

Rights and Resources

2010–2011



PUSHBACK

Local Power,
Global Realignment



THE RIGHTS AND RESOURCES INITIATIVE

The Rights and Resources Initiative (RRI) is a strategic coalition comprised of international, regional, and community organizations engaged in development, research and conservation to advance forest tenure, policy and market reforms globally.

The mission of the Rights and Resources Initiative is to support local communities' and Indigenous Peoples' struggles against poverty and marginalization by promoting greater global commitment and action towards policy, market and legal reforms that secure their rights to own, control, and benefit from natural resources, especially land and forests. RRI is coordinated by the Rights and Resources Group, a non-profit organization based in Washington, D.C. For more information, please visit www.rightsandresources.org.

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AT A GLANCE

RIGHTS AND RESOURCES 2010–2011

If 2009 was the end of the hinterland and the beginning of a new globalized forest era, 2010 was a year of pushback. Worldwide, the news was full of reports of forest communities and Indigenous Peoples pushing back at land grabs and shaping policy at the national and global levels, and of governments countering and trying to contain community rights. Some governments and private investors accepted or even embraced the new players at the table and began to promote fairer business and conservation models. There was also new soaring rhetoric about the centrality of tenure reform to efforts addressing climate change. Unfortunately, none of this added up to significant global progress in the recognition of local land and resource rights.

As we look ahead to 2011, we see higher risks of climate-driven disaster, food insecurity, and political upheaval, and a world realigning. Yet, at the same time, shifts in markets, technology and policy offer tremendous opportunity, and 2011 offers more potential than ever to advance the rights and livelihoods of forest communities. With multilateral arrangements weak and wobbly, the arena for action has shifted to the national level. Will the rhetoric on rights be matched by recognition on the ground? Now that Indigenous Peoples and forest communities have more seats at the table, will they be allowed to speak and, if they are, will they be listened to? Who will ally with forest communities and help them advance their own aspirations and, more important, who will the forest communities choose as allies?

This report takes stock of the current status of forest rights and tenure globally, assesses the key issues and events of 2010 that shape possibilities to improve local rights and livelihoods, and identifies key questions and challenges that the world will face in 2011.

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Cover Photo by Survival International, an organization working for tribal peoples' rights. Forty Dongria Kondh blockade the road to a proposed Vedanta Resources mining site in Orissa, India with a banner stating, "We are Dongria Kondh. Vedanta cannot take our mountain." 2010.

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CONTENTS

- 1 AT A GLANCE: RIGHTS AND RESOURCES 2010–2011**

- 6 PUSHBACK: LOCAL POWER, GLOBAL REALIGNMENT, NEW OPPORTUNITY**

- 10 THE STATE OF FOREST TENURE TODAY:
THE STRUGGLE TO REALIZE, AND KEEP, RIGHTS**

- 14 TENSION AND TRANSFORMATION IN 2010: KEY SHIFTS SHAPING
RIGHTS AND LIVELIHOODS**
- 14** Three Degrees and Rising: the South Floods, the North Shrugs,
and the MDGs Fade Away
- 16** Countering the ‘Grab’: Forest Movements Set Standards
and Control Investments
- 19** Fast Pyrolysis: Forest Markets and Technologies Increase Opportunities
for Small-scale Producers
- 21** A Seat at the Table: Indigenous Peoples and Local Communities
Save and Shape REDD
- 23** Global Monitoring and Telecommunications: Cool Tools, But Empowering?
- 24** Big Conservation is Back: But Communities Resist for Local Control
- 25** The BRICs have Arrived: Global Realignment and New Challenges
for Development

- 28 LOOKING AHEAD TO 2011: OLD ISSUES, NEW OPPORTUNITIES**
- 28** Will food insecurity and climate disasters derail development
and rights?
- 29** Will bilateral ODA for climate change adopt safeguards
and accountability?
- 29** Will national standards and accountability be strengthened
to sanction private investments, REDD, and BINGOs?
- 30** Will Indonesia and the Democratic Republic of the Congo
commit to tenure reform?
- 30** Will REDD realign to support community conservation and
deal with adaptation and agriculture?
- 31** Who will forest communities and Indigenous Peoples choose as allies?

