COMMUNITY RIGHTS AND 'BUEN VIVIR' AS AN ALTERNATIVE TO 'GREEN' FOREST GRABBING

A GUIDE FOR COMMUNITIES

written by
Critical Information Collective
for Global Forest Coalition

MAY 2013

SUMMARY

INTRODUCTION

This is a brief toolkit for Indigenous Peoples and local communities looking for information about 'sustainable forest management' and 'bioenergy' projects.

Projects like these are increasingly being proposed as solutions to climate change and worries about energy security. In many cases communities are being encouraged to take part in them. However, there are risks and pitfalls associated with commercial forest projects like 'REDD' (which are focused on reducing deforestation and forest degradation in order to slow climate change).

This toolkit outlines some of the risks communities may face. It aims to balance out some of the extremely optimistic claims that are often made by those promoting these 'market-based' projects.

It also outlines another form of green forest grabbing which is gathering speed. This is the race for land for industrial-scale 'bioenergy' production, as part of the new 'bioeconomy' approach (which is intended to create a new kind of industrial manufacturing based on plant materials and wastes instead of fossil fuels).

This approach also threatens to ramp up landgrabbing, including to grow yet more trees and crops for export, and is likely to lead to further deforestation.

It is ironic that REDD policies are supposed to protect the world's forests and biodiversity, while this new push for bioeconomies will have exactly the opposite effect. But both approaches will put immense pressure on communities and peoples striving to hold on to their territories and manage their resources sustainably.

REDD RISKS

In worst-case scenarios, REDD and other market-based projects can lead to 'green' forest grabbing by investors.

But even REDD projects that aim to involve communities can have an affect on communities' ability to make decisions about their own territories. Ultimately, these commercially-focused projects risk undermining the land and territorial rights of Indigenous Peoples and local communities.

Although it is possible to envisage REDD projects that might make some contribution to individual communities, there are many risks associated with REDD and other market-based 'solutions'.

Communities simply cannot be sure that such projects will deliver the promised results. For example:

- External REDD finance for a project might not be delivered (which seems to be likely at the moment as the negotiations on this have stalled), but the legal commitments communities make might still have to be adhered to.

- On the other hand, if REDD finance is found or if standing forests increase in value generally, one can expect a continuing and potentially violent struggle for control over them. In this scenario, morally dubious investors might simply proceed without involving Indigenous Peoples and local communities.

THE BIO-ECONOMY BOOM

Many countries are adopting a new industrial strategy referred to as the 'bioeconomy.' This, they claim, involves shifting away from reliance on fossil fuels, and using 'biomass' — which includes trees, other plants, residues and wastes — instead (for everything, fuel and manufacturing).

The argument being put forward is that it is better to burn wood than fossil fuels, because it means that the carbon already underground stays locked up there. On the other hand, the carbon released from the trees when they are felled and rot will be recycled when more trees grow. But this argument ignores key facts:

- Wood is only a renewable product when it is produced in such low quantities that the forest can restore itself.

- Burning wood releases even *more* carbon than coal.

- The time it takes new trees to grow means it will be decades or longer until the carbon emitted from burning wood is re-adsorbed by the new trees. But climate change science tells us we need to act now!

Demand for biomass is already increasing rapidly, and is likely to lead to yet more landgrabbing and industrial logging in forests.

BUEN VIVIR OFFERS A NEW WAY FORWARD

Market-based approaches need to be abandoned in favour of alternatives that are fairer, more sustainable, and not dependent on securing massive amounts of external finance.

There is growing support for the concept of 'Buen Vivir' as an alternative to capitalism. 'Buen Vivir' promotes a community-oriented lifestyle that focuses on promoting peoples' happiness rather than economic growth, and living in harmony with nature.

It also provides a much better and more effective way of protecting against climate change — 'cooling the planet.'

PROTECING AND PROMOTING 'INDIGENOUS PEOPLES' AND COMMUNITY CONSERVED TERRITORIES AND AREAS'

Forest-dependent communities have the know-how and desire to conserve their forests, without additional finance being provided by outsiders. Indigenous territories and community-conserved areas have been shown to contribute to cultural integrity and survival, the 'Buen Vivir' approach, and social well-being. They also lead to effective and fair forest conservation and restoration efforts.

However, many Indigenous Peoples and local communities are finding that their way of living is being threatened by 'green' and other forms of land grabbing. This handbook provides ideas about how 'Indigenous Peoples' and Community Conserved territories and Areas' (ICCAs) can be strengthened and promoted, and how the territorial and land tenure rights of Indigenous and other communities can be defended.

ENERGY AND WOOD SOVEREIGNTY

The toolkit also explains how new energy strategies to provide fair access to sustainable energy could be based on the concept of 'energy sovereignty', and the more specific concept of 'wood sovereignty', instead of creating vast new demand for land.

These concepts are based on the idea of food sovereignty, which emphasises the people's right to produce their own food, on their own territories, in accordance with their own food culture and tradition. In the same way, the new concepts of 'energy sovereignty' and 'wood sovereignty' put the control of local resources back into local hands.

SPELLING IT OUT: COMMUNITY PROTOCOLS

Last but not least, the toolkit explains how communities can clearly articulate and assert their right to 'Free, Prior and Informed Consent' by documenting and communicating their perspectives, desires and concerns, using tools such as Community Protocols.

This is a comprehensive and effective way of communicating with outsiders, and is a useful tool for those involved in or considering consultations about forest conservation projects.

They offer communities a way of insisting on and asserting their rights to be consulted, involved, and rewarded for the design and implementation of forest conservation projects.

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Global Forest Coalition (GFC) is an international coalition of NGOs and Indigenous Peoples' Organisations defending social justice and the rights of forest peoples in forest policies.
www.globalforestcoalition.org

Biofuelwatch works to raise awareness of the negative impacts of industrial biofuels and bioenergy on biodiversity, human rights, food sovereignty and climate change.
www.biofuelwatch.org.uk

The ICCA Consortium is an international association dedicated to promoting the appropriate recognition of and support to ICCAs.
www.iccaconsortium.org

Critical Information Collective is calling for a rapid transformation in the way our economies are run. CIC aims to amplify the voices of those challenging corporate power and growing inequality, and to showcase fair and sustainable alternatives.
www.criticalcollective.org

This summary and the toolkit's five mini-briefings (which give more details and link to further information) can be downloaded from:

www.globalforestcoalition.org

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PART 1: WHAT ARE MARKET MECHANISMS?

These days, governments often try to make sure that the policies they develop and implement — to protect the environment or prevent climate change, for example — are based on neo-liberal 'market mechanisms' or 'market-based' approaches.

The basic idea is to allow business to make a profit by engaging in certain areas they were not previously involved in. Governments are working on the basis that this will channel private finance into developing 'solutions', saving public money. These market-based approaches are also seen as policies that help rather than hinder economic activity and trade. Governments and wealthy elites therefore view them as 'win-win' policies.

