

Sille Stidsen

*Mr Masambe Nguya was standing outside his burning homestead when he was spotted by a police officer who poured petrol over him and pushed him towards the flames. Luckily, he stumbled and fell and managed to flee whereby he survived....*

In early July, more than 200 Maasai homes were burnt down and 3,000 people from eight villages in Loliondo, Ngorongoro District in Tanzania, left homeless. Food stores and maize fields were burnt, exacerbating an already alarming hunger situation, and 50,000 cattle were pushed into areas hit by extreme drought, with no water and grass. The evictions of the Maasai pastoralists from their homes were extremely violent, with several women being raped by policemen, and family units breaking up, with the result that some children were lost in the bush during the chaos and panic.

The Maasai community of Loliondo has been struggling to resist land grabbing and forced domination of their legally owned land since 1992, when a private company – owned by a member of the Royal family from the United Arab Emirates – was allocated hunting rights in the area by the Wildlife Division of the National Government of Tanzania. The July evictions were the culmination of this long conflict and, at the same time, the latest in a series of violent evictions of pastoralists from their traditional land in different parts of the country. In January 2009, every single pastoralist in the District of Kilosa was targeted by a violent and unlawful eviction operation that intended to forcefully remove them from land where they had been residing for more than a hundred years. And between May 2006 and May 2007, an estimated 400 Sukuma agro-pastoralists and IIParakuiyo, Taturu and Barabaig pastoralists and their livestock were evicted from their homes in the Usangu Plains in Mbarali district.<sup>1</sup>

As highlighted by Maganga and Odgaard in their article in this volume, evictions of pastoralists from their traditional lands form part of a broader context of anti-pastoralist government policies in Tanzania.

We share their and our Tanzanian partners' worry as to whether the very same government that is responsible for this overt oppression of an indigenous lifestyle and culture and the communities' practising it will design and implement its future climate change mitigating forest conservation, known as REDD Programmes, in a way that does not further limit Tanzanian indigenous peoples' traditional livelihood practices and threaten their very existence in an already hostile policy environment.

The worry of our partners in Tanzania is much in line with how forest-dependent indigenous peoples in other parts of the world feel about REDD. They are used to being treated as inferior citizens, and have long-lasting experience of forest governance systems that deny them their basic human rights and rights as indigenous peoples to stay on their traditional land and practise their traditional livelihoods and cultures. To name but a few examples, in line with the Tanzanian case described above, indigenous peoples in Sarawak are evicted from their traditional lands to make way for large-scale plantations, and in Thailand indigenous hill tribes are thrown off their land in the name of forest conservation.

Since the idea of REDD was formally incorporated into the negotiations under the UN Framework Convention on Climate Change a couple of years ago, indigenous peoples have engaged in intense debate among themselves and with international institutions and national governments on how to deal with it. First and foremost, indigenous peoples have been criticizing the fact that REDD was launched without consideration of their long-lasting role as stewards of the world's remaining forests, and without prior consultation with them as rights holders with a special status in the context of REDD. With an estimated 90 million indigenous peoples living in and depending on forest resources for their livelihood and their distinct social and cultural practices, it is obvious that they have a special status and a role that should be recognized in all deliberations on REDD. But before looking more closely at indigenous peoples' worries and demands within the negotiations on policies for



*Parakuyo and other Indigenous pastoralists in Tanzania need access to grazing for their cattle in woodlands and forest areas for parts of the year, and fear that REDD-initiatives will limit this traditional livelihood practice in the future.*  
Photo: Jens Dahl.

REDD internationally and nationally, let us take a closer look at what REDD is, and why it came about.

### An easy fix for global warming?

The idea of using forest conservation as a tool for mitigating climate change was first introduced formally in the negotiations under the UN Framework Convention on Climate Change (UNFCCC) in December 2005.<sup>2</sup> In late 2007 it was decided that a policy framework for Reducing Emissions from Deforestation and Forest Degradation (REDD) should be negotiated as part of the new global deal on tackling global warming that is supposed to come out of the 2009 negotiations and COP 15 in Copenhagen in December this year.<sup>3</sup>

Scientists estimate that around 20% of the global greenhouse gas emissions that cause global warming stem from eradication or serious degradation of forest. Standing forest absorbs CO<sub>2</sub> (this process is called carbon sequestration), and many see conservation of forest as the best tool known so far to reduce greenhouse gases in the atmosphere. Others criticize this as a false solution to the climate crisis, allowing

industrialized countries to pay those in the South to conserve their forest, while continuing to pollute at home instead of seriously dealing with their own CO<sub>2</sub> emissions at source. These critics point out that the best way to get rid of the excessive amount of CO<sub>2</sub> in the atmosphere would be to cut down on industrial emissions in the developed countries, which bear the heaviest historical responsibility for the current crisis.