- 32 ENDNOTES**

BOXES: EXAMPLES OF PUSHBACK AND PROGRESS IN 2010

- 7** Box 1: India: Tribal Movements Score Historic Victory Against Multinational Corporation
- 11** Box 2: Kenya: New Constitution Ushers in Women's Land Rights
- 13** Box 3: Colombia: Court Suspends Militarized Mining Operations on Afro-descendant Lands
- 15** Box 4: Mali: Farmers Resist Land Deals—"Le Mali n'est pas à vendre!"
- 18** Box 5: China: Whither CSR? Illegal Forest Land Grab Shows Limits of Voluntary Standards
- 20** Box 6: Indonesia: Civil Society Platform for Safeguarding Community Rights in REDD
- 22** Box 7: United States: Recognizing First Peoples, Past Wrongs, and UNDRIP—But Action Needed to Match Words

FIGURES

- 12** Figure 1: Forest Tenure by Region, 2010
- 17** Figure 2: Commodities Price Growth in 2010
- 37** Figure 3: State of Global Forest Tenure, 2010

ACRONYMS

AMAN	Indigenous Peoples' Alliance of the Archipelago, Indonesia (<i>English translation</i>)
BINGOs	big international non governmental organizations
BRICs	Brazil, Russia, India, and China
CIHR	Conservation Initiative on Human Rights
CNOP	National Coordination of Peasant Organizations, Mali (<i>English translation</i>)
COP	Conference of the Parties
CSR	corporate social responsibility
FCPF	Forest Carbon Partnership Facility
FECOFUN	Federation of Community Forestry Users, Nepal
FIP	World Bank's Forest Investment Program
FLEGT	European Union Forest Law Enforcement, Governance and Trade Action Plan
FPIC	Free, prior, informed consent
GDP	gross domestic product
HuMa	Association for Community and Ecology Based Law Reform, Indonesia (<i>English translation</i>)
IFC	International Finance Corporation
IIED	International Institute for Environment and Development
IMF	International Monetary Fund
ITTO	The International Tropical Timber Organization
IUCN	International Union for Conservation of Nature
MDG	United Nations Millennium Development Goal
NAPAs	National Adaptation Programmes of Action
NASA	National Aeronautics and Space Administration of the United States
NTFPs	Non-Timber Forest Products
NGO	Non-governmental Organization
ODA	official development assistance
REDD	Reducing Emissions from Deforestation and Forest Degradation
REDD+	Reducing Emissions from Deforestation and Forest Degradation + activities including conservation, sustainable management of forests and enhancement of carbon stocks
RSPO	Roundtable on Sustainable Palm Oil
RRI	Rights and Resources Initiative
UK	United Kingdom
UN	United Nations
UNDRIP	United Nations Declaration on the Rights of Indigenous Peoples
UNFCCC	United Nations Framework Convention on Climate Change
UNHRC	United Nations Human Rights Council
UN-REDD	United Nations Collaborative Programme on Reducing Emissions from Deforestation and Forest Degradation
US	United States

PUSHBACK: LOCAL POWER, GLOBAL REALIGNMENT, NEW OPPORTUNITY

The year 2010 was remarkable for unfortunate events and global tension. It is tempting and understandable to conclude that its main stories were about disasters—epic floods, fires, earthquakes and landslides; another ‘hottest year on record’; the deepened financial crisis in the North; the spike in food prices; and the sobering realization that soon we will be living with a 3.5°C increase in mean global temperature.

Counter to the positive developments in 2010 was a disturbing tendency of some governments to roll back hard-won local land rights and, in some cases, to criminalize advocates.

Though distressing, these stories were not unexpected, nor the most interesting. Rather, the most interesting—and powerful—story of 2010, was the growing role of

forest peoples’ organizations, who are increasingly influencing their countries’ futures and the fate of the planet.