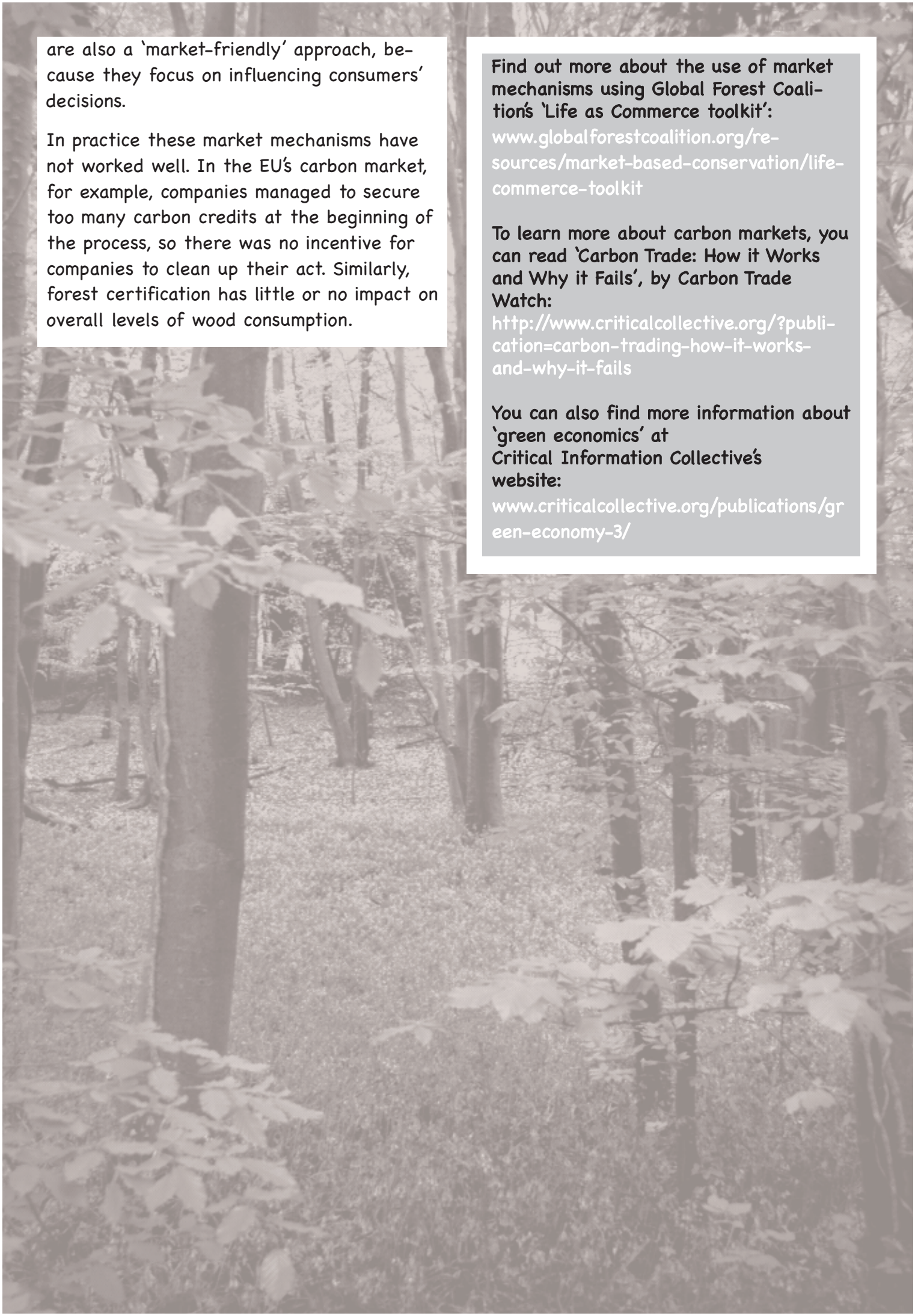
However, although these approaches might work well for business, they are generally complex and highly risky, and their social and environmental impacts may be overlooked in the rush to generate a profit.

They can actually be very bad for less wealthy people, communities and countries, who are more likely to be exposed to any associated risks or negative impacts.

Generally, market mechanisms also allow wealthy people and governments to pay their way out of meeting their responsibilities: instead of reducing their carbon emissions, they can pay someone else to do it.

In general, market mechanisms use the forces of 'supply' and 'demand' to try and create a certain outcome, and governments have been creating new systems to try and apply this process to environmental protection.

Carbon markets provide a good example: some governments have allocated companies certain 'rights to pollute', or 'carbon credits'. In theory, dirty polluting companies will need to buy extra credits; and cleaner companies can make a profit by selling their spare credits. Forest certification processes



are also a 'market-friendly' approach, because they focus on influencing consumers' decisions.

In practice these market mechanisms have not worked well. In the EU's carbon market, for example, companies managed to secure too many carbon credits at the beginning of the process, so there was no incentive for companies to clean up their act. Similarly, forest certification has little or no impact on overall levels of wood consumption.

Find out more about the use of market mechanisms using Global Forest Coalition's 'Life as Commerce toolkit':
www.globalforestcoalition.org/resources/market-based-conservation/life-commerce-toolkit

To learn more about carbon markets, you can read 'Carbon Trade: How it Works and Why it Fails', by Carbon Trade Watch:
http://www.criticalcollective.org/?publication=carbon-trading-how-it-works-and-why-it-fails

You can also find more information about 'green economics' at Critical Information Collective's website:
www.criticalcollective.org/publications/green-economy-3/

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PART 2: REDD+ AND ITS RISKS

WHAT IS 'REDD'?

Deforestation and forest degradation contribute to climate change, because trees adsorb and store carbon dioxide, the main 'greenhouse gas'. When trees are cut down and rot, this carbon dioxide is released back into the atmosphere.

Forests and other native vegetation also regulate rainfall, retain water when it rains, and keep soils fertile. If they are cut down, soils dry out, and rivers may dry up in the dry season, but flood in the wet season.

'REDD' is a forest conservation policy, which has been created to try and address climate change concerns by protecting forests. Initially proposed in the UN Framework Convention on Climate Change (UNFCCC) negotiations, the letters in 'REDD' stand for 'Reducing Emissions from Deforestation and forest Degradation'.

The basic idea of REDD is to pay forest owners, and countries, for *not* cutting their trees down. The thinking is that as long as forest owners and countries can get more money from keeping their trees standing than they can from cutting them down, deforestation will slow down or stop.

You might also hear the term 'REDD+.' This is REDD including the 'sustainable management' of forests, and the 'enhancement of forest carbon stocks'. Importantly, this subtle adaption means that both industrial logging and the establishment of socially and environmentally damaging monoculture tree plantations could be included in and financed through REDD+.

At the moment a large number of countries are engaged in preparatory 'REDD Readiness' projects that are mainly being financed by the World Bank and the UN.

PROBLEMS AND RISKS WITH MARKET-BASED PROJECTS INCLUDING REDD+

Indigenous Peoples and local communities play an important role in the conservation of the world's forests, and many Indigenous Peoples depend on forests for their livelihoods.

In theory, then, REDD policies should provide positive opportunities for Indigenous Peoples and local communities. However, there are a number of inherent problems with REDD+, and with the use of market mechanisms more generally.

(1) Projects run by financial investors may exclude local peoples from their territories or ban traditional livelihood activities.

