

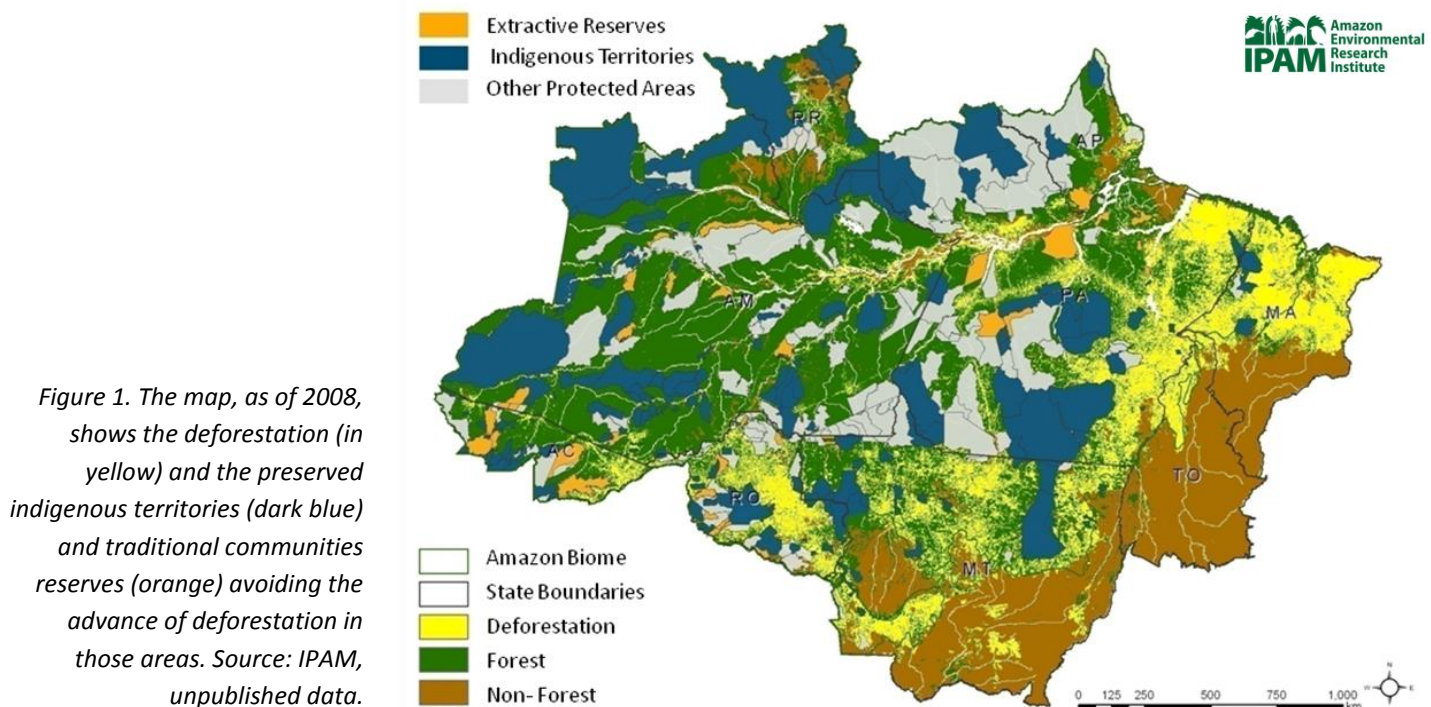
Leading to an equitable REDD mechanism: Recognizing the rights and role of indigenous peoples and local communities in the Brazilian Amazon Forest.

By Amazon Environmental Research Institute (IPAM)¹

The majority of indigenous peoples and traditional communities (IPLC) living in Amazon forest are the primary stakeholders responsible for the protection, and consequently the conservation and preservation of forested areas. In the Brazilian Amazon, protected areas inhabited by forest peoples totalize 109.8 million hectares, corresponding to **60% of the protected areas** and preserving a forest carbon stock of about **15 billion tons of carbon** (32% of total carbon stocked in the Amazon forest) (Figure 1).

These large protected areas not only act as major obstacles to the advance of deforestation, as they have regional inhibiting effect, which means that contribute to the reduction of deforestation outside its boundaries, especially when considering distances up to 10 km. As a result, they avoid the significant potential emissions associated to greenhouse gases. Through simulations aimed at predicting the future deforestation, it was possible to calculate the potential emissions of indigenous lands and extractive reserves from 2008 to 2050. **If these areas were not protected, 5 billion tons of carbon would be emitted into the atmosphere by the year 2050².** This volume represents approximately 2.5 times the effort to reduce emissions of the first commitment period of the Kyoto Protocol, considering its effective implementation.

