



Rights and Resources Initiative Dialogue Bulletin

A Summary Report of the Fourth Rights and Resources Initiative (RRI) Dialogue on Forests, Governance and Climate Change

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SUMMARY OF THE FOURTH RIGHTS AND RESOURCES INITIATIVE (RRI) DIALOGUE ON FORESTS, GOVERNANCE AND CLIMATE CHANGE: 6 APRIL 2010

The fourth Rights and Resources Initiative (RRI) Dialogue on Forests, Governance and Climate Change took place in London, England, on Tuesday, 6 April 2010, attended by around 100 participants representing more than 20 countries. The Dialogue engaged representatives of governments, indigenous peoples, civil society, investors and businesses, and conservation and development organizations from around the world.

The Dialogue was timed to provide an opportunity to review and share opinions on the outcomes of the fifteenth Conference of the Parties (COP 15) to the UN Framework Convention on Climate Change (UNFCCC), held in December 2009 in Copenhagen, Denmark, and the upcoming UNFCCC meeting in April in Bonn, Germany.

Participants convened in four panel sessions throughout the day. In the first session in the morning, participants addressed the outcomes of the International Conference on the Major Forest Basins, held on 11 March 2010 in Paris, France, (the Paris Meeting) and its anticipated follow-up meeting in May in Oslo, Norway (the Oslo Meeting). The Paris Meeting had gathered interested governments to begin operationalizing elements of the Copenhagen Accord on reducing emissions from deforestation and forest degradation in developing countries, plus conservation (REDD+). In the second morning session of the Dialogue, participants discussed issues, options and recommended principles and criteria for proposed interim and global REDD+ architectures. In the afternoon, the third panel session focused on implications of the proposed architectures on adoption and implementation of standards, safeguards and recourse mechanisms. The final session in the afternoon concluded with a discussion summarizing the day's work towards identifying critical issues to be addressed and next steps to be taken in Oslo, Bonn and at COP 16 in Cancun, Mexico.

A BRIEF HISTORY OF THE RRI DIALOGUES ON FORESTS, GOVERNANCE AND CLIMATE CHANGE

The RRI is a global coalition of international, regional and community organizations engaged in forest conservation, research and development. The RRI aims to promote greater global action on pro-poor forest policy and market reforms to increase household and community ownership, control and benefits from forests and trees.

The series of RRI Dialogues on Forests, Governance and Climate Change is designed to foster critical reflection and learning on forest governance, the rights of forest communities and indigenous peoples, and forest tenure in the context of global action to combat climate change, including reducing emissions from deforestation and forest degradation (REDD). This series builds on the discussions of the International Conference on Rights, Forests and Climate Change, convened by RRI and Rainforest Foundation-Norway in October 2008.

Previous dialogues have focused on a variety of topics, including the role of forest governance in achieving reduced emissions from deforestation, the status of forests in the global negotiations on climate change, and the implications of UNFCCC COP 15 in December 2009 in Copenhagen for forest communities and indigenous peoples.

Below is a brief outline of the meetings in the RRI series of dialogues held to date.

OSLO CONFERENCE: RRI co-hosted the International Conference on Rights, Forests and Climate Change, held from 15-17 October 2008 in Oslo, Norway. The event explored how clear tenure rights and community participation can be built into the design, implementation and monitoring of climate change interventions.

FIRST DIALOGUE: Co-hosted by RRI and Chatham House, this meeting took place on 8 July 2009 in London, UK, and addressed four topics: forests and REDD in the UNFCCC climate negotiations; creating precedents and standards through the UN Collaborative Programme on Reducing Emissions from Deforestation and Forest Degradation in Developing Countries (UN-REDD), Forest Carbon Partnership Facility (FCPF) and Forest Investment Programme (FIP); rights, rules and emission reductions; and carbon financing mechanisms and forest governance.