- Schemes that create significant flows of finance can create or aggravate conflict at the local level,[1] promoting land grabbing ('carbon piracy') by investors, and creating tensions between and within communities.[2]

- As standing forests become more valuable, land reform processes can also be frustrated, making it harder for Indigenous Peoples to get outstanding land claims settled.[3]

- Because women are often poorer than men, are less likely to own land, and are frequently responsible for gathering resources, they are less likely to be able to engage in commercially-oriented projects but are more likely to experience any negative impacts. For example, if they are excluded from particular areas they may have to walk much further everyday to collect resources, or they may become more financially dependent upon their husbands.[4]

- Most schemes pay people to refrain from certain forest extraction activities.[5] As a result, there is a growing tendency — amongst Indigenous young people especially — to accept a payment and leave the community for the city, worsening the problem of rural-urban migration, and leaving behind an 'ageing' community.[6]

- Payments for the 'environmental service' of curtailing traditional forest management and/or shifting cultivation practices can also lead to the loss of traditional forest-related knowledge.[7]

- These market-based schemes also create a need for permanent funding flows from external sources at a time when there is significant insecurity about future forest funding.

(2) Even if communities are involved, market-based projects are complex and risky.

Market-based forest conservation projects can promise a lot, but they can also be quite risky, and may not deliver on those promises. However, companies promoting such projects are not likely to spell out exactly what the risks are, if they want communities to sign up or agree to the projects happening!

Communities considering participation in REDD+ and similar projects, should think carefully about the following potential problems.

- These are financial deals, and many will involve large and experienced investment companies. The odds are heavily stacked against those without land tenure, technical expertise, experience of tough negotiations, and funds to invest in any upfront and operational costs associated with the project. At worst this means unequal

and unfair contracts may be agreed. It is also possible that REDD+ finance might not materialise, but the legal commitments communities have made might still have to be adhered to. At best it is likely to lead to reliance on outside finance and expertise, which can have a significant impact on Indigenous Peoples' and local communities' governance systems.[8]

- There have already been instances of shady 'carbon cowboys' trying to persuade communities to sign away their rights to their territories in return for promised riches (with these 'agents' planning to take sizeable percentages for themselves, or revert to deforestation if REDD+ funds are not forthcoming).[9]

- Even organisations promoting legitimate REDD+ projects may insist on complex contracts being signed by inexperienced communities who may not understand the full contents (the contracts might also be in a different language). Legal advice is a must!

- Research shows that community members can experience a sense of disempowerment when participating in complex projects involving outsiders, especially because key decisions about their forests and livelihoods are being taken by other people.[10]

- Community members previously engaged in the collective, sustainable management of their local biodiversity may start to act individually and pursue individual economic interests. Traditional biodiversity-related knowledge may be shared less, and communal lands are more at risk of being privatised and sold off. Biodiversity-friendly activities like bee-keeping are more likely to be substituted by commercial ventures such as monoculture timber plantations.[11]

- In general, market-based projects that focus on forest carbon and making money out of nature tend to overlook other local and national benefits of forests, including their economic benefits,[12] and related cultural, community and spiritual values.

(3) REDD+ 'safeguards' are insufficient.

Thanks to Indigenous Peoples' active campaigns there is a growing awareness of the important role played by Indigenous Peoples with respect to forest conservation and climate change. As a result of campaigning, a number of 'safeguards' have been integrated into the design of REDD+ during the UN's climate change negotiations (in Cancun in 2010).

These safeguards are meant to avoid negative effects such as undesirable changes in land use, the replacement of natural forests by tree plantations, loss of biodiversity, and impacts on local communities' livelihoods.[13] One of the most important of these safeguards is the right to Free, Prior and Informed Consent (FPIC), as laid out in the UN Declaration on the Rights of Indigenous Peoples (UNDRIPs).[14]

Another safeguard mandates the "the full and effective participation of relevant stakeholders, in particular, indigenous peoples and local communities."

If they are to be anything other than theoretical, however, these safeguards need to be firmly and effectively integrated into pilot projects and the development of REDD+ policies.

The reality is that — for the time being at least most of these safeguards exist on paper only, and there have been multiple

complaints from Indigenous Peoples and civil society, in countries such as Panama, Indonesia, Vietnam, and Peru.[15]

For example, most Indigenous Peoples and forest-dependent communities are only being consulted about REDD+ in a very superficial and biased manner. There is not enough information about the potential risks of REDD+ projects, and the consultation processes are almost always too short.

In many cases communities are even confronted with a 'take-it-or-leave-it' situation, with significant sums of money promised, but no real involvement in the design or management of the project.

This is especially worrying given the profound nature of what is being requested from communities, and their need for enough time for customary consultation and decision-making processes.

The UN-REDD programme, a programme established by three United Nations organisations to provide funds for REDD+, has adopted quite strong guidelines to make sure that FPIC is implemented.[16] However, these processes rely on the State in a given country making decisions about when and where FPIC should be implemented. This is highly unlikely to guarantee Indigenous Peoples' rights in countries where they are already in dispute with the State over territorial and other rights.

The problems Indigenous Peoples face in relation to REDD+ safeguards are illustrated by the withdrawal of COONAPIP, an organisation that represents Indigenous Peoples in Panama, from the UN-REDD program in that country.

COONAPIP objected to the obstacles they have encountered when it comes to participating in decision-making processes, and a marked tendency they have observed amongst officials undermining issues of concern to Indigenous Peoples.[17]

In addition, the way that a forest is defined in the UN includes tree plantations, so REDD+ funds could be allocated to lifeless monoculture plantations, even if those plantations are established in place of biologically diverse forests.

Again, safeguards discouraging this have been introduced, but these are not binding.

Furthermore, the replacement of other ecosystems like grasslands, that tend to be of particularly importance for mobile Indigenous Peoples, is still allowed unde REDD+, as is the replacement of any land that is being farmed with tree plantations.

There seems to be little willingness amongst countries to address these problems.

Recent climate change negotiations (in Doha in 2012) focused on the financial aspects of REDD+, even though they were supposed to consider the integration of traditional knowledge and support for indigenous monitoring systems.[18] These issues have been deferred for discussion in future meetings.

Overall, even with safeguards REDD+ tends to undermine the principle of self-determination by Indigenous Peoples, ignore traditional knowledge about forests, and increase the risk of domination by the state and private institutions.

1 Alix-Garcia and others, 2005, An Assessment of Mexico's Payment for Environmental Services Program, http://are.berkeley.edu/~esadoulet/papers/FAOPES-aug05.pdf

2 Land and Power: the Growing Scandal Surrounding the New Wave of Investments in Land, Oxfam, 2011, http://www.oxfam.org/sites/www.oxfam.org/files/bp151-land-power-rights-acquisitions-220911-en.pdf

3 Jonas and others, 2012. Legal and Institutional Aspects of Recognizing and Supporting Conservation by Indigenous peoples and Local Communities. An analysis of international law, national legislation, judgements, and institutions as they interrelate with territories and areas conserved by Indigenous peoples and local communities. http://naturaljustice.org/library/our-publications/legal-research-resources/icca-legal-reviews

4 Global Forest Coalition, 2008. Life as Commerce, the impact of market-based conservation on Indigenous Peoples, local communities and women. http://vh-gfc.dpi.nl/img/userpics/File/publications/LIFE-AS-COMMERCE2008.pdf

5 Vatn and others, 2011. Can Markets Protect Biodiversity? An Evaluation of Different Financial Mechanisms. http://www.umb.no/statisk/noragric/publications/reports/2011_nor_rep_60.pdf

6 Jonas and others, 2012, again.

7 ICCA Consortium, 2010. Bio-cultural diversity conserved by Indigenous peoples and local communities – examples and analysis, companion document to IUCN/CEESP Briefing Note No. 10. CENESTA, Tehran, 2010.

