the UN Declaration on the Rights of Indigenous Peoples.

While participation in the Summit itself was very limited, Indigenous peoples participated in the preparatory activities towards the World Conference and came up with the [Alta Outcome Document](#) that largely informed the World Conference outcome document.

In the official [Outcome document](#), governments pledge to recognise the significant contribution of indigenous peoples to the promotion of sustainable development, in order to achieve a just balance between the economic, social and environmental needs of present and future generations, and the need to promote harmony with nature to protect our planet and its ecosystems, known as Mother Earth in a number of countries and regions.

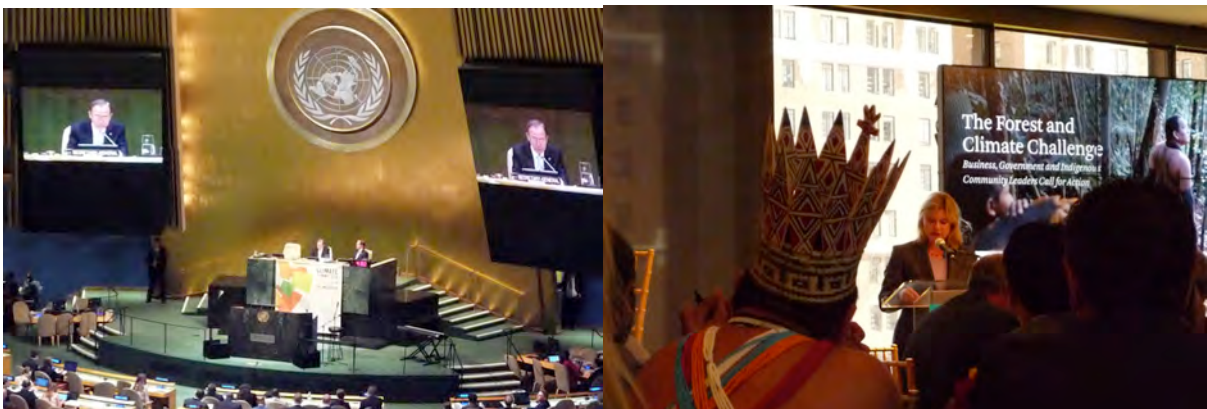
Governments committed to respecting the contributions of indigenous peoples to ecosystem management and sustainable development, including knowledge acquired through experience in hunting, gathering, fishing, pastoralism and agriculture, as well as their sciences, technologies and cultures. Indigenous knowledge systems and strategies to sustain their environment should be respected and taken into account when developing national and international approaches to climate change mitigation and adaptation.

Governments noted indigenous peoples have the right to determine and develop priorities and strategies for exercising their right to development. In this regard, they committed to giving due consideration to all the rights of indigenous peoples in the elaboration of the post-2015 development agenda.

Though the Conference did not undertake to explicitly recognise indigenous peoples' rights to lands and territories, it recognised commitments made by States to establish at the national level, in conjunction with the indigenous peoples concerned, fair, independent, impartial, open and transparent processes to acknowledge, advance and adjudicate the rights of indigenous peoples pertaining to lands, territories and resources.

The Conference further recognised commitments made by States to consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories, forests and other resources.

Recalling the responsibility of transnational corporations and other business enterprises to respect all applicable laws and international principles, including the United Nations Guiding Principles on Business and Human Rights and to operate transparently and in a socially and environmentally responsible manner, governments committed to taking further steps, as appropriate, to prevent abuses of the rights of indigenous peoples. This is especially



Left: Closing plenary of the UN's Climate Summit in New York. Right: Ford Foundation event during the Climate Week in New York city. Photo courtesy: I. Alvarez



important for indigenous forest communities whose rights are impacted by palm oil, soya beans and monoculture tree plantations, and potentially by REDD+ activities.

The UN General Assembly adopted the outcome document with reservations by the Holy See and Canada. The Holy See objected to a clause that guarantees reproductive rights and Canada objected to the concept of “free, prior, and informed consent.” However, more reservations may come later.

Moreover, this meeting was somewhat over-shadowed since the UN Secretary General’s Climate Summit was being held at the same time. The UN SG Climate Summit saw countries and the private sector voluntarily pledge to cut greenhouse gas emissions, reduce deforestation and provide over US\$200 billion in climate finance. Civil society organizations urge caution however! As Oxfam pointed out while commenting on France’s commitment of US\$1 billion to the Green Climate Fund over the next few years, “The devil is in the detail and there are too many uncertainties about the nature of the pledge to make a final call on its impact... French President Hollande has not clarified if the funds committed will be additional to existing climate and development commitments or double-counted. The fact that France has a tradition of mixing loans and grants in its climate finance commitments raises further questions about the exact nature and ambition of this pledge.”