SECOND DIALOGUE: Co-organized by RRI, Chatham House and the World Resources Institute, this meeting was held on 22-23 October 2009 in Washington, D.C., US. The meeting focused on the international implications of the proposed US climate legislation as well as the preliminary steps by the UN-REDD and FCPF to establish REDD-readiness in developing countries.

THIRD DIALOGUE: Co-hosted by RRI and Chatham House, this meeting took place on 22 January 2010 in London, and addressed the outcomes of UNFCCC COP 15 in Copenhagen and future steps.

The reports and presentations from these meetings can be found at <http://www.rightsandresources.org/programs.php?id=169>

The next, and fifth, Dialogue is scheduled to take place in Washington, D.C. in May 2010 and will focus on operationalizing standards and safeguards, and ensuring adequate recourse mechanisms across the suite of REDD initiatives and implementing organizations.

REPORT OF THE FOURTH RRI DIALOGUE

In his opening remarks on Tuesday morning, 6 April, Andy White, RRI, noted that the aim of the meeting was to identify areas of convergence and disagreement and clarify steps forward in order to make a constructive contribution to the debate. Marcus Colchester, Forest Peoples Programme (FPP), highlighted that the meeting was taking place at a critical moment in the global debate on forests and climate change. Emphasizing the rights of indigenous peoples, he expressed concern that indigenous peoples were not allowed to participate in the Paris Meeting. He also expressed concern about the status of safeguards in the work of FCPF and FIP.

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SESSION ONE: FROM COPENHAGEN TO COP 16 CANCUN

Chaired by Andy White, the first session focused on various perspectives on the REDD+ process, architecture, standards and role of non-governmental actors.

Paul Watkinson, Ministry of Ecology, Environment and Sustainable Development, France, noted that while many were disappointed by the outcome of COP 15, the Copenhagen Accord was a strong political agreement, but operational text to move the process forward is now needed. Noting that he has heard criticisms of the lack of inclusiveness of the Paris Meeting, Watkinson emphasized that having multi-stakeholder involvement at the heart of decision making is very important, stressed France's commitment to transparency, and underscored that one aim of the Paris Meeting was to give political momentum to the process of implementation.

Hans Brattskar, Climate and Forest Initiative, Government of Norway, expressed hope that an interim REDD+ partnership arrangement could be established during the upcoming Oslo Meeting, and emphasized that Norway is fully committed to engaging civil society in the process leading to the meeting. To this end, Brattskar noted that: Norway has been organizing conference calls with representatives of civil society; documents being delivered will be available for comment; and representatives of civil society and indigenous peoples' organizations will be invited to attend the Oslo Meeting. He emphasized that the legitimacy of the process will be crucial for success, adding that all countries should be able to participate and civil society organizations could be consulted through workshops.

Estebancio Castro Diaz, International Alliance of Indigenous and Tribal Peoples of Tropical Forests, expressed surprise that the debate still focuses on the participation of indigenous peoples when it should focus on substantive issues. He highlighted the importance of transparency for building trust and expressed concern that indigenous peoples are not part of the discussions in the Paris-Oslo process. He said that indigenous groups were disappointed with discussions and access to negotiations during COP 15. He called for greater information sharing and involvement of indigenous peoples in the design and implementation process on REDD.

Rosalind Reeve, Global Witness, declared that the Paris Meeting set "an appalling start" to the Paris-Oslo process and a bad precedent. While appreciating the efforts by Norway to increase transparency, she noted that it is difficult to engage through the means of conference calls for those based in Africa, for example, and that consultation through parallel workshops is not enough. She also underlined that allowing one representative from civil society for the Oslo Meeting, as proposed by organizers, is an insufficient arrangement. On the focus of the discussions, she said that it should be not only on fast-start financing but also on safeguards and measuring, reporting and verifying (MRV). Giving a "back of the envelope" assessment of civil society and indigenous peoples engagement in international processes on REDD, Reeve gave "two out of ten" to the UNFCCC process after the Copenhagen meeting. She assessed the Paris meeting as "one out of ten", saying that inviting French non-governmental organizations (NGOs) is not sufficient. Assessing FCPF as "five out of ten," Reeve noted that engagement improved but it is still inconsistent. She also evaluated UN-REDD as "eight out ten." Reeve concluded by calling for building trust on the basis of engagement of civil society and indigenous peoples.