The debate on historical responsibility and ecological debt has been and remains intense. Controversies about whether future REDD programmes should be financed through market-based mechanisms, trading carbon storage in forests for the right to emit CO<sub>2</sub> in industrialized countries, via international funds through which developed countries would pay off (parts of) their ecological debt, or a combination of the two, is ongoing. The fact remains that REDD is already exerting a considerable influence on international forest governance. Large international institutions have been set up to facilitate possible REDD countries' preparations for future REDD programmes, most notably the World Bank's Forest Carbon Partnership Facility (FCPF) and UN-

REDD. The latter has been established jointly by the Food and Agriculture Organization (FAO), the United Nations Environment Programme (UNEP) and the United Nations Development Programme (UNDP). With funding from these institutions, or via bilateral assistance, most notably from Norway, governments of sub-tropical and tropical countries with significant forest cover have started national processes setting the frameworks for future forest conservation projects in the name of REDD.

### Why is REDD so important for indigenous peoples?

Since REDD was first announced within the realm of the UNFCCC, indigenous peoples have been expressing worries about what this new monetary value on standing forest – forest that is in many cases home to indigenous peoples – will mean for them. REDD processes are driven by national governments and many, if not most, indigenous peoples have little reason to believe their rights and concerns will play any significant role in their national governments' way of dealing with the prospect of REDD money starting to flow. Indigenous peoples' land and resource rights, and their very existence, is already threatened by the commercial value of their forest areas – timber extraction, mining, conversion of large forest areas to plantations or mono-crop industrial agriculture, etc. And with the prospect of governments starting to trade the carbon stored in their trees, conserving vast tracts of forest lands, they worry that their right to stay on these lands may be jeopardized.

Indigenous peoples have therefore been intensely engaged in debating the overall framework for future REDD programmes. They find it unfair that their national governments get to sell the carbon stored in their trees when in fact they, the indigenous peoples, are the real stewards of the forests. It is worth mentioning here that recent studies underpin this claim: most of the world's remaining tropical and subtropical forests are found in indigenous territories. And when a study in Central America compared deforestation rates in indigenous peoples' community-managed forests with that of protected areas, there was no difference. Forest degradation was just as high in uninhabited protected areas as it was in timber-producing community-managed forests.<sup>4</sup>

### What indigenous people demand

According to the UN Declaration on the Rights of Indigenous Peoples (article 26) and other international

human rights instruments, they have a right to the land they have traditionally occupied, and to access the resources they have traditionally depended on for their livelihood practices and cultures.<sup>5</sup> It is the social coherence and mere survival of their communities that is at stake when access to their traditional land and resources is threatened.

In international and national policy development and planning for REDD, indigenous peoples demand these basic rights be recognized and protected. First and foremost, they demand that REDD should not in any way threaten their rights to land, territories and resources. And they demand the right to free, prior and informed consent with regard to all REDD planning and implementation in their territories. A right that is also provided for in the UN Declaration:

*"...States shall 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 and other resources..." (article 32).*

In the present REDD readiness phase, what is important is to participate meaningfully in designing policy frameworks and programmes – at the international level where the overall framework for REDD is being defined, and at the national level where existing forest policies are being analyzed and options for future REDD initiatives debated. This right to participate meaningfully in all decision-making affecting them is also enshrined by the UN Declaration on the Rights of Indigenous Peoples:

*Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures..." (Art. 18).*

And in the context of REDD, this has been highlighted by, among others, the OHCHR report on the Connection between Climate Change and Human Rights adopted by the Human Rights Council in March 2009.<sup>6</sup>

From the outset, indigenous peoples have been quite visible in the international debate on REDD, and their early mobilization and protests soon resulted in consultations and an increased openness towards involving their representatives in some role or other in the governing bodies of the main international institutions dealing with preparations for REDD (FCPF and UN-REDD).