According to the [Third World Network](#) despite an agreement in Cancun, Mexico in 2010 that developed countries will mobilise US\$100 billion a year by 2020, the Green Climate Fund (GCF) is yet to receive any funding that can be disbursed to developing countries to undertake their climate actions. Many developed countries—especially the US and its allies—are delaying making their contributions to the GCF.

With respect to emissions reductions, the European Union and 15 countries in Europe made pledges that ranged from cutting emissions by 40%-80% and to be fossil fuel free by 2050. The EU further pledged to provide 14 billion Euros of public climate finance to partners outside the EU over the next 7 years. President Obama signed an executive order directing all federal agencies to begin factoring climate resilience into international development programs and investments. Brazil announced plans to submit a national climate adaptation plan in the next year while Ecuador will build eight hydroelectric plants by 2017—a move that may impact on Ecuador’s forests! China pledged to cut carbon intensity up to 45% by 2020 over 2005 levels and to double annual financial support for South-South cooperation. India will double the amount of energy it produces from wind and solar by 2020.

The [New York Declaration on Forests](#) was also launched. This is a non-legally binding political declaration that grew out of dialogue among governments, companies, civil society and indigenous peoples. It aims to cut natural forest loss in half by 2020 and to end it by 2030. The Declaration also calls for restoring forests and croplands across an area larger than India and claims that meeting these goals would cut between 4.5 and 8.8 billion tons of carbon pollution every year. It is accompanied by an associated voluntary Action Agenda that serves as a guide to governments, companies, and organisations regarding the diverse set of actions that can achieve these transformational goals.

Step Forward: First Social PreCOP in Venezuela and the Margarita Declaration

By Mrinaini Rai, Global Forest Coalition, Nepal/Thailand

Ahead of UNFCCC COP 20, the Venezuelan government hosted the first Social PreCOP from 15-18 July in the Venture Hotel in Isla de Margarita in Venezuela. The meeting was a Preparatory Meeting in advance of the Social PreCOP on Climate Change, which will take place in November 2014 in Venezuela.

The event welcomed some 61 international and 71 national civil society organisations ([full list](#))¹³ representing social movements focused on a diverse range of social and environmental issues, alongside climate change. The meeting set the stage and provided the opportunity for the peoples gathered to contribute ideas and proposals for a more just and equitable climate agreement, through both formal and informal settings including various panels, debates, plenaries, presentations and ‘mesas’ (roundtables).

As the gender and indigenous advisor of the Global Forest Coalition (GFC), I was conscious of the need to include the rights of indigenous peoples and local communities, including women, in the discussions around climate justice.

¹³ <http://www.precopsocial.org/reunion-preparatoria/organizaciones-y-movimientos-sociales-participantes>



*Women and Gender Constituency at the Social PreCOP.
Photo courtesy: M. Rai*

During the four days I actively engaged in connecting with our indigenous colleagues at the Social Pre-COP to collectively strengthen and articulate the engagement of indigenous peoples in various sessions during the meeting.

The Social PreCOP demanded, “Change the System, Not the Climate” and five issues were set forth for roundtable discussions:

- Social Impacts of Climate Change
- Climate Ethics: Differentiated Responsibilities and Respective Capabilities
- Social Participation in Decision Making
- Combating Climate Change: Direct Action for Transformation
- North-South Responsibilities: Commitments of the North to enable actions in the South

From these discussions the 62-point [Margarita Declaration](#)¹⁴ emerged. Though a little broad it included the recognition of the rights of indigenous peoples, including vulnerable communities such as women.

I was also part of the Women and Gender Constituency (WGC) at the Social Pre-COP, with whom I worked on strengthening the rights of indigenous women within the discussions about climate justice. After the Social PreCOP the WGC drafted their statement, [“Women want system change, not climate change”](#)¹⁵ to add the critical perspective of women’s human rights for consideration during the Social PreCOP process in November.

In Venezuela the atmosphere around the Social PreCOP was one of energy, excitement, hope and mutual understanding, all focused on a common goal and a demand for climate justice that resonates ‘Buen Vivir’, emphasising good living and alternative development instead of neoliberal policies.

The meeting not only brought people together, it generated a collective voice of the peoples demanding a sustainable and liveable environmental model that is inclusive, just and right. Though there were also some criticisms around the Social PreCOP, it created a far friendlier atmosphere than the space given for engagement for civil society organisations during the UNFCCC negotiations. Here it was one space for all. Although there was a lack of representation of indigenous peoples and grassroots communities the process was still accessible and inclusive for those who attended and they were given spaces to engage effectively.

The Margarita Declaration was scheduled to be presented by the Venezuelan government at the Presidential Ban-Ki Moon Summit in New York on 23 September with a view to engaging and advancing climate actions and ambitions on the ground.

