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Presentation of the Coordinator of Indigenous Organizations of the Amazon Basin to the Subsidiary Body for Scientific and Technical Advice (SBSTA), at its 41st Session – **UNOFFICIAL TRANSLATION**

### Introduction

The Coordinator of the Indigenous Organizations of the Amazon Basin (COICA), in representation of national indigenous organizations in the nine Amazonian countries of Latin America, delivers this presentation to the Subsidiary Body for Scientific and Technological Advice of the Convention of the United Nations Framework on Climate Change responding to the call made by SBSTA at its 38th Session in June 2013, in order to submit views on the type of information to be included in the Safeguards Information Systems (SIS), which is useful and can be provided by developing countries that are members of the Convention. COICA also responds to the call of SBSTA regarding shared experiences and lessons learned from the development of SIS, and the challenges faced in developing the SIS.

COICA reminds the international community that Amazonian indigenous peoples and traditional communities are essential agents of conservation of forests and biodiversity. Consequently, mechanisms such as REDD+ should involve and respect the vision and the rights of our indigenous peoples and traditional communities. Laws such as access to information and Free, Prior, and Informed Consent during the decision-making process, and land tenure rights have been recognized in the UN Declaration on the Rights of Indigenous Peoples, the Universal Declaration of Human Rights, the Convention No. 169 of the International Labour Organization, among many other international instruments. Also, for mechanisms such as REDD+ to be successfully implemented, necessary mechanisms must be adopted to ensure equitable access and distribution of benefits.

The priority is to ensure that both rights and benefits accruing to indigenous peoples and traditional communities are respected as well as their traditional ways of life and access to natural resources. This is essential and necessary for the development and implementation of REDD+ mechanisms in indigenous territories, accompanied by the application of early and effective safeguards.

The safeguards adopted by the Cancun Agreements, which relate to the protection of indigenous peoples and local communities, represent a breakthrough in the recognition of the need to ensure that certain minimum conditions are met at the country level prior to the development and implementation of REDD+ mechanisms. Now we face the challenge of making sure that countries demonstrate the effective adoption of these safeguards.

In effect, the application of safeguards not only involves a formal statement of its existence by the countries that harbor indigenous peoples, but the actual execution of policies, regulations and laws, through actions and activities to



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ensure that the concerns of indigenous peoples are addressed. Furthermore, the type of information that becomes presented as part of the SIS must have been collected in a **transparent, participatory manner involving indigenous peoples in choosing the types of information.**

Based on the above, COICA presents i) its position regarding the type of information that should be included in the SIS by developing country members, a position that is based upon the hearts and minds of indigenous peoples represented as well as ii) two case studies on processes that were executed in Ecuador and the region of Madre de Dios in Peru, in order to present the impressions of indigenous peoples with respect to the application of safeguards and means to prove their implementation and respect.

#### **Types of information to be included in the SIS**

For this presentation, COICA takes into account and complements the voluntary Initiative for Social and Environmental Standards for REDD+ (REDD+ SES), having met, as a result of a participatory and inclusive process of indigenous peoples—principles criteria and indicators that countries can use to report their progress in the application of safeguards. In that sense, COICA urges that the following types of information required by the information systems safeguards as approved by the Cancun Agreements are being addressed and respected:

1. Respect for the collective rights of indigenous peoples' land and territories, as recognized in the UN Declaration on the Rights of Indigenous Peoples, as well as in Convention No. 169, should be reported in relation to the recognition and respect of rights to lands, territories and resources within them. Also, this respect should be reported in relation to the existence of mechanisms for resolution of land disputes accepted by all relevant actors.

Regarding the recognition and respect of rights to lands, territories and resources, COICA reaffirms that security for and vesting of Integral and Collective Ownership over territory by communities is an "enabling" condition, and early safeguards (immediate and after) are indicators on the implementation of REDD+ objectives.

Countries should inform the design and implementation of mechanisms for conflict resolution for indigenous lands, so that they not just ex-post conflict resolution, but be above all preventative, preceding the implementation of REDD+.

2. The full and effective participation of indigenous peoples in REDD+ mechanisms should be reported in relation to how indigenous peoples have been involved in each of the three phases of REDD+, especially in planning, decision making, and forest governance and other relevant areas of action for REDD+. These should also include processes that ensure transparency and inclusiveness in REDD+'s development, and that its institutions and forest management systems are considered and implemented.

3. Compliance with local and national laws as well as international treaties and other instruments must be shown with types of information related to the existence of effective complaint mechanisms. These complaint mechanisms should be capable of evaluating and resolving situations that jeopardize compliance with

these laws and standards. Additionally, countries have to show how they are keeping in compliance and respecting the status of the rights of indigenous peoples and national and international mechanisms that were created to respect them, like the Inter-American Court of Human Rights.



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4. The protection and conservation of natural forests and their ecosystem services, and the strengthening of other environmental and social benefits must take into account the need for sustainable livelihoods for indigenous peoples and their interdependence on forests. The type of information to be furnished by countries should show an accepted and implemented plan for sustainable livelihoods of indigenous peoples, along with a designed framework for the fair distribution of benefits and compensation from REDD+, with them services not only for known forest, but also for the 24 ecosystem functions.

5. Respect for traditional knowledge of indigenous peoples on forests should be acknowledged with information about how this knowledge is recognized and considered at various stages of REDD+.