8 Global Forest Coalition, 2008, again.

9 CENSAT Agua Viva , REDD in Colombia, An Independent Monitoring report, http://vh-gfc.dpi.nl/img/userpics/File/REDD/REDD-in-Colombia.pdf and The Sydney Morning Herald, Carbon cowboys, 23 July 2011, http://www.smh.com.au/environment/conservation/carbon-cowboys-20110722-1hssc.html

10 Global Forest Coalition, 2008, again.

11 Global Forest Coalition, 2008, again.

12 Ten Brink (ed.), 2009. The Economics of Ecosystems and Biodiversity for National and International Policy Makers – Summary: Responding to the Value of Nature, http://www.teebweb.org/publications/all-publications/

13 More information about the UN's 'Cancun Agreements' and safeguards can be found at http://unfccc.int/resource/docs/2010/cop16/eng/07a01.pdf#page=2

14 http://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf

15 http://www.redd-monitor.org/2013/05/01/concerns-grow-over-weak-safeguard-implementation-forest-peoples-programme-on-redd-and-safeguards/?utm_source=feedburner&utm_medium=email&utm_campaign=Feed%3A+Redd-monitor+%28REDD-Monitor%29

16 See http://www.un-redd.org/Launch_of_FPIC_Guidlines/tabid/105976/Default.aspx

17 See http://www.pulsamerica.co.uk/2013/03/14/indigenous-issues-un-redd-programme-left-without-indigenous-peoples-support-in-panama/ and http://alianzamesoamericana.org/site/noticias/2013/03/indigenas-de-panama-urgen-salvaguardas-para-protegerse-de-unredd/?lang=en

18 For more information and case studies about safeguards see Safeguarding Human Rights in International Finance, Forest People's Programme, 2013, http://www.forestpeoples.org/sites/fpp/files/publication/2013/04/e-newsletter-april-2013-colour-english.pdf

Find out more about the potential impacts of REDD in different countries, by reading 'REDD Realities' by Global Forest Coalition:

www.globalforestcoalition.org/wp-content/uploads/2010/10/REDD-Realities.pdf

You can also find out more about REDD at redd-monitor.org here:

www.redd-monitor.org/redd-an-introduction/

You can access information about planned and ongoing 'REDD readiness' projects in your country, by going to the websites of:

(1) UN-REDD

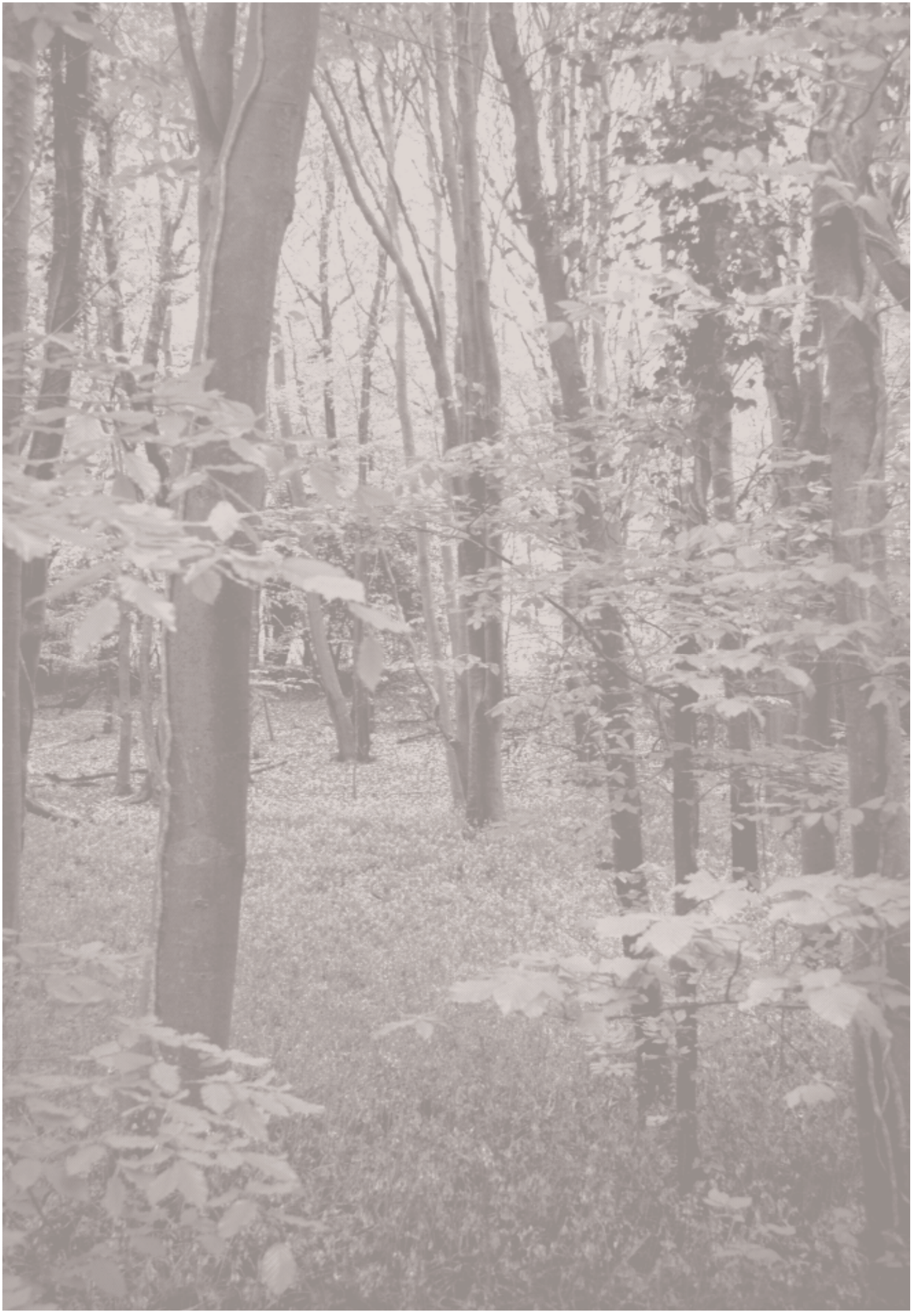
www.un-redd.org/Partner_Countries/tabid/102663/Default.aspx

(2) The World Bank's Forest Carbon Partnership Facility

www.forestcarbonpartnership.org/redd-countries

(3) The World Bank's Forest Investment Programme (pilot programmes and schedule of approvals)

www.climateinvestmentfunds.org/cif/fip_pilot_programs and https://www.climateinvestmentfunds.org/cif/content/fip-pipeline-programs-and-projects



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PART 3: 'GREEN' LAND GRABBING, BIOMASS AND THE 'BIOECONOMY'

BIOMASS TRADE IS BOOMING...

Another looming problem relates to the growing use of biomass (wood and other types of plant material) for so-called renewable 'bioenergy' and as a raw material.

This approach is being pushed hard, primarily by industrialised country governments, on the basis that it is environmentally-friendly. However, it is anything but. It is another 'false solution' to climate change.

The official justification for large-scale bioenergy is that we need to limit the use of fossil fuels, which release large amounts of carbon dioxide and other greenhouse gases. However, it is increasingly clear that this is little more than green 'spin'.

In the UK, for example, key energy production facilities are aimed at a 50:50 split between biomass and coal. In other words, both biomass *and* fossil fuels will be used.[1]

Importantly, this trend lets industrialised countries off the climate change 'hook'.