DISCUSSION: In subsequent discussion, Peg Putt, The Wilderness Society, Australia, emphasized the need to make the process genuinely transparent and inclusive, expressed concern about the environmental integrity at the heart of REDD, and highlighted the importance of delivering activities that are beneficial for retention of intact natural forest and restoring degraded natural forests. Agustinus Taufik, Transparency International, Indonesia, expressed concern about the technical

skills necessary to understand issues like carbon sequestration and emphasized the importance of transparency and institutional accountability.

SESSION TWO: PROPOSED INTERIM AND GLOBAL REDD+ ARCHITECTURES

The session was chaired by Frances Seymour, Center for International Forestry Research, who noted that the goal of this discussion was to consider alternative proposals from civil society, communities and indigenous peoples, inviting comments in particular on the specific details.

Jeffrey Hatcher, RRI, introduced principles and criteria for effectiveness in emerging REDD+ arrangements. On the current state of play, he noted that there is little guidance provided in the *Ad Hoc* Working Group on Long-term Cooperative Action under the Convention (AWG-LCA) text and that the current set-up is defined by bilateral and multilateral agreements. He also noted that scenarios emerging outside the UNFCCC include: establishing a "light secretariat," merging existing bodies into a REDD+ body, giving some role to the Global Environment Facility, and keeping all implementing organizations separate but under one governing board.

Hatcher identified four components of the REDD+ architecture: a governance body, an administrative body, operations, and an information and monitoring system. He suggested that these are likely be under the UNFCCC COP. At the same time, he stressed the challenges, such as: a commodity boom which leads to a stronger interest to convert forests; the link between guaranteeing rights of indigenous peoples and strong political and legal precedents; and a major risk of conflicts. He elaborated on interests and expectations of stakeholders, which include developing country governments, developed country governments/donors, forest people and indigenous peoples, private investors, and civil society. On principles and criteria, he emphasized ensuring equitable representation and transparency; ensuring that interim and permanent organizations meet social, environmental and financial standards; monitoring social and environmental impacts; and ensuring that real drivers are targeted.

Jean-Auberic Charles, Federation of Indigenous Peoples of Guyana, noted that many people, including politicians and decision makers, fail to understand the reality of life in the Amazon Basin, and emphasized that indigenous peoples are often considered last or not at all in decision-making processes. Charles also noted that multinationals have economic interests which lead them to try to influence the territorial rights of indigenous peoples, and that some countries are corrupted by these entities. Charles emphasized that the culture of indigenous peoples leads them to protect the environment and natural resources that are fundamental to their livelihoods. Highlighting the need for fair and just allocation of resources, Charles called for increased collective and political representation of indigenous peoples.

Nabaraj Dahal, Federation of Community Forestry Users, Nepal, highlighted the importance of institutions in managing forests, noting that in spite of Nepal's growing population, forests are not being degraded there because the country's institutions are effective. Dahal also emphasized the importance of establishing common ownership of REDD+ architecture, in particular of including indigenous peoples and local communities from the outset. Dahal concluded that climate change should not be seen as separate from deforestation, and called for consideration of these issues in the development of REDD+.

Francesco Martone, FPP, highlighted the importance of ownership and the need to ensure all rightsholders are involved both in the process and in governance bodies on REDD+. He noted that to provide for a truly participatory process more time may be required and hence schedules may need to be reviewed accordingly. He further stressed that any architecture should be coherent, comply with high-level standards on human rights

and rights of indigenous peoples, have a recourse instrument and a mechanism to implement safeguards, and be accountable in terms of results.