From September to November the plan is to include more views and perspectives into the Declaration and strengthen it further at the second Social PreCOP meeting in Venezuela in November, where more representatives are expected to attend. The Declaration will be further refined, making it more focused and inclusive, enabling greater mobilisation and impact as a result. The final Declaration will be presented at COP 20 of the UNFCCC in Lima, Peru in December 2014.



Indigenous delegates at the Social PreCOP. Photo courtesy: M. Rai

¹⁴http://www.precopsocial.org/sites/default/files/archivos/margarita_declaration_on_climate_change.pdf

¹⁵<http://womensgenderclimate.org/womens-social-precop-statement-women-want-system-change-not-climate-change/>



Calendar of Forest-Related Meetings & Events

October

- 5 - 10 October, XXIV IUFRO World Congress - Sustaining Forests, Sustaining People, Salt Lake City, UT, US, <http://iufro2014.com/>
- 6 - 8 October, Eleventh Meeting of the Carbon Fund (CF11), Washington D.C., US, <https://www.forestcarbonpartnership.org/1448>
- 6 - 17 October, 12th Conference of the Parties, Convention on Biological Diversity, Pyeongchang, Gangwon, Republic of Korea, <http://bch.cbd.int/protocol/e-doc/?notification=2036>
- 15 - 17 October, 8th Meeting of the Green Climate Fund Board, Bridgetown, Saint Michael, Barbados, <http://www.gcfund.org/meetings.html>
- 30 October, Sixteenth Rights and Resources Initiative Dialogue on Forests, Governance and Climate Change, Lima, Peru, <http://www.rightsandresources.org/news-events/rri-dialogue-series/>
- 29 - 31 October, Workshop on International Arrangement on Forests (IAF) beyond 2015, Beijing, China, <http://cli2014china.forestry.gov.cn/>

November

- 3rd November, Forest Europe Round Table on updating the Sustainable Forest Management Tools, Cuenca, Castilla-La Mancha, Spain, <http://www.foresteuropa.org/news/save-these-dates-announcement-upcoming-forest-europe-meetings>
- 3 - 8 November, Fiftieth Session of the International Tropical Timber Council (ITTC), Yokohama, Kanagawa, Japan, http://www.itto.int/council_committees/
- 4 - 7 November, Social Pre-COP, Isla Margarita, Venezuela, <http://climate-l.iisd.org/events/social-pre-cop/>

December

- 1 - 12, December, 20th Conference of the Parties of the UN Framework Convention on Climate Change, Lima, Peru, <http://newsroom.unfccc.int/>
- 3 - 5 December, World Intellectual Property Organisation Workshop for Indigenous Peoples and Local Communities on Intellectual Property and Traditional Knowledge, Geneva, Switzerland, <http://www.wipo.int/tk/en/indigenous/workshop.html>
- 6 - 7, December, Global Landscapes Forum, Lima, Peru, http://www.landscapes.org/ghf-2014/about/?utm_source=July+2014&utm_campaign=NEWS+UPDATE+English&utm_medium=email

January 2015

- 11th January, Stakeholder Day Prior to the third session of the Intergovernmental Panel on Biodiversity and Ecosystem Services, Bonn, Germany, <http://www.ipbes.net/news/607-stakeholder-day-prior-to-ipbes-3.html>
- 12 - 17 January, third session of the Intergovernmental Panel on Biodiversity and Ecosystem Services, Bonn, Germany, <http://www.ipbes.net>
- 12 - 16 January, Second meeting of the Open-ended Intergovernmental Ad Hoc Expert Group on the International Arrangement on Forests (AHEG2), New York City, US, <http://www.un.org/esa/forests/adhoc.html>

February 2015

- 6th February, The Economics of Climate Change Mitigation Options in the Forestry Sector, Online Conference, <http://www.fao.org/forestry/cc-mitigation-economics/en/>
- 26 - 27 February, International Meeting of the Ecosystem-Based Adaptation Community of Practice, Peru, Lima, [http://us7.campaign-archive2.com/?u=77865e2d8ac8b3a11af7f6a5a&id=7bf5909e56&e=\[UNIQID](http://us7.campaign-archive2.com/?u=77865e2d8ac8b3a11af7f6a5a&id=7bf5909e56&e=[UNIQID)

Editorial Team:

- *Isis Alvarez, Colombia*
- *Coraina de la Plaza, Netherlands*
- *Ronnie Hall, UK*
- *Swati Shresth, India*
- *Simone Lovera, Paraguay*
- *Wally Menne, South Africa*

This newsletter was made possible through financial contributions from the Siemenpuu Foundation. The views expressed are not necessarily those of our donors