At the national level, though, REDD initiatives implemented through the very same institutions lag behind in their recognition of indigenous peoples' rights. In late 2008, a study conducted by the NGOs



Since colonial times, governments have falsely accused shifting cultivation of being a main cause of deforestation.  
Photo: Christian Erni

Forest Peoples' Programme and FERN (*the Forests and the European Union Resource Network*) revealed that almost none of 9 governments' initial readiness notes (known as R-PINs, Readiness Plan of Interest Notes, submitted to the FCPF) mentioned indigenous peoples' rights, just as they did not reflect proper consultation with indigenous peoples on the scope of REDD, or in general consider the human rights aspects of REDD planning and implementation. On the contrary, many R-PINs state that indigenous peoples' shifting cultivation - which for many is a traditional lifestyle, refined over centuries to suit the specific natural environment in which they live - is a driver of forest degradation.<sup>7</sup>

### Articles in this volume

Much has been said and written about REDD and indigenous peoples over the past years' start-up phase. With the articles in this volume, we want to contribute to the debate by presenting some of the experiences indigenous peoples have had so far with the early stages of development of national REDD programmes, challenge the rationale behind the non-acceptance of indigenous-controlled forest management within the framework of REDD, and contextualize this REDD debate with a view to providing some examples of important lessons learnt in existing indigenous-controlled forest management systems. It is our firm belief that indigenous peoples

can contribute to the success of REDD, and that they as the primary stewards of the world's forests have a right to benefit from REDD if they so wish. If implemented with respect for their rights, future REDD programmes could potentially benefit some indigenous communities.

In the first article, Sena presents an overview of the emergence of REDD in Africa, and how indigenous rights have been treated in the early stages of REDD on the continent. He analyses what the key challenges and possible opportunities in REDD are for indigenous peoples, and outlines possible ways forward.

A number of the other articles presented here exemplify how the non-recognition of indigenous livelihood practices and culture in existing forest governance leads indigenous peoples to worry about future REDD initiatives on their lands and territories. In both Tanzania (see Maganga and Odgaard) and Nepal (Sherpa's article), nomadic indigenous peoples have experienced community-based forest management regimes undermining their access to forest resources essential for their livelihood. Community-based forest management has transformed the forest sector in both countries profoundly, and is widely recognized as a progressive new trend in forest governance. Unfortunately, mobile indigenous communities in both countries share the experience of being excluded from entering forest areas that form part of their traditional livelihood base when the communities that are settled around these forests get

the right to govern them under community forestry schemes. In terms of REDD, indigenous peoples have not been involved in the early planning stages in these two countries (see Laltaika's update article on recent indigenous engagement in the REDD process in Tanzania, and Sherpa's article on the REDD process in Nepal) and, naturally, they worry about their future status in this context.

Shifting cultivation is another livelihood practice that many indigenous communities in sub-tropical and tropical forests around the world share. Since colonial times, governments have falsely accused shifting cultivation of being a main cause of deforestation, soil degradation and a threat to water resources. The prejudices against shifting cultivation are particularly pronounced in Southeast Asia where some governments have taken drastic measures to eradicate it. Now shifting cultivation has also become an issue in the climate change discourse.

In many of the early national documents for REDD, indigenous shifting cultivators are being blamed for deforestation. In his article, Erni shows how recent research indicates that indigenous peoples' land use through shifting cultivation in fact contributes more to combating global warming than plantations (that tend to be popular with governments) do. What this boils down to is exactly what indigenous peoples have feared the most from REDD: that existing non-recognition of indigenous peoples and policies and administrative practices undermining their rights is shaping how governments approach REDD planning at the national level.

On a more positive note, Muchuba's article on the REDD process in the DRC shows that it can make a difference in the long-term perspective for indigenous peoples to mobilize and demand their rights. In the DRC, civil society and indigenous peoples have been involved in consultations on REDD from the early stages, and have now formed a Civil society Working Group on Climate Change and REDD which will closely follow all REDD developments in the country.

