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Reducing emissions from deforestation in developing countries: approaches to stimulate action

Issues relating to indigenous people and local communities for the development and application of methodologies

Submissions from Parties

Addendum

1. In addition to the five submissions contained in document FCCC/SBSTA/2009/MISC.1, three further submissions have been received.
2. In accordance with the procedure for miscellaneous documents, these submissions are attached and reproduced* in the language in which they were received and without formal editing.

* These submissions have been electronically imported in order to make them available on electronic systems, including the World Wide Web. The secretariat has made every effort to ensure the correct reproduction of the texts as submitted.

CONTENTS

	<i>Page</i>
1. BOLIVIA (Submission received 23 March 2009)	3
2. MEXICO (Submission received 6 April 2009)	5
3. TUVALU (Submission received 13 March 2009)	7

PAPER NO. 1: BOLIVIA

Views on issues relating to indigenous people and local communities for the development and application of methodologies

1. Mandato

El OSACT invitó a las Partes y a los observadores acreditados a presentar a la secretaría, a más tardar el 15 de febrero de 2009, sus opiniones sobre las cuestiones que en relación con las poblaciones indígenas y las comunidades locales debían considerarse en el desarrollo y la aplicación de las metodologías. Pidió a la secretaría que recopile esta información, para examinarla en su 30º período de sesiones.

2. Introducción

El 31 de octubre de 2007 Bolivia ratificó como Ley de la República (Ley N° 1110/07) la Declaración de las Naciones Unidas sobre derechos del pueblo indígena (DDPI), aprobada por la Asamblea General de las Naciones Unidas en septiembre de 2007. Dado que los bosques tropicales en Bolivia y en muchos países tropicales están en tierras indígenas ancestrales, la participación activa, plena e informada del sector indígena en el diseño de un mecanismo REDD es fundamental para lograr una exitosa implementación en campo en países en vías de desarrollo, para que se asegure el respeto de los derechos de los pueblos indígenas y comunidades locales.

En este sentido, se considera que la DDPI contiene elementos fundamentales que deberían enmarcar la discusión de un mecanismo REDD y sobre todo ser considerados en la fase de preparación e implementación de programas pilotos REDD en países en vías de desarrollo. Bolivia respetuosamente insta a la CMNUCC considerar estos elementos en la definición del mecanismo REDD.

2.1. Elementos Guía:

El respeto de los conocimientos, las culturas y las prácticas tradicionales indígenas contribuye al desarrollo sostenible y equitativo y a la del medio ambiente. Los pueblos indígenas tienen derecho a determinar y a elaborar prioridades y estrategias para el ejercicio de su derecho al desarrollo.

La urgente necesidad de respetar y promover los derechos intrínsecos de los pueblos indígenas, que derivan de sus estructuras políticas, económicas y sociales y de sus culturas, de sus tradiciones espirituales, de su historia y de su filosofía, especialmente los derechos a sus instituciones, tierras, y recursos.

La urgente necesidad de respetar y promover los derechos de los pueblos indígenas afirmados en tratados, acuerdos y otros arreglos constructivos entre los Estados.

La Carta de las Naciones Unidas, el Pacto Internacional de Derechos Económicos, Sociales y Culturales y el Pacto Internacional de Derechos Civiles y Políticos, así como la Declaración y el Programa de Acción de Viena afirman la importancia fundamental del derecho de todos los pueblos a la libre determinación, en virtud del cual, éstos determinan libremente su condición política y persiguen libremente su desarrollo económico, social y cultural.

3. REDD

La participación del sector Indígena en la discusión REDD tanto en los aspectos políticos como técnicos, debe implementarse a través de representaciones regionales, por país, y por la representación del Foro Permanente Naciones Unidas sobre Pueblos Indígenas.

3.1. Aspectos metodológicos REDD:

- Mantener una adecuada participación de los pueblos indígenas y organizaciones indígenas en las discusiones y diseño del mecanismo REDD tanto en aspectos metodológicos como de enfoques de política e incentivos positivos.
- Apoyar en la generación de capacidades que permitan una participación del sector indígena en la aplicación de esquemas de medición, monitoreo y validación de emisiones en territorios indígenas incorporando aspectos de la realidad indígena en la implementación de la fase de preparación REDD y viabilizar una total participación en el mecanismo REDD a aprobarse.
- Recolectar las experiencias de programas demostrativos indígenas de REDD ya que generarán información muy importante para las negociaciones.
- Los escenarios de referencia nacionales deberán considerar una Factor de Ajuste por Desarrollo que permita incorporar adecuadamente las circunstancias nacionales de cada Parte.