Our traditional knowledge refers to the knowledge, innovations and practices of indigenous and local peoples around the world who were conceived from the experience gained through the centuries and adapted to the local culture and environment. The cultural and intellectual heritage of indigenous peoples is recognized by the World Intellectual Property Organization (WIPO), the United Nations Educational, Scientific and Cultural Organization (UNESCO), among others. COICA believes it necessary for countries to recognize and consider the traditional knowledge of indigenous peoples and traditional communities during the development of the REDD+ mechanism. Indeed, the Intergovernmental Panel on Climate Change acknowledges that indigenous knowledge can supplement scientific knowledge in geographic areas with little data, and can guide the generation of knowledge that reduces uncertainty in areas relevant to human responses.

#### Case Study: Ecuador and Peru

##### 1. ECUADOR

The Ministry of Environment of Ecuador is the entity in charge of developing the program of the United Nations REDD (UN-REDD), and as part of that program, meetings of the REDD+ Roundtable are held, in which official Indigenous delegates from COICA's base organizations COFENIAE (Confederation of Indigenous Nationalities of the Ecuadorian Amazon) have been participating during the last year in technical committees for consultation and negotiation, conflict resolution, MRV, environmental and social safeguards and especially the distribution of the benefits of REDD+.

Throughout this process, COICA and CONFENIAE have drawn attention to certain conditions that must be met in order to achieve real and broad participation of

indigenous peoples at all administrative, technical and financial levels of the REDD+ process.



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The conditions that have been discussed most frequently in the REDD+ Roundtable are:

- That there is full and effective participation of indigenous peoples, Ecuadorian Amazon forest right holders and key actors at all administrative, financial, political, and technical levels. Must share information and open space for discussion of not only technical, but also social issues related to REDD+. Indigenous peoples must be heard and also be involved in the areas of decision making.
- That the development of policies related to REDD+ is the result not only of work in cabinet ministries, but the result of the integration, inclusion and participation of the actors who will actually be affected by them, including indigenous peoples and other relevant actors. Decisions
- That the Amazonian indigenous vision of REDD+ (RIA) is engaged in the national REDD + program as an implementation mechanism in indigenous territories in the Ecuadorian Amazon.
- The distribution of benefits isn't only for performance, but also to conserve forests and all ecosystem services. Also, the distribution of benefits and uses of funds and financial mechanisms must be effective and directly channeled towards indigenous peoples and other stakeholders that support biodiversity conservation initiatives.

In this sense, the type of information that should be included in the SIS must be related to these conditions identified by indigenous organizations in Ecuador during the stages of REDD+.

## 2. MADRE DE DIOS, PERU

In June 2011, Puerto Maldonado agreed to organize the Indigenous REDD Roundtable of Madre de Dios (Mesa RIA) as a consortium of indigenous organizations. To date, six workshops have been conducted in coordination with RIA officers of Madre de Dios and allies, along with the participation of representatives of more than 20 members of the Indigenous Council of the Lower Madre de Dios (COINBAMAD), the Councils of the Harakbut, Yine and Matsiguenga, the Executive Management of the Amarakaeri Communal Reserve, the Forestry Association of Madre de Dios and representatives of COICA, Environment Ministry and the Regional Government of Madre de Dios.

Moreover, the main issues considered priorities by indigenous organizations on REDD+ are as follows, giving light of the type of information that SIS should include:

- 1. It is essential that the country report on concrete progress in the consolidation and regularization of land rights of recognized Indigenous Peoples in the process of recognition (qualification, extension and rectification of territorial spaces) as an integral and integrated unit, which should be demonstrated as a qualifying condition for the development of REDD+ projects.**



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a. The RIA Roundtable requires each country to approach these processes especially in indigenous territories overlaid with National Protected Areas and territorial reserves of Indigenous Peoples in Isolation and Initial Contact—PIACI. Also, the committed funds (such as FIP and the Program of Cadaster, Land Titling, and Rural Land Register of the Ministry of Agriculture) should be aligned with the commitments of the Peruvian government to respect indigenous land claims.



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**2. The full and effective participation of indigenous peoples in the implementation stages of REDD+ should be informed with respect for the right to Free, Prior, and Informed Consent, in binding good faith relating to REDD + policies and programs; the type of information must demonstrate respect for the self-determination and autonomy of indigenous peoples.**

The type of information must display a consultation process within the framework of a participative, full and effective construction of standards, processes, policies and programs based on the design of community cultural protocols and biocultural capacity building agreements that express the interests of indigenous peoples aimed at training community leaders and strengthening community members. Information on these processes must also show the involvement of the Ombudsman Office as an entity that besides protecting, also opines and suggests improvements in the stages of REDD+ based on the protection of rights of indigenous peoples.



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**3. Compliance with national and international standards for the development of REDD+ should also involve:**

Proposals for regional and municipal ordinances at the local and regional level should be arranged to strengthen the forms of self-determination and community governance, the proper alternatives of the indigenous economy in equilibrium with the forest, and make transparent the policies and processes of the utilization of gas and oil.

Accompanying the application of rules, the type of information in the SIS should provide how, at the subnational and local levels, the registration system and accreditation, supervision, punishment and complaints mechanism was implemented for REDD+ projects in Madre de Dios. Thus it seeks to sanction bad practice in REDD+ programs and projects and to prevent conflicts in the early stages of tracking, monitoring and financial oversight of REDD + projects in indigenous communities. These mechanisms should also be designed and implemented to understand an indigenous system of monitoring and control of REDD+ projects.

**4. The RIA approach values the integrity and interconnection of ecosystem services and not only those with carbon, thus it supports the type of information collected by the SIS as envisaged during the various stages of REDD+, the development and implementation of Life Plans for every community and territory involved, based on the understanding of their traditional knowledge, culture and**

identity of the people involved. After that, the country should provide information to report on the design and implementation of a public revenue collection mechanism for funds for the payment of ecosystem services and effective distribution of benefits in the territories of indigenous peoples, through a specific budget allocation.



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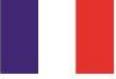
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