Dan Nepstad, The Woods Hole Research Center and Instituto de Pesquisa Ambiental da Amazônia, said an interim partnership should aim at REDD+ compliance that slows the increase of greenhouse gases, is efficient and ensures meaningful participation. He stressed that drivers of deforestation and degradation need to be addressed, referring to the example of Brazil's climate change plan that appears to be incompatible with its agricultural agenda. Nepstad also drew attention to the importance of the sub-national level, noting states' potential to inform and push federal governments. He concluded by noting that projects and demonstration activities should take into account both drivers and the sub-national level.

DISCUSSION: During the discussion, Per F.I. Pharo, Government of Norway, emphasized that trying to establish the perfect mechanism covering everything is over-ambitious and unreasonable in the given timeframe, noted that REDD+ is evolving, and highlighted that cash flows to this sector will increase dramatically in a short time period. Given this focus on fast-start financing, Pharo asked participants to think about how to improve a significant upscale of REDD+, and suggested that two important aspects of the discussion should be transparency and openness.

Jean-Auberic Charles noted that indigenous peoples are one of the only categories of stakeholders for which conservation is a priority even without direct economic benefits, and highlighted that their interests are often unrecognized by states, which are governed by people who do not represent indigenous people. He said that, in addition to lacking the moral legitimacy that would be conferred by representativeness, states often fail to understand how decisions will affect people on the local level.

Francesco Martone emphasized the importance of safeguards, highlighted the need to know whether rights of indigenous peoples were being violated before offering support for REDD initiatives, and called on participants to look at what has to be done, not what is easy to do.

Ian Redmond, UN Environment Programme - The Great Apes Survival Partnership (UNEP GRASP), highlighted concerns that while there are billions of dollars available to fund implementation of REDD, there is no money to fund participation. He called on countries with embassies in forested countries to use their contacts to put together roundtables of individuals with local expertise. He emphasized that these meetings could be convened quickly and inexpensively, and while this approach is imperfect, it would provide useful information during the interim process.

Simon Counsell, Rainforest Foundation UK, emphasized the need for lead institutions to demonstrate that they have learned lessons, and asked representatives participating in the dialogues whether their agencies are prepared to subordinate their own policies and safeguards to stronger, more efficient future versions to ensure the effectiveness of REDD.

One participant noted that community forest projects in Cameroon and Congo are examples of forests in which local communities are actively engaged in forest management, and in which funding reaches the local people.

Lars Løvold, Rainforest Foundation Norway, stated that moving away from a "business as usual" approach is essential to ending deforestation and forest degradation, and emphasized the need to mobilize forces in society that have so far been less strong, and to create reward structures in order to provide benefits to those who actively protect the forests. Løvold emphasized that relevant concerned people, including people living in forested areas, must have some way of influencing the interim agreement, and stated that a closed process will undermine the long term result.

Emily Brickell, World Wide Fund for Nature (WWF), emphasized the importance of having minimum safeguards and asked about the possibility of channeling funding to state and provincial governments.

Marcus Colchester, FPP, supported taking advantage of opportunities for transformation provided by civil society participation, as illustrated by the World Bank's suspension of funding for palm oil development as a result of inconsistencies in Indonesia uncovered by the FPP.

Patrick Hardcastle emphasized a need to be more realistic about what can be achieved and how, highlighted the importance of recognizing the different drivers and issues that are being addressed by REDD, and suggested that treating the tropical world as a homogenous unit is not helpful.

Desmond McNeill, University of Oslo, suggested that "the usual suspects at the end of the day are going to be the ones who create the global architecture," and called upon countries like Norway and France to listen to the concerns of the people and allocate funds according to agencies' competence and willingness to take account of indigenous peoples' priorities and rights.

Steve Schwartzman, Environmental Defense Fund, highlighted the importance of sending market signals from the start, saying that in order to encourage governments and institutions to support rights programmes, it is necessary to let people know that there is going to be a payoff.