Instead of having to make a concerted effort to reduce their overall energy consumption, they can use this supposedly 'low carbon' energy instead.

But what this actually means is that they can consume the same amount of energy (or even more), using more land and resources, but look like they are doing something about climate change.

The trouble is that burning biomass on an industrial scale is likely to be just as bad or even worse for climate change than fossil fuels. This problem mainly relates to the amount of biomass needed.

Traditionally, many peoples have relied on burning wood and other materials for cooking, heating and other basic needs.

However, the emphasis is now shifting to the development of large-scale biomass burning, in converted coal power stations and new biomass burning plants. These are being subsidised with public funds intended for the development of 'clean, green and renewable' energy.

These facilities burn millions of tonnes of wood and/or other biomass mainly for electricity and sometimes for heat.

Supporters of switching to biomass argue that it is better to burn wood than fossil fuels, because it means that the carbon already in the ground stays locked up there, but the carbon released from the trees will be recycled when more trees grow. However, there are a number of serious flaws in this argument:

- Wood is only a renewable product when it is produced in such low quantities that the forest can restore itself.
- Burning wood releases even more carbon for each unit of energy produced than burning coal.
- The time it takes new trees to grow means it will be decades or longer until the carbon emitted from burning wood is re-adsorbed, but climate-change science tells us that the problem is so urgent it must be addressed now if we are to be successful.
- There are no guarantees that new trees will actually be planted or allowed to re-grow.
- If forests are clearcut or degraded, their soils and vegetation release carbon and may not recover for a very long time, if ever.
- Plantation trees only contain about 20% of the carbon found in old growth trees.[2] This means plantations cannot re-adsorb the carbon emitted when native forests are felled.

Unfortunately, industrialised countries such as those in Europe, the USA, Canada and South Korea are rapidly adopting new policies that support biomass burning as a 'renewable energy', and this huge new market is already developing. Energy companies are being awarded substantial subsidies. Investors are also seeking to profit from growing and selling biomass to export.

As a result, the shift to using and importing more and more biomass is likely to trigger increased land grabbing, leading to the destruction of critical habitats, farmland, biodiversity and water resources.

Women will be particularly affected, as they are often responsible for gathering fuelwood, water, food and medicinal plants from forests.

...IGNORING THE LESSONS LEARNED FROM BIOFUELS

This is not idle speculation. The use of liquid biofuels to run cars, aeroplanes and other vehicles is already underway and expanding.

Biofuels are a form of biomass, usually produced from vegetable oils (such as soya, palmoil and jatropha) or starchy crops such as corn and sugarcane. There are also efforts underway to use wood, algae and other materials as well.

However, there is growing recognition that diverting farm land to produce fuel is contributing to rising food costs, and escalating hunger and malnutrition. Investors are moving in and land grabbing is escalating.

Governments are also acting in collusion with investors, making it even more difficult for people to seek recourse when they are threatened with eviction from their traditional lands.

GOVERNMENTS' NEW PLAN TO DEVELOP 'BIOECONOMIES'

The USA, Europe and other countries are promoting an even broader 'bioeconomy' approach based on biomass, officially as a substitute for fossil fuels (in reality they may use both).

Their vision is to massively expand the use of biomass, using plant material for the production of an immense range of plastics, chemicals, materials, and other products, as well as fuels (using various still-to-be-discovered and potentially risky biotechnologies to do so).

Again, the most immediate problem is the scale on which this is being planned. Putting the bioeconomy in place as an overarching industrial strategy would inevitably mean that biomass will be grown on an immense scale and traded on global markets.

But the impacts of such an unprecedented demand for land, combined with the use of fertilizers, agrochemicals and water for irrigation, and the impacts of refinery operations, has not been acknowledged.

There have been some global assessments of 'biomass availability' based on the use of 'marginal and degraded' or supposedly abandoned lands.

But a closer look shows that these are often areas that peasant farmers, Indigenous Peoples and pastoralists depend upon for their livelihoods.

Forests, fertile farmlands and rich grasslands have all been designated as 'marginal and degraded' by those interested in grabbing them for bioenergy and other purposes.

GENETIC ENGINEERING IN THE NEW 'BIO-ECONOMY'

Central to the new 'bioeconomy' is the biotechnology industry, which is currently working to genetically engineer new varieties of trees and crops that grow faster, tolerate colder temperatures, and can be turned into fuels and chemicals more easily.

These include new genetically-engineered ('GE') eucalyptus, poplar and pine species. Varieties of corn that can be converted into ethanol more easily are also being grown,[3] and other crops are being engineered for fuel use.

Meanwhile, the new technology of 'synthetic' biology aims to develop new microbes and algae — such as microbes that can 'digest' biomass, turning it into fuels and chemicals, or algae suitable for fuel production.[4]

While genetic engineering usually involves inserting some genes to make small changes in another organism, synthetic biology involves patching together a new set of genes, making an entirely new organism.

GMOs and synthetic life-forms present serious and unpredictable risks to human health and to ecosystems.

THE BIOMASS APPROACH CONFLICTS WITH REDD+, BUT BOTH WILL DRIVE LANDGRABS

It is ironic that REDD+ policies purport to protect the world's forests and biodiversity, whilst this new push for biomass-based economies will have exactly the opposite effect.

The emphasis on bioeconomies will have a massive impact on land use, far greater than that of wind, solar or virtually any other type of energy that exists. Biofuels have already had a devastating impact even

though they provide only 3% of global transport fuels.

It is also a question of overconsumption by wealthier countries and communities: simple common sense indicates that these levels of consumption of energy and resources cannot be sustained, by fossil fuel use or by bioeconomies.

1 www.thisisgrimsby.co.uk/Firm-leads-way-deliver-biomass-facility-Port/story-18867675-detail/story.html#axzz2SiGhzIxz

2 Forests in a Changing Climate, Friends of the Earth International, Forests in a Changing Climate, Friends of the Earth International, 2008, www.criticalcollective.org/?publication=forests-in-a-changing-climate

3 www.guardian.co.uk/environment/2011/aug/15/gm-corn-development-food-fuel

4 www.cbd.int/doc/emerging-issues/foe-synthetic-biology-for-biofuels-2011-013-en.pdf

For more detailed information and references you can read:

Sustainable Biomass: A Modern Myth, Biofuelswatch
www.biofuelwatch.org.uk/2012/biomass_myth_report/

and Fact Sheet on Genetically Engineered Trees
Global Justice Ecology Project

http://globaljusticeecology.org/files/GE%20trees%20Factsheet%203:13.pdf

COMMUNITY RIGHTS AND 'BUEN VIVIR' AS AN ALTERNATIVE TO 'GREEN' FOREST GRABBING

A GUIDE FOR COMMUNITIES

written by
Critical Information Collective
for Global Forest Coalition

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PART 4: 'BUEN VIVIR' AND TRADITIONAL PRACTICES AND CULTURES HELP TO COOL THE PLANET

'BUEN VIVIR' OFFERS A NEW WAY FORWARD

Indigenous Peoples' and local communities' traditional practices and cultures help to cool the planet. Because forests matter so deeply to Indigenous Peoples and many local communities, they use them carefully and thoughtfully, making sure that the forests and forest species remain healthy and intact, to be enjoyed by their children, and their children's children. This conserves biodiversity. It also helps to 'cool the planet'.