3.2. Elementos que hacen a la Implementación REDD:

Los Estados establecerán y aplicarán, conjuntamente con los pueblos indígenas pertinentes, un proceso equitativo, independiente, imparcial, abierto y transparente, en el que se reconozcan debidamente las leyes, tradiciones, costumbres y sistemas de tenencia de la tierra de los pueblos indígenas, para reconocer y adjudicar los derechos de los pueblos indígenas en relación con sus tierras, y recursos, comprendidos aquellos que tradicionalmente han poseído u ocupado o utilizado. Los pueblos indígenas tendrán derecho a participar en este proceso.

3.3. Consideraciones para la Implementación exitosa de un mecanismo REDD

En el desarrollo de una estrategia nacional de REDD, se deberá elaborar una estrategia para tierras indígenas, la misma deberá contener información básica, como por ejemplo, una línea de base socioeconómica, modelos de gestión actuales, sistemas de compensación en línea con las formas de vida tradicionales, sistemas de monitoreo y control que incorporen los esquemas de control social u otros operados por pueblos indígenas.

3.4. La implementación exitosa de un mecanismo REDD deberá:

- i. Fortalecer las capacidades indígenas de gestión integral de sus territorios.
- ii. Promover modelos de gestión local articulados a la planificación del estado a diversos niveles.
- iii. Establecer sistemas justos de distribución de los beneficios por compensación diseñados de forma conjunta con los actores involucrados.
- iv. Promover que los recursos de compensación apoyen los programas de desarrollo sostenible y de adaptación operando en tierras indígenas.
- v. Operar de forma complementaria donde los sistemas de monitoreo y control deberán complementar los esquemas de control y monitoreo de programas de desarrollo sostenible locales y programas de adaptación.
- vi. La constitución del Programa Indígena Subnacional REDD deberá estar articulado al programa nacional REDD de forma que el mismo aporte al esquema nacional de forma integral a través de criterios establecidos internamente.

4. Experiencia en Bolivia

El sector indígena boliviano está llevando a cabo actividades de desarrollo de capacidades y diseño de un programa piloto REDD en territorios indígenas de forma coordinada con el gobierno, experiencia que puede aportar a establecer lineamientos en línea con la DDPI y con el objetivo último de la CMNUCC.

PAPER NO. 2: MEXICO

SUBMISSION OF MEXICO

- Reducing emissions from deforestation in developing countries: approaches to stimulate action (SBSTA)
 - Views on issues relating to indigenous peoples and local communities for the development and application of methodologies.

The SBSTA invited Parties and accredited observers to submit, if appropriate, to the secretariat, by 15 February 2009, their views on issues relating to indigenous peoples and local communities for the development and application of methodologies (See FCCC/SBSTA/2008/L.23, paragraph 11). For this matter, Mexico, Panama, Honduras, Peru, El Salvador, Paraguay, Colombia, and Costa Rica held fruitful discussions in Panama on February 9th and 10th, 2009. This submission presents the main ideas that were discussed in these sessions, which are supported by Mexico, and also includes a couple of additions which are of particular interest for Mexico.

We believe that indigenous peoples and local communities' rights, visions and experiences should be taken into account in the discussions of any topic regarding REDD. Furthermore, there should be enough flexibility in the discussion to allow for the consideration of parties' circumstances and legislation regarding consultation processes and property rights of these communities.