This subtle shift in power, whether in the form of protest or constructive engagement in global governance, is due to a convergence of forces: growing pressures on Indigenous Peoples and community lands and forests by outsiders; a long history of resistance and a steady strengthening of community organizations; the increasing openness of national and global governance to local rights and voices; and the opportunity for influence provided by global dialogues around development and climate change. There is a crystallization of confidence and capacity among historically marginalized people, and growing legitimacy and acceptance of initiatives led by forest peoples. This historic step was perhaps best illustrated by the major victory of tribal movements in India who won the support of government over a multinational corporation (*see Box 1*).

During the year, community forest organizations and Indigenous Peoples were strong players in global negotiations and action on forests and climate change—they are now represented in the governing bodies of the United Nations Collaborative Programme on Reducing

1

INDIA: TRIBAL MOVEMENTS SCORE HISTORIC VICTORY AGAINST MULTINATIONAL CORPORATION



In August 2010, after years of pressure from tribal activists with support of Indian and international human rights groups, Indian Minister of Environment and Forests Jairam Ramesh rejected a bid by Vedanta Resources to mine bauxite from the sacred Niyamgiri Hills of the Dongria Kondh tribe. Ramesh and state authorities blocked the bid on the grounds that it would be detrimental to the rights and livelihoods of the nearly 8,000 Dongria Kondh people, result in the loss of habitat of rare flora and fauna, and destroy an elephant corridor. It would have also violated the Forest Conservation Act and, more importantly, the Forest Rights Act, which was enacted in 2006 in an effort to correct the historical injustices committed against forest dwellers.

The welcome decision has come after months of high-pressure lobbying by Vedanta and industry supporters, countered on the ground by rallies and aggressive information campaigns mounted by many activist and citizens' groups.¹ The Dongria Kondh's struggle has found support around the world. On hearing the Ministry's decision, one campaigner stated, "This is a victory no one believed possible... a litmus test of whether a small, marginalized community could stand up to a massive multinational company."²

Ramesh's decision came in the wake of an expert panel report, headed by National Advisory Council member N. C. Saxena, that was "of the firm view that allowing mining in the proposed mining lease area... would shake the faith of tribal people in the laws of the land." Yet the upholding of the findings of the Saxena team owes a great deal to the independence of India's processes of law, which were underscored again on July 19th when, in another mining case, the Supreme Court termed developmental policies as "blinkered." Sunita Narain, a political activist and director of the Centre for Science and Environment, stressed that the victory of the Dongria Kondh must be viewed as a victory of the Forest Rights Act and of local resistance over international corporate power.³

Emissions from Deforestation and Forest Degradation (UN-REDD), the World Bank's Forest Investment Program (FIP), and the Forest Carbon Partnership Facility (FCPF). These rightsholder groups were also represented as members of at least 10 national delegations to the climate change convention held in Cancún, Mexico, in November and December. Though such representation on governing bodies or

delegations usually does not come with voting rights, it embeds previously marginalized stakeholders in the processes—and their influence will increasingly be felt.

Counter to the positive developments in 2010 was a disturbing tendency of some governments to roll back hard-won local land rights and, in some cases, to criminalize advocates. On December 21st, Bladimir Tapyuri—a Indigenous Peruvian leader—was sentenced to four years in prison for his participation in a protest in Bagua in 2009 and for his role in the controversy surrounding Peru’s forestry law; three of his

Many countries have made clear progress towards forest governance reform, but others are recalcitrant.

colleagues were similarly criminalized. In Papua New Guinea, the government passed new environmental regulations that dramatically undermined community property rights.⁴ In Nepal, a country that has been known for the progress it has made in community forestry, the new Minister of Forests and Soil Conservation proposed

revisions to the Forest Act to increase taxes and take back community forest rights.⁵ In October, police responded to a massive peaceful protest by throwing nearly 200 people in jail, badly injuring some.⁶

Last year we forecast that 2010 would be a year of unparalleled national and global attention and investment in forests. We posed four key questions for the year 2010: Would there be a global agreement on climate change and real enforcement? Would reduced emissions from deforestation and forest degradation (REDD) really reform forest governance? Would the World Bank and multilateral development donors support Indigenous Peoples and forest community rights and representation in national and global governance? And, most importantly, who would drive change, and who would decide how the hinterland would be integrated with the new, globalized forest regime?