'Buen Vivir' — which literally means 'good living' or 'living well' — is a way of living communally and in harmony with nature that was originally based on the lifestyles of the Indigenous Peoples of the Andes. It is a developing philosophy that has garnered much support amongst social movements since the Peoples' Summit on Climate Change and the Rights of Mother Earth held in the Bolivian city of Cochabamba in 2010.

Buen Vivir articulates the ideas that human beings are part of nature, not separate from it, and that the aim of living is to seek balance and harmony, rather than growth.

It focuses on defending ecosystems and natural resources like water and the sky as critical shared 'commons' that we all depend upon, rather than commercial resources that can be privatised and traded to create profit.

The Buen Vivir lifestyle is also based on the idea that people are first and foremost members of their communities, not individuals struggling to compete with each other.

This also implies the provision of effective public services and social protection measures. Knowledge, culture, art and education are also considered to be the products of common thinking and common efforts.

The overall aim of Buen Vivir is to establish a good life for the entire community rather

than individual wealth for people or corporations. Buen Vivir prioritises social justice and the redistribution of wealth. It measures happiness, not growth.

This means that it is fundamentally at odds with the logic of competition, profit-making and perpetual growth that drives capitalism and current market-based approaches. These conflict with the scientific reality that the Earth's natural resources are limited.

Buen Vivir thus rejects the 'trade or die' recommendations that have been promoted by neo-liberal institutions such as the World Bank.

Instead it complements ideas like food, wood and energy sovereignty and 'deglobalisation'. It emphasises the need for communities to control their own local production for local consumption, rather than exporting to meet demand and overconsumption in other countries.

MEASURING HAPPINESS

Because Buen Vivir's overall approach is about happiness rather than wealth, it also raises questions about the best way to measure progress and development.

In a capitalist society, people tend to prioritise wealth, believing that the more money they have, the more value and status they have. Governments also measure how well countries are doing in terms of their income and how much they are trading.

But many aspects of human happiness that are really important to people simply can't be measured in monetary terms. These include having enough free time, being part of a caring, loving community and/or family, and a general sense of satisfaction, self-awareness and pride in one's own culture, traditions and history.

It is also important to note that happiness and Buen Vivir can exist in the absence of material wealth — there is a difference between material poverty and social misery, which is what really needs to be eradicated from this planet.

In addition, some social movements are also promoting the concept of 'rights of nature' or the 'rights of mother earth.' While this legal approach is not an Indigenous concept, it is an important concept for many who seek harmony with nature, and it has already been legally incorporated into Ecuador's constitution.

Last but not least, it is important that traditional and other approaches to forest conservation and Buen Vivir fully respect the rights, role and needs of women as well.

This includes respect for their basic human rights, including their reproductive and sexual rights, as well as respect for the rights and roles they might have in their own community, which is often overlooked by outsiders.[1]

Bhutan's 'Gross National Happiness' scale[2]

The country of Bhutan measures collective 'Gross National Happiness.' This considers 124 variables related to psychological well-being, health, education, culture, time use, good governance, community vitality, ecological diversity and resilience, and living standards. Bhutan's government uses these measurements to determine how to improve the happiness of the country's "not-yet-happy people".[3]

Nepal: Community Managed Forests[4]

In Nepal, just over one fifth of the country's total forest area (1.219 million ha) is managed by local communities, through 14,337 Community Forest User Groups (CFUGs). These Community Managed Forests are managed more effectively and suffer less degradation that government-managed forests. They provide communities with resources and livelihoods, including women, Janajati and Dalits. The model is both popular and successful, although there are still questions about who owns the land, which still belongs to the government.

NEW CONCEPTS: FOOD, ENERGY AND WOOD SOVEREIGNTY

Instead of ramping up demand for land, new strategies to provide fair access to sustainable energy should be based on the concept of 'energy sovereignty', and the more specific concept of 'wood sovereignty'.

Energy and wood sovereignty build upon the concept of food sovereignty, which emphasises "the people's right to produce their own food, on their own territories, in accordance with their own food culture and tradition."[5]

Similarly, "Energy sovereignty is the right of people to have access to energy and to make their own decisions over sustainable energy sources and sustainable consumption patterns. Energy sovereignty gives greater local control of energy resources (and transport infrastructure), with the benefits and returns going to the local or national community."[6]

Wood sovereignty is based on these two principles and comprises the people's right to have access to wood on their own territories for their own sustainable consumption in accordance with their own culture and tradition.

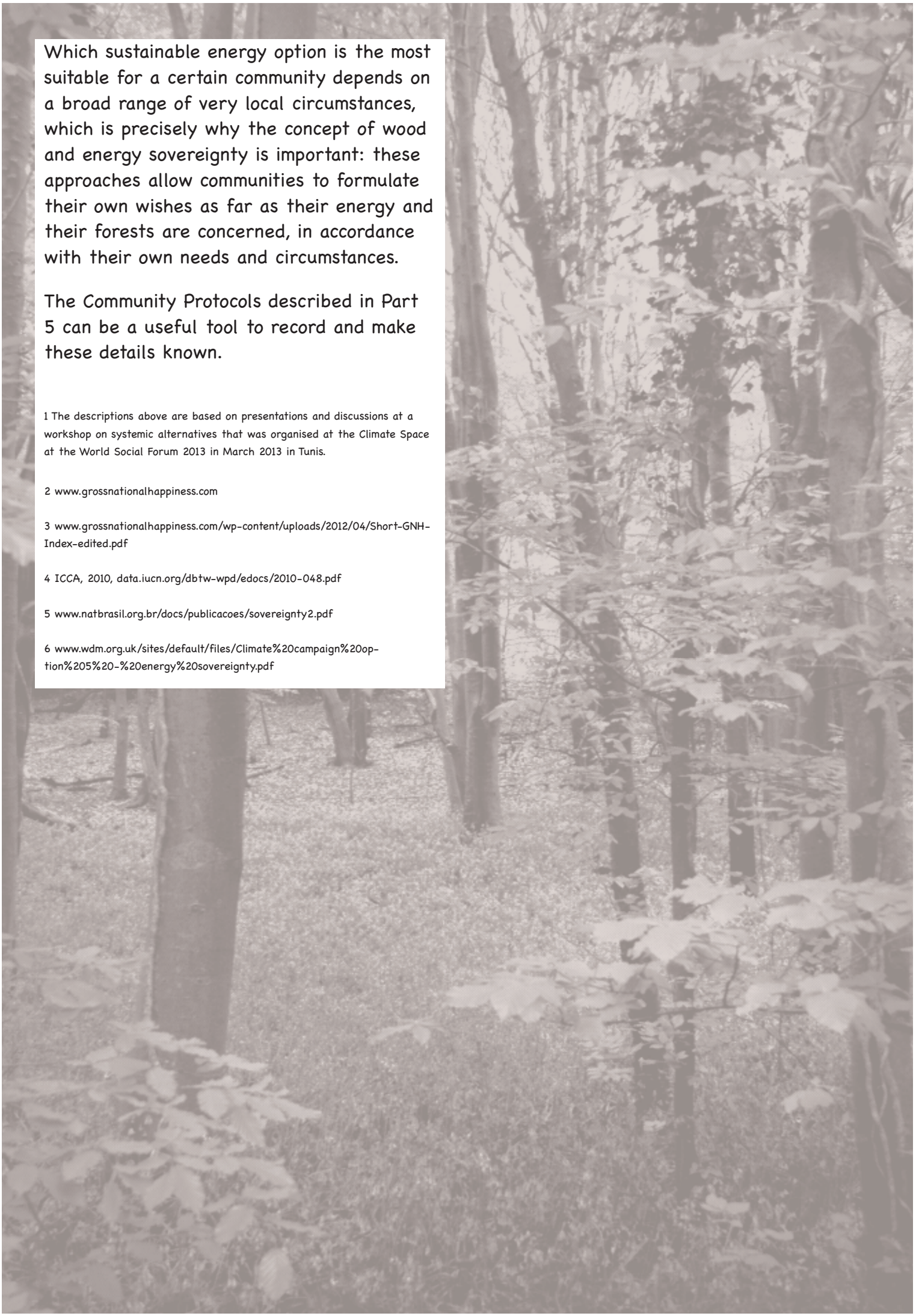
It should again be noted that there are important gender dimensions to food, energy and wood sovereignty. Because women are often responsible for collecting fuelwood, and cooking and caring for children, they are often the most immediately impacted when their access to fuel, food and medicines is compromised. Thus, energy, wood and food sovereignty are especially important to women.