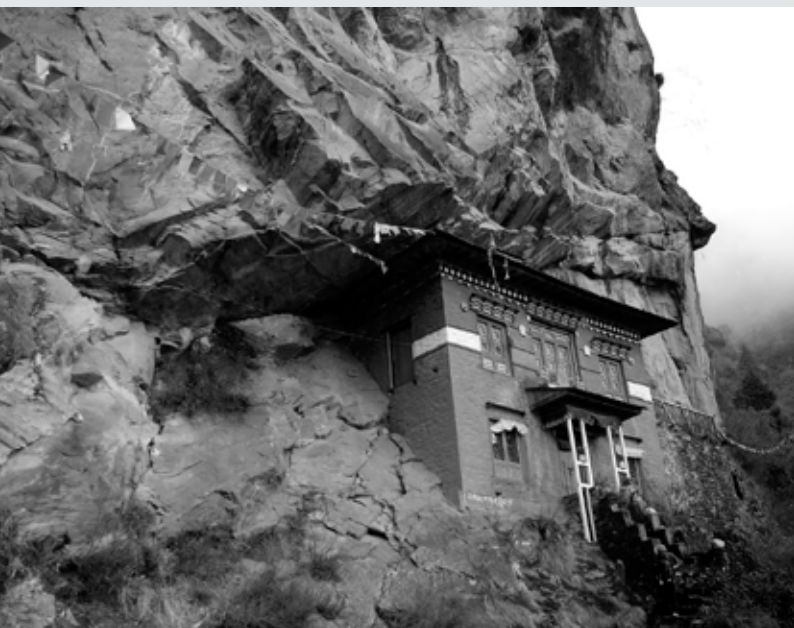
In his article, Muchuba presents how this involvement in the process builds upon the past decade's strong mobilization around forest policy issues, and successful lobbying which has built an indigenous voice that can never again be stopped. Interestingly, the DRC government has taken the bold step of including an indigenous representative as well as a civil society representative in its negotiation team for the UNFCCC negotiations at the Copenhagen Summit in December 2009, where the overall framework for REDD is expected to be agreed.

From Indonesia, we present another strong indigenous voice on the national REDD process. Here, indigenous communities and their national organization AMAN, as well as other Indonesian and international organizations, have mobilized strongly around REDD. In March this year, indigenous peoples' complaints led to the UN Committee on the Elimination of Racial Discrimination (the CERD Committee) issuing an urgent action statement on Indonesia's Draft Regulation on REDD, pointing out that it was inconsistent with the right of indigenous peoples to own and control their traditional territories, as enshrined in the UN Declaration on the Rights of Indigenous Peoples.<sup>8</sup> Indigenous peoples in Indonesia continue to mobilize around REDD and demand that the government respect their rights to land, territories and livelihood in all REDD deliberations. In this volume we present their joint voice on REDD, as stated in a Declaration from a national indigenous consultation on REDD carried out in August this year (The Sinar Resmi Declaration).

The last two articles we present illustrate a couple of existing experiences with indigenous-controlled forest management. As mentioned, it is by now widely recognized in the international forest debate that indigenous peoples have played an enormous role protecting the world's forests, given the fact that the remaining tracts of forest are found precisely where indigenous peoples live. We find it important in the REDD debate to keep looking at specific examples of *how* indigenous peoples manage their forests, in order to remind everybody engaged in REDD of what it is they can contribute to the implementation of REDD – if policy makers allow them to, that is. From both Nicaragua (in Bro Moseholm's article) and the Philippines (in Rice's article) we hear examples of how indigenous peoples manage their forests in such a way that they (the forests) thrive – and at the same time make a decent profit for their communities. The article on the Kalahan in the Philippines describes how a local indigenous organization has built up its own system for monitoring of carbon sequestration, and thus provides very valuable input to a discussion on indigenous communities' possible role in implementing future REDD programmes.