On the first of these questions, Cancún *did* produce an agreement, including text on REDD⁷, albeit one in which there was no commitment to substantially reduce emissions, no enforcement mechanisms established, and safeguards are relegated to an annex with implementation merely optional. Nevertheless, the Cancún agreement was a major step in holding together the UN climate-treaty-making system and took on many of the recommendations made by Indigenous Peoples and community forest organizations.

On the second question, the jury is still out. Many countries have made clear progress towards forest governance reform, but others are recalcitrant. Overall, the potential for REDD to drive effective reform remains open—and how it will

play out remains a major question, and an opportunity, in 2011 and beyond.

On the third question, the World Bank and other multilaterals made some progress on the rights of Indigenous Peoples and local forest communities—demonstrated by their more explicit support for the recognition of rights in their investments, the representation of Indigenous Peoples and forest communities in program governance, an openness to implementing free, prior, and informed consent (FPIC), and growing acceptance of the establishment of independent accountability mechanisms—modeled on the World Bank’s Inspection Panel. On the other hand, the World Bank continued to struggle with their stated commitment to safeguards while facilitating the quick flow of funds. More concerning, the Bank has not explored the consequences the global carbon market might have on their core mission of reducing poverty,

In the days of the hinterland, local rights were simply rolled over. Now, at least, there is a contest.

or how their far more ambitious adaptation lending can easily reverse the policies and safeguards established for REDD and forestry. It is not yet clear whether (or how) they will really commit to FPIC, and whether they will lead in promoting the establishment of credible national REDD processes.

The fourth question—who drives and who decides?—remains the heart of the battle. In 2010 there was substantial pushback by Indigenous Peoples and local communities against unwanted interventions in their forests and lands. In the days of the hinterland, local rights were simply rolled over. Now, at least, there is a contest. Not surprisingly, this contest centers on who owns the forests, the trees, and the carbon and who has what rights to use, manage, and benefit from the growing value of these lands. ■

THE STATE OF FOREST TENURE TODAY: THE STRUGGLE TO REALIZE, AND KEEP, RIGHTS

There was no globally significant progress on expanding the forest area under local ownership in 2010, even though the need for such reform was greater, and more accepted, than ever. In Cancún, for example, Lord Nicholas Stern said that “the lack of land and resource tenure” was a challenge deserving more attention and called for “a major exercise in land reform” to slow deforestation in Indonesia.⁸ The Cancún agreement “requests developing country Parties ... to address ... land tenure issues [and] forest governance ...”⁹ A recent survey of 22 national REDD strategy documents found that 21 identified land tenure as a major issue to be addressed.¹⁰

There was no globally significant progress on expanding the forest area under local ownership in 2010.

The distribution of forest land ownership and rights at the global level remains as we reported in 2010 (*Figure 1*). The lack of progress was doubly disappointing. The rhetoric was not matched with action on the ground, and it shows a slowdown in global progress. Community ownership and administration doubled between 1985 and 2000 and the rate of recognition averaged about 5% per year between 2002 and 2008. Even more disconcerting is the fact that the even the 5% rate of recognition is miniscule compared to the rate of “land grabbing,”¹¹ which according to the World Bank jumped over 1000% in 2009.¹² The United Nations has declared 2011 the “International Year of Forests” and the theme is “Forests for People.” Hundreds of government delegates met in New York in mid-January to celebrate. Will they recommit to tenure reform and will their governments follow through in 2011?