It should be ensured that ensured community actions benefit women in the community equally, and that health impacts of, for example, wood consumption for energy use are fully taken into account — for example, in the design of culturally-appropriate cookstoves than enable woodsmoke to be kept out of the home.

Cooking with wood in traditional open hearths, results in exposure to smoke that is linked to respiratory and other illness, especially for women and children. International efforts are underway to provide cleaner and more efficient cookstoves. Unfortunately, these efforts often fail to take traditional practices and preferences into account. These can be specific to different communities, and this can mean that the stoves that are offered often fail to meet their needs.

Because cookstove manufacturers often seek to profit from sales of their stoves, it is essential to carefully and critically scrutinise the claims made about the performance of stoves.

Unfortunately, there are few resources currently available for independent assessment and comparison of different stove models.



Which sustainable energy option is the most suitable for a certain community depends on a broad range of very local circumstances, which is precisely why the concept of wood and energy sovereignty is important: these approaches allow communities to formulate their own wishes as far as their energy and their forests are concerned, in accordance with their own needs and circumstances.

The Community Protocols described in Part 5 can be a useful tool to record and make these details known.

1 The descriptions above are based on presentations and discussions at a workshop on systemic alternatives that was organised at the Climate Space at the World Social Forum 2013 in March 2013 in Tunis.

2 www.grossnationalhappiness.com

3 www.grossnationalhappiness.com/wp-content/uploads/2012/04/Short-GNH-Index-edited.pdf

4 ICCA, 2010, data.iucn.org/dbtw-wpd/edocs/2010-048.pdf

5 www.natbrasil.org.br/docs/publicacoes/sovereignty2.pdf

6 www.wdm.org.uk/sites/default/files/Climate%20campaign%20option%205%20-%20energy%20sovereignty.pdf

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PART 5: INDIGENOUS PEOPLES' AND COMMUNITY CONSERVED TERRITORIES AND AREAS (ICCAs) AND COMMUNITY PROTOCOLS

INDIGENOUS PEOPLES' AND COMMUNITY CONSERVED TERRITORIES AND AREAS

There is ample evidence showing that deforestation rates in Indigenous forests are lower than elsewhere.

Yet even though Indigenous Peoples already know how to manage the world's forests and other ecosystems sustainably, their knowledge is too often overlooked by governments seeking ways of conserving biodiversity or dealing with climate change.

The International Indigenous Peoples' Forum on Climate Change (IIPFCC) observes that without territorial rights and genuine self-determination, the contribution that Indigenous Peoples can make to the future cooling of the planet will fade.

In this sense, all policies to prevent climate change should support Indigenous Peoples' activities instead of focusing on 'false solutions' that prioritise commercial interests.

Effective forest policies are based on: social and cultural incentives that recognise traditional value systems; environmental education; and legal incentives such as well-enforced forest regulations and the recognition of communal land rights.

Fortunately, the role that Indigenous Peoples and local communities have played, are playing and should continue to play, in terms of protecting the world's forests, is increasingly being recognised through the concept of Indigenous Peoples' and Community Conserved territories and Areas (ICCAs).[1] ICCAs are more equitable and workable than the market mechanisms proposed by governments, such as REDD.

Most importantly, they are designed by local people for local people, which means they work really well in terms of their impacts on human rights and social welfare, as well as biodiversity and climate change.

It is important to note that many Indigenous cultures are also based on the idea that using natural resources is essential to feeling a responsibility towards them; and that conservation without use actually alienates people from their lands.

ICCAs can help to make sure that forest products and resources will continue to be available for the 1.5 billion people around the world that depend on forests, either directly or indirectly.

There is also significant evidence that ICCAs are at least as effective as conventional protected areas in terms of their contribution to the conservation of biodiversity.

Because each ICCA has been or is developed in response to a specific ecosystem and its needs, and addresses the practical, cultural and spiritual needs of the local Indigenous Peoples and communities, they can be extraordinarily effective and long-lasting solutions.

ICCAs' resilience is also affected by the sustainable nature of Indigenous processes, which are based on collective memory, adaptability, self-determination, long-lasting traditional institutions, and an appreciation of the immense value of agro-biodiversity.

ICCAs differ sharply from market-based approaches because they:

- Recognise that traditional and cultural values and community relationships are powerful motivating forces
- Acknowledge the importance of free access to common resources for marginalised people
- Respect cultural values and identity
- Aim to benefit the community
- Prioritise standards and norms agreed amongst communities

What is an ICCA?

An ICCA is an area of forest or another natural area that is being conserved or restored through an initiative that is driven by an Indigenous People or local community. There are thousands of ICCAs across the world, and some have been in existence for much longer than government conservation initiatives. In addition new ICCAs are also being created, in response to new situations (such as climate change).

Formally, an ICCA has three defining characteristics:

- It concerns a people or community that is closely connected to a well-defined territory, area or species.
- The community is the major player with respect to making decisions about and managing that territory, area or species.
- The community management decisions and efforts lead to the conservation of the territory, area or species and associated cultural values.[2]

"Indigenous People have always considered that this land is sacred and that the welfare and health of the planet depend on their health and conservation. This is the vision that has and is still motivating our communities to maintain the conservation and restoration of our territories. We are seeking to recover usurped ancestral lands, and to restore their vitality, to recreate the forests as they once were, before the expansion of Western agriculture and deforestation."[3]

- Mostly recognise and take into account the specific role and needs of women
- Are bottom-up, rooted in the community
- Take a holistic approach to conservation, and
- Do not require permanent funds from external sources to keep going.

ICCAs can also help to generate legal, political and financial support for campaigns against destructive policies and projects, including logging, mining, large tree plantations and land grabbing.

Because ICCAs have often been overlooked, however, they face many threats. It is important that ICCAs are recognised and supported at all levels, including through national governmental policies that acknowledge the value of ICCAs, and through policies that promote land reform, food sovereignty and sustainable alternative livelihoods.

The Bahagya-Bafunjo clan and the Kintu forest, Uganda

The forest located in the western part of Uganda, in the Hoima district, belongs to the Bahagya-Bafunjo clan. Communities respect the forest as a dwelling place of their spirit/god (Isowera). They visit the forest to appease their spirits and to pray for riches, successful marriages, good jobs, education and money.