Specifically, we consider that any REDD mechanism should include the following guidance:

- 1- REDD activities carried out in indigenous peoples and/or local communities' territories should obtain, if appropriate, previous informed consent according to parties' national circumstances and regulatory frameworks.
- 2- The implementation of REDD activities, plans and strategies should previously include capacity building for the indigenous peoples and local communities involved, taking into account traditional activities, languages and knowledge, when appropriate.
- 3- Indigenous peoples and local communities can be efficiently engaged in REDD monitoring and in the measurement of carbon stocks. The advantage of having local and indigenous peoples taking part in the monitoring process is that it increases their sense of ownership and their understanding of the impact of land use change, thus enhancing the possibility of success of REDD activities.
- 4- Co-benefits such as biodiversity protection and conservation and other ecosystem services, as well as cultural integrity should be taken into account and promoted when designing alternative production activities to be carried out in indigenous peoples and local communities' territories.
- 5- In cases where national scale is chosen, transparent, efficient, equitable and fair distribution mechanisms of REDD derived benefits should be developed. This kind of mechanisms should be able to demonstrate, based on appropriate criteria and indicators, the ways in which the indigenous peoples and local communities will benefit in response to their contribution to REDD activities.
- 6- The strengthening of organizations, umbrella organizations and networks should be supported and encouraged in order to assist indigenous peoples and local communities to get organized, to design and implement REDD activities; and to give advice on their legal and financial negotiations.

- 7- Indigenous peoples and local communities' knowledge and experiences should be taken into account during the identification of direct and indirect deforestation and forest degradation drivers.
- 8- Indigenous peoples and local communities should be provided with appropriate assistance in the analysis of their opportunity costs regarding REDD.
- 9- REDD initiatives should consider land property rights of indigenous and local communities.
- 10- Indigenous peoples and local communities should be involved in all the processes and dialogs regarding any REDD initiative, both at local and national level.

PAPER NO. 3: TUVALU

Submission by Tuvalu on issues relating to indigenous people and local communities for the development and application of methodologies relating to reducing emissions from deforestation in developing countries: approaches to stimulate action

Tuvalu welcomes the opportunity to present its views on issues relating to Indigenous Peoples and local communities for the development and application of methodologies relating to reducing emissions from deforestation in developing countries: approaches to stimulate action as requested in FCCC/SBSTA/2008/L.23, paragraph 11.

Tuvalu acknowledges that the views sought on this matter relate specifically to methodological issues being addressed by SBSTA. Nevertheless, it is important to note some important principles that should be encompassed in a broader consideration of policy approaches and positive incentives on issues relating to reducing emissions from deforestation and forest degradation in developing countries; and the role of conservation, sustainable management of forests and enhancement of forest carbon stocks in developing countries (REDD). To this end, Tuvalu believes that the following principles should underpin any new legal framework on REDD:

- It should acknowledge and recognise the rights enshrined in the UN Declaration on the Rights of Indigenous Peoples;
- It should establish similar rights and provisions to those found within the UN Declaration on the Rights of Indigenous Peoples so that all UNFCCC Parties are able to apply these rights concurrently whether or not they are signatories to this Declaration and require that all Parties undertaking REDD activities to establish legal systems to recognise and put into place these rights;
- A framework should be established whereby Indigenous Peoples from all UN regions are fully represented on any decision making body associated with REDD;
- It should establish a legal basis whereby no REDD legal regime is able to displace Indigenous Peoples or local communities from their land or expropriate their right to the use of their land;
- It should establish appropriate prior informed consent decision-making processes at the national and sub-national level to ensure that the rights of Indigenous Peoples and local communities are properly recognised.

In the context of the SBSTA agenda, and methodological issues associated with REDD, the SBSTA should prescribe the following actions as fundamental components of a readiness programme:

- All national and subnational forest inventory programmes should identify all lands occupied and/or owned by Indigenous Peoples and local communities. SBSTA may wish to suggest how such identification programmes could be established;
- All national and subnational forest inventory programmes should actively involve Indigenous Peoples and local community in the identification of lands occupied and/or owned by Indigenous Peoples and local communities. SBSTA may wish to suggest how Indigenous Peoples and local communities could be actively involved in inventory programmes
- Training facilities should be provided for Indigenous Peoples and local communities to allow them to properly participate in forest inventory programmes. SBSTA may wish to initiate an international programme for the training of Indigenous Peoples and local communities.
- To effectively ensure that the rights of Indigenous Peoples and local communities are properly protected, national legislation should be in place before any REDD mechanism is established. Therefore SBSTA may wish to initiate training programmes in the development of appropriate national legislation to protect the rights of Indigenous Peoples and local communities.

To assist in the work suggested above, SBSTA may wish to seek partner organisations that may be able to provide the necessary expertise in such programmes.