### Increased focus on Human Rights in REDD policies, but still no clear commitment

In conclusion, we would like here to welcome the increasing recognition of indigenous peoples' rights in connection with international and national initiatives on REDD. As mentioned above, the leading inter-



*Forests are not only an important livelihood base, but also home to many sacred places for indigenous peoples. Nepal Himalaya. Photo: Lhakpa Sherpa.*

national REDD institutions have opened up of late, and recognized indigenous peoples as rights holders that must be engaged meaningfully in all stages of policy-making and planning for REDD, internationally as well as at the national level. Indigenous peoples' rights are frequently mentioned in the international negotiations on the framework for REDD that form part of the ongoing UNFCCC negotiations. And the UN Human Rights System's first steps towards a sustained engagement in the REDD debate (with the OHCHR report adopted by the Human Rights Council in March this year and a panel debate on the same issue in June, and the REDD Committee's letter to the Indonesian government in March) are a very welcome contribution to the dialogue with governments on their responsibility to promote and protect the rights of indigenous peoples in the context of REDD.

That being said, it is pertinent to highlight, too, the fact that, despite this increasing focus on human rights and the rights of indigenous peoples in the context of REDD, we have still not seen a clear commitment from any national government to align their national REDD initiatives with the UN Declaration on the Rights of Indigenous People, which is what it would take to make sure indigenous peoples' rights are not jeopardized in connection with REDD. Neither have we seen any national or international initiatives aimed at establishing complaints mechanisms to which indigenous peoples can take

their grievances, in case they are not heard by their governments when REDD plans are made. And, finally, the one thing that would probably be the most efficient way to push for a human rights-friendly REDD paradigm, namely making REDD funding conditional on national REDD initiatives' adherence to the international human rights framework, is a step nobody seems willing to take.

We encourage indigenous peoples to keep up the pressure on their own governments and international institutions in this regard. And we urge governments to take the final steps needed to ensure that future REDD initiatives will not be implemented at the expense of indigenous peoples, whose existence is already threatened in far too many ways. □

## Notes and references

- 1 IWGIA has received numerous reports on all the evictions mentioned.
- 2 The Coalition of Rainforest Nations presented a formal proposal on this to the 11th Conference of the Parties (COP) of the UNFCCC in December 2005.
- 3 Griffiths, Tom, with contributions from Francesco Martone, 2009: Seeing 'REDD'? Forests, climate change mitigation and the rights of indigenous peoples and local communities. This is an updated version (May 2009) of FPP's earlier report, prepared for the UNFCCC COP 14 (Poznan) in December 2008. Available at: [http://www.forestpeoples.org/documents/forest\\_issues/bases/forest\\_issues.shtml](http://www.forestpeoples.org/documents/forest_issues/bases/forest_issues.shtml)
- 4 Bray, D. B., E. Duran, V. H. Ramos, J.-F. Mas, A. Velazquez, R. B. McNab, D. Barry, and J. Radachowsky. 2008. Tropical deforestation, community forests, and protected areas in the Maya. *Forest, Ecology and Society* 13(2): 56. [online] URL: <http://www.ecologyandsociety.org/vol13/iss2/art56/>
- 5 Article 26 of the Declaration reads: "1. Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired. 2. Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use." The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) was adopted by the UN General Assembly in September 2007. UNDRIP is available at: <http://www.un.org/esa/socdev/unpfii/en/drip.html>
- 6 UN HUMAN RIGHTS COUNCIL, March 2009: Report of the Office of the United Nations High Commissioner for Human Rights on the relationship between climate change and human rights (A/HRC/10/61). Adopted by the Human Rights Council on 25 March 2009 with resolution 10/4. The report and the resolution are both available the OHCHR's website: <http://www2.ohchr.org/english/issues/climatechange/index.htm>
- 7 Dooley, Kate, Tom Griffiths, Helen Leake, Saskia Ozinga, 2008: *Cutting Corners - World Bank's forest and carbon fund fails forests and peoples*. November 2008. Available at: [http://www.forestpeoples.org/documents/forest\\_issues/bases/forest\\_issues.shtml](http://www.forestpeoples.org/documents/forest_issues/bases/forest_issues.shtml)
- 8 The CERD Committee's letter to the Indonesian government, indigenous organizations and their supporters' response thereto, and a lot of other reports and documents on indigenous peoples, climate change and REDD can be found on the Forest Peoples' Programme's web site: [http://www.forestpeoples.org/documents/forest\\_issues/bases/forest\\_issues.shtml](http://www.forestpeoples.org/documents/forest_issues/bases/forest_issues.shtml)