Because of the connotation community members attach to the forest, it has survived encroachers, loggers, and conversion to land for agriculture. It has also become a resource centre, where inter-cultural meetings take place, and research is encouraged. It sets a wonderful precedent for people visiting from other cultures who can see how they might replicate the same good practice elsewhere, and help to conserve standing forests in their respective areas in this era of climate change.

Senabulya Edward (Kintu Forest, Mukono) talks about Kintu, who was the first King of Buganda, the biggest traditional kingdom in Uganda, and about how he loved nature: this forest was a result of his settlement in that place. The forest consists of trees, which are about 300 years old and it's a source of their livelihood as well as medicine.

He says he doesn't allow any timber cutting. This forest has been maintained through cultures and through threats such as, 'you will die if you cut a tree.' He doesn't encourage people to plant western trees (exotics) because they destroy the land and biodiversity. He also says that indigenous trees are more important in enhancing cultures. As a strategy to maintain and protect the forests he also encourages other villagers to plant as many trees as possible. He urges the government to involve local people in growing, maintaining and protecting the forests.[4]

An alternative proposal to Reduce Forest Loss from the Indigenous Peoples of the Amazon Basin

An alternative proposal from the Indigenous Peoples of the Amazon Basin calls for the holistic management of 'Buen Vivir' or 'good life territories' through COICA's 'Indigenous REDD+ proposal'.

This is an initiative that seeks to value the integrity of ecosystem services provided by forests and Indigenous territories, which goes beyond considerations about carbon capture. It invites the adoption of an integrated vision and a comprehensive approach to the forests' other goods and services.

Amongst other things, the proposal promotes legal security and Indigenous Territorial Governance; the effective reduction of greenhouse gases from all sources in all countries; moratoriums on deforestation; and revisions to existing contracts for the extractive industry, megaprojects and agricultural industries (including biofuels and genetically modified crops).

It proposes funding from public sources, including national budgets, state taxes, and international cooperation budgets. It opposes financing through carbon markets.

Community Conservation Resilience Assessments (CCRAs)

Global Forest Coalition aims to promote a new initiative, Community Conservation Resilience Assessments (CCRAs), to provide a way for Indigenous Peoples to test the resilience of their own initiatives and biocultural approaches to conserving and restoring biodiversity.

These assessments will also analyse what legal, political, socio-economic, financial, technical, and capacity-building support is needed to sustain and strengthen each of the initiatives.

They will also consider the specific rights, roles, and needs of women in biocultural approaches to biodiversity conservation and restoration; and analyse the implications of relevant human rights' instruments, especially those that address the rights of Indigenous Peoples.

The assessment will be performed in at least 20 countries, involving at least 60 communities.

COMMUNITY PROTOCOLS

In all cases where collaborative forest conservation projects are being proposed – whatever the nature of the project and whoever is running it – affected Indigenous Peoples and local communities should be consulted, in accordance with their right to Free Prior and Informed Consent, as enshrined in the UN Declaration on Indigenous Peoples (UNDRIPs).

Indigenous people have the right to say 'no' to a forest conservation project that impacts their territories and livelihoods. In REDD+ projects and many other situations, non-indigenous communities have that right as well. However, to reach the point where they can make a decision about this, communities need to receive full information and have their views heard and addressed.

'Community Protocols' offer a way of communicating the full depth and breadth of an Indigenous People's cosmovision, customary laws and territories, and the specific concerns of local communities, especially with respect to their natural resources and traditional knowledge.

These protocols help communities to assert their rights and explain what they are looking for from any proposed projects. They strengthen communities' negotiating positions. They can also help to guide the design of appropriate forest conservation projects. These protocols can be written but they could also be in a non-written form (such as on video).

Community Protocols are already recognised under the UN Convention on Biological Diversity (CBD). Communities have used them to demand things such as respect for farmers' and livestock keepers' rights, the conservation of traditional knowledge about medicinal plants, seeds, and breeds, and the protection of Indigenous territories.

For more information about developing Community Protocols, and a toolkit to help you, visit Natural Justice's website:
www.community-protocols.org

Community Protocols can also be used when communities are presented with REDD+, bioenergy and similar project proposals.

They can be employed as a way of insisting on the right to Free, Prior and Informed Consent, and to express the communities' desire to be involved in the design, monitoring and evaluation of any projects aiming to reduce forest loss or mitigate climate change. They can also be used to present the case for continuing with the customary use of resources.

The following is an overview of the kinds of issues that Indigenous Peoples and local communities are including in Community Protocols:

- Who the community is.
- A description of the community's traditional leadership and decision-making processes.
- An explanation of how their knowledge, innovations and decision-making processes govern their use of forests and other natural resources.
- Information about the links between their culture, spirituality, customary laws, traditional knowledge, and biodiversity.
- Maps and other practical details about their territories and resources (eg sacred sites, areas for collection of non-timber forest products and important hunting, fishing and grazing areas).
- Information about factors and resources upon which their ways of life depend.

- Details about local land tenure systems and any related problems.
- Information they have about threats to the forests.
- Their hopes for locally appropriate development and 'buen vivir'.
- A description of how they interpret the concept of Free Prior and Informed Consent (FPIC) and how they want to be consulted, and
- An inventory of their applicable rights, including customary, national and international laws.

Some assistance may be required in drafting these protocols, especially in terms of access to information about rights under international and national law.

Communities can also make good use of Geographical Information Systems (GIS) and Geographical Positioning Systems (GPS) technologies to map their own lands and territories in order to complement their traditional knowledge, if they are made available with appropriate training in how to use them.

The actual process of drafting the protocol takes time, but is important. It gives communities an opportunity to reflect on a number of questions, especially regarding their ideas and aspirations for locally appropriate development. For example:

- What existing economic activities do they want to protect, taking into account gender aspects?
- What new economic activities do they need or want, taking into account gender aspects?
- What is needed to maintain the unique relationship between the community and the forest?
- What activities would reduce existing pressures on the remaining forests and nature in general?
- What has been learned from earlier development initiatives?

The process also allows communities time to discuss their views on REDD+, which is a new concept and may not have been discussed within the community before. Communities might also use the process as an opportunity to consider other options. Most importantly, Indigenous Peoples should be well aware that many of the actors in REDD+ policy-making have significant financial and other interests in REDD+ themselves, and that the information shared might not be fair, complete and unbiased.

However, the 'REDD readiness' process that is ongoing in some countries can involve processes that help Indigenous Peoples and local communities to voice their concerns about forest conservation and their territorial and other demands, even if REDD finance is not ultimately forthcoming.

This could include the resolution of land tenure issues, and building support for traditional knowledge and customary management practices, which can form an alternative to REDD+ if sufficient REDD+ finance does not materialise (which seems quite likely at the moment).

1 See ICCA Consortium www.iccaconsortium.org

2 See ICCA Consortium www.iccaconsortium.org

3 Geodisio Castello, an Indigenous legal expert from Kuna Yala, Panama, during the 2010 national workshop on the underlying causes of forest restoration in Panama, in Hall, R. (ed,) 2010. Getting to the Roots, Underlying Causes of Deforestation and forest Degradation and Drivers of Forest Restoration, Global Forest Coalition, 2010, www.globalforestcoalition.org/wp-content/uploads/2010/11/Report-Getting-to-the-roots1.pdf

4 ICCA, 2010, http://data.iucn.org/dbtw-wpd/edocs/2010-048.pdf