Although the current rate of deforestation in the Brazilian Amazon is high (> 1 million ha/year), deforestation inside the Brazilian Amazon protected areas (that includes indigenous territories and local communities reserves), as a whole, is very small (< 3% of its total area).



Therefore, it is essential that discussions on the benefits and compensations that should be attributed to efforts in Reducing Emissions from Deforestation and forest Degradation (REDD), as well as the protection of forests, recognize the important role that IPLC have been playing, and respond to their demands in order to support the improvement of

¹ For further information, contact: Paula Moreira (paulamoreira@ipam.org.br), Flávia Gabriela Oyo França, (flaviagabriela@ipam.org.br), Paulo Moutinho, (moutinho@ipam.org.br) or Laura Dietzsch (lauradi10@gmail.com)

² IPAM, 2009; "Perguntas e Respostas sobre Aquecimento Global" – for download at www.climaedesmatamento.org.br. Unpublished data. Numbers were generated through Dinamica (EGO software) platform for SimAmazonia-2 that can be downloaded at www.csr.ufmg.br/dinamica

livelihood conditions in their territories. Such improvements or benefits could be promoted, for example, in the form of subsidies for the production of non-timber products and provision of basic needs to these populations. Regarding the right of demarcation of IPLC's territories, REDD policies should be established in a manner that requires that the Party implementing this mechanism must recognize and enforce the rights of indigenous peoples and traditional communities.

As established by the Bali Road Map in COP 13, the needs of indigenous peoples and local communities (IPLC) should be met, when adopting measures for REDD in developing countries³. Then, later in COP 14, following the advice by the UN Permanent Forum on Indigenous Issues and other movements, the Parties recognized "the need to promote the **full and effective participation of indigenous people and local communities (IPLC)**⁴, taking into account national circumstances and noting relevant international agreements," in relation to REDD.

In spite of the UNFCCC Parties recognized the need to promote the full and effective participation of IPLC, it is extremely important the recognition and enforcement of their fundamental rights in regards to REDD framing, according to: the Convention 169 of the International Labor Organization (ILO), the Universal Declaration of Human Rights, the Convention on Biological Diversity and the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). Below, we describe the four fundamental rights that must be observed when constructing and implementing a REDD policy at the international, national and/or local level:

1. **The right to land, territory and use of natural resources**⁵, in particular forest resources;
2. **Right of Autonomy and Self-determination**⁶. This means that the IPLC's have autonomy on managing their territories, legal capacity to deal and negotiate, if desired, patrimonial rights independently and consequently making decision in the processes of development such as the REDD policy or projects.

In addition, article 23 of UNDRIP clearly rules: "*Indigenous peoples have the right to **determine and develop priorities and strategies for exercising their right to development**. In particular, indigenous peoples have the right to be actively involved in developing and determining health, housing and other economic and social programs affecting them and, as far as possible, to administer such programs through their own institutions.*"

3. **The right of culture and identity**, including the right to development with identity;
4. **The right to free prior informed consent (FPIC)**⁷. Thus, it is clear that indigenous peoples have a guaranteed right to participate effectively in the formulation, development and determination of any REDD policy based within their lands and territories. Moreover, any REDD policy must respect their traditional lifestyles, their right to occupy their territories, and their chosen methods of developing economic, social and cultural sustenance and well-being.

In conclusion, it should be a condition for participation in any REDD policy or program that the Party implementing this mechanism recognizes and enforces the rights of indigenous peoples and traditional communities, herein mentioned. As a consequence, recognizing these rights and the role of IPLC in conserving the forest and avoiding deforestation, the benefits of REDD resources should be channeled in a way to help to fulfill the basic rights such as right to access to health, food, to proper education in their own language and culture and improve their livelihoods. This outcome will obviously depend on the capacity of IPLC to evaluate the benefits and risks of REDD, build consensus and design their own proposals on how to channel/use these coming resources.

The Amazon Environmental Research Institute (IPAM) brings together scientists and educators who share a common purpose: to contribute to a development process that reconciles the economic aspirations of the Amazon's people with the maintenance of the functional integrity of Amazon ecosystems. www.ipam.org.br and www.climaedesmatamento.org.br

³ According to <http://unfccc.int/resource/docs/2007/cop13/spa/06a01s.pdf#page=10>

⁴ Decision number FCCC/SBSTA/2008/L.23, Annex, 1(c) in COP 14, Poznan

⁵ Article 26, United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP): "*Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.*"

⁶ Article 3, *ibid*: "*Indigenous peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.*"

⁷ Articles 10, 19, 28, 29, and 32, *ibid*.