In conclusion, Chair Seymour noted the numerous calls for a seat at the negotiating table for civil society, and emphasized that in other, more closed meetings in which she has participated, such calls for representation have been challenged by both developed and developing country governments. Jean-Auberic Charles noted the hard work to be done in the Amazon Basin to support indigenous peoples, saying that "we know how to organize our forests, but we still don't know how to plant euros and dollars in the forest." Nabaraj Dahal emphasized the importance of including civil society representatives at the national level, in order to increase knowledge about local issues.

SESSION THREE: ENSURING SOCIAL PROTECTION, PROGRESS AND ACCOUNTABILITY

This session, which convened after lunch, was chaired by Michael Jenkins, Forest Trends, and addressed implications of the proposed architectures on adoption and implementation of standards, safeguards and recourse mechanisms.

Reminding participants of the language on safeguards in the latest AWG-LCA text on REDD+, Andy White, RRI, noted that those are "standards but not safeguards yet" because of the lack of an enforcement mechanism. He stressed the need for high standards and noted that most REDD+ countries do not fully apply existing international standards. White said that UN-REDD and FCPF provide an opportunity to set positive precedents but that so far their progress on safeguards is mixed. Noting that there are high risks and no widely divergent views on safeguards, White stressed the need to clearly identify a set of criteria.

Jim Penman, Department of Energy and Climate Change, UK, underlined several positive outcomes of the Copenhagen meeting: a good basis for further work in the AWG-LCA text; a sound set of safeguards; financial commitments; and a commitment to immediately establish a REDD+ mechanism. He expressed "a considerable hope" for Cancun, noting that REDD+ can provide a positive example of sectoral engagement. Penman identified three key elements for success: defining a long-term goal for the sector, addressing national and sub-national reference levels, and agreeing a way of monitoring, reporting and verifying (MRV) safeguards.

Madhu Sarin, Campaign for Survival and Dignity, told the audience that the Indian constitution provides strong protection for the rights of tribal communities and that 60 years of struggle led to the enactment of a new law by the Indian parliament that recognizes the injustice done to tribal



communities and their rights. She noted challenges faced by communities that prevent them from claiming their rights, such as living in remote places and low literacy rates. She also underlined the importance of the robustness of the enforcement mechanism for the rights of communities and called for transparency in these discussions.

Edilberto Dogirama, Indigenous Peoples of Panama, provided an overview of the experience of indigenous peoples of Panama with REDD. Noting widespread confusion about what REDD is, exactly, Dogirama outlined the difficulties faced to date in working with the government to address the rights and interests of indigenous peoples, including lack of consultation and representation in government decision making.

Peter DeWees, World Bank, discussed safeguard policies, noting that a decision about how they are to be fully deployed in the case of readiness measures has not yet been taken, as key questions require extensive consultation. DeWees provided an overview of the proposed safeguards approach, and emphasized the importance of beginning to consider indigenous peoples from a development, rather than a safeguard, perspective.

Abyd Karmali, Bank of America Merrill Lynch, stressed the crucial role of the private sector, which he said has so far been excluded from the discussions. Underlining that the science has not changed for the financial community, he emphasized that we cannot afford to wait until perfect rules are set. On the REDD+ architecture criteria, he stressed the need for clarity on a legal title and accountability. He further stressed that the private sector would like to have high standards of performance in place that would discourage “carbon cowboys.”

DISCUSSION: In the ensuing discussion, Tim Forsyth, London School of Economics, asked, *inter alia*, about the relationship of this discussion with the politics of the Copenhagen meeting in terms of the translation of safeguards into conditionalities. Noting that there is no a simple answer, Peter DeWees replied that it is possible to establish safeguards in a way that will help build national ownership over environmental and social protection. On the call for higher standards, Marcus Colchester stressed that they are already in place in the form of international agreements on human rights and noted the need to reflect on how to make the link effective.