The greatest recognition of the rights of Indigenous Peoples and local communities remains in Latin America. In Africa, however, almost all forests continue to be claimed by governments, though there was historic news from the Congo Basin in December, when the Republic of Congo adopted national legislation on indigenous rights aligned with UNDRIP.¹³ Closing the gap between rhetoric and

2

KENYA: NEW CONSTITUTION USHERS IN WOMEN'S LAND RIGHTS

Kenya's new constitution was signed into law in 2010 and launched a bold new set of land rights for women within its broader remit to address both land rights security and gender equality. As a result of over a decade's work, Kenya is now at the forefront of the movement in sub-Saharan Africa to mainstream gender concerns: under the new constitution, its women are now able to own and inherit land and are guaranteed equal treatment to men under the law.¹⁴ This reform ends widespread discrimination against unmarried, widowed, and divorced women, which was often upheld by customary law.¹⁵

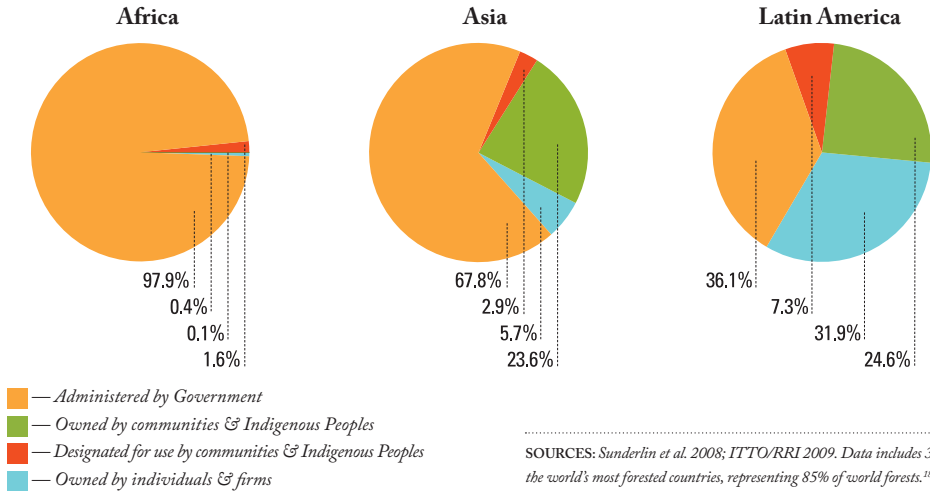
Numerous groups played a pivotal role in delivering this historically critical outcome, including established groups such as the Kenya Land Alliance, the Center for Land, Economy, and Rights of Women, and the Green Belt Movement, and newer groups such as the young women's advocacy group Waremo ni Yes (an outgrowth of Bunge la Mwananchi—Women's Social Movement). Waremo ni Yes used new technologies (such as mobile phones and the internet) and more traditional methods such as community forums to amplify the voices of their constituency. In the process, innovative female leaders emerged to advance women's rights.

Not only are gender land rights now affirmed in Kenya, the new constitution guarantees that women will fill at least one-third of elected and appointed government posts. The challenge now is to realize in practice the land rights of women that are newly enshrined in the constitution.

recognition takes time, even if all parties are fully committed. The extent to which the rhetoric will be translated to real recognition is one of the major questions of 2011, particularly in Africa and Asia.

Yet, it is simply not just a matter of formalizing tenure rights. The same laws that formalize rights often constrain their full realization. Women in particular continue to suffer prejudice in both recognition and access to procedural justice as was the case before the new Kenyan constitution was adopted (*see Box 2*).¹⁶ This longstanding repression has continued into the climate regimes. A survey of National Adaptation Programmes of Action (NAPAs) found that one-third did not mention women or gender and one-third did so only in tokenistic ways. One-third of NAPAs treated gender adequately, although even in those, women were largely excluded from the preparation process.¹⁷

Land rights may be guaranteed by law but severely limited or undermined by

FIGURE 1 FOREST TENURE BY REGION, 2010


burdensome regulations and unjust judicial systems. In 2010 RRI began a new, detailed analysis of 36 tenure regimes that recognize and regulate community rights to forest resources in 15 countries, encompassing almost 70% of the world's tropical forests.¹⁹ Following the maxim “the devil is in the details,” the study goes beyond the question of recognition and assesses communities’ rights of access; their decision-making power over forest management; whether they can commercially harvest

The same laws that formalize rights often constrain their full realization.

timber or other forest products; whether they can exclude outsiders; whether the tenure regimes confer the right to lease, sell, or use forests as collateral; and whether the law guarantees communities due process and fair compensation if the state revokes these rights.

Early results from the survey demonstrate the obstacles that remain even when land rights are recognized. For example, 92% of the tenure regimes examined allow communities to harvest some timber, but 30% of those prohibit commercial logging. In 64% of the tenure regimes, communities must comply with management plans and/or licenses. Four of the 15 countries (all in Africa) provide no due process or compensation if the state appropriates the land. The range of tenure regimes studied in Latin America offers, on average, the fullest set of rights for Indigenous Peoples and local communities. Asia ranks the second strongest for community rights, followed by Africa.

3

COLOMBIA: COURT SUSPENDS MILITARIZED MINING OPERATIONS ON AFRO-DESCENDANT LANDS



In March 2010, the Constitutional Court of Colombia halted the country's largest copper-mining project, which had been operating on land legally titled to Afro-descendant and Indigenous communities. For a country that has placed mining at the center of its economic development strategy, it was a momentous decision. In 2005, the government, in its bid to lure foreign direct investment, had granted the Muriel Mining Company a 30-year mining concession covering 16,000 hectares in the Chocó region, which has been the home to Afro-descendant and Indigenous communities for centuries.²⁰

This concession was awarded without appropriate consultation with the communities regarding the environmental and cultural impact of the mines, violating both the 1991 Constitution and the 1993 Law of the Black Communities. Not only did the mining operation seriously contaminate waterways in the region, Colombian military units were sent in to guarantee its operation. The disenfranchised and terrorized local communities struggled for five years in lower courts to stop the mine. In 2008, the Permanent Peoples' Tribunal officially condemned Muriel for violating the rights to self-determination of Afro-descendant, Indigenous, and Mestizo communities in the region.²¹ The decision of the Constitutional Court upholds the right of Chocó communities to be fully consulted on projects that affect their land and livelihoods.

Now, however, Muriel, together with the Ministry of the Interior, is aggressively challenging the Court's decision. In upping the ante against the communities, a new round of resistance is in the offing.

In most countries in Latin America, many forest communities and peoples are focused on protecting the gains already made in land rights, especially in the face of growing pressure from mining, agriculture, agro-industry, and conservation interests, as was the case of Colombian Afro-descendants illustrated in *Box 3*. There is also a need to put into effect the legal provisions that will guide the holders of land rights in managing their forests and making a living from them. In most of Africa, the focus is still on gaining legal recognition of historic rights, although in those (few) countries where the law acknowledges such rights, attention has shifted to implementation. In Asia, the focus is on statutory recognition in some countries, such as Indonesia and Nepal, while in others, like China, attention is more on the right to use and benefit from the land's resources, ensuring protections to Indigenous minorities and expanding rights to women. ■

TENSION AND TRANSFORMATION IN 2010: KEY SHIFTS SHAPING RIGHTS AND LIVELIHOODS

“The fight to limit global warming to easily tolerated levels is thus over.”

The Economist,
25 November 2010²²

In 2010 governments, investors, conservation organizations, and communities recognized an increased scarcity and value of forests, and more fully, and sometimes more fairly, contested control. This section sets out the major structural shifts of the year that shape the possibilities of securing community rights and improving local forest livelihoods in the future.

► THREE DEGREES AND RISING: THE SOUTH FLOODS, THE NORTH SHRUGS, AND THE MDGs FADE AWAY

Extreme