A participant from the Centre for International Environmental Law asked, *inter alia*, about sequencing of financing and other stages. Jim Penman noted the concept of a phased approach adopted in Copenhagen that allows for some funding for capacity building.

SESSION FOUR: THE WAY FORWARD

In the final session, chaired by John Hudson and Arvind Khare, RRI, several panel participants were invited to reflect on the day’s discussions and to identify critical issues to be addressed and next steps to be taken in Oslo, Bonn and Cancun.

Christina Voigt, Norway, emphasized the importance of finding a balance between inclusiveness and effectiveness, saying that time is of the essence and the price of inaction will be much higher than action. Voigt also observed that much of the work being conducted is around a “virtual table,” highlighted that comments from civil society would be fed into the process, and invited all to participate in conference calls with civil society and indigenous peoples organizations.

Kyeretwie Opoku, Civic Response, expressed hope for the future, noting that we are at a historic moment. However, he also called for more attention to the fundamental issues of people’s rights and development. Opoku further noted that the climate crisis is a product of a dysfunctional system, and said he envisions addressing issues on their own terms, using all available instruments, in a way that gives hope.

Juan Manuel Torres Rojo, National Forestry Commission, Mexico, highlighted the participatory issues associated with the REDD process, emphasizing the need for a well-organized

mechanism for communication and noting that Mexico will be hosting six REDD-related events this year, to which all are invited. Rojo also expressed support for a fast-track process and called for convergence in Cancun.

Lilian Yeng, Tapumu Community, Ghana, underscored the importance of educating people in indigenous communities about REDD, and suggested taking time to analyze issues carefully instead of pushing forward only to return to the same issues in the future.

Joji Cariño, Tebtebba Foundation, expressed concern about the UNFCCC’s understanding of multistakeholder processes and partnerships, and suggested it needs to learn from other processes. Cariño noted the extensive discussion about perfection versus pragmatism, and emphasized that what some people see as perfection, others see as minimum standards.

DISCUSSION: During the ensuing discussion, participants addressed the need for urgency versus effectiveness of REDD+. Fiu Elisara, Ole Siosiomaga Society, Samoa, described the Copenhagen Accord as having devastating impacts on small islands. He expressed concerns at what he described as an undemocratic process and pleaded for a precautionary approach in the context of the Oslo meeting. David Ritter, Greenpeace UK, suggested considering what civil society could do to help Norway to pursue the agenda.

Nathaniel Dyer, Rainforest Foundation UK, asked about the influence of the Paris-Oslo initiative on the UNFCCC process and noted that some good ideas on how to increase transparency had emerged at this meeting, such as submissions, increasing timelines, workshops and meetings.

On the Oslo Meeting, Christina Voigt noted interest to move quickly and to feed into the negotiations. She stressed that it is not a decision-making process and that the normative flow comes from UNFCCC. She noted that at the same time, the partnership could not be pushed further than the current state of the negotiations.

Jose Carlos Fernandez, Mexico, described the goal of a proposed interim partnership as improving existing mechanisms and not creating new ones and said that the Cancun Conference needs to be a trust-building exercise.

In conclusion, John Hudson thanked the panelists of the day’s sessions for their contributions and, inviting participants to continue their discussions over drinks at the reception, called the Dialogue to a close at 6:10pm.

GLOSSARY

AWG-LCA	<i>Ad Hoc</i> Working Group on Long-term Cooperative Action under the Convention
COP	Conference of the Parties
FCFP	Forest Carbon Partnership Facility
FIP	Forest Investment Programme
FPP	Forest Peoples Programme
RRI	Rights and Resources Initiative
REDD	reducing emissions from deforestation and forest degradation
REDD+	reducing emissions from deforestation and forest degradation in developing countries, plus conservation
UNFCCC	UN Framework Convention on Climate Change
UN-REDD	United Nations Collaborative Programme on Reducing Emissions from Deforestation and Forest Degradation in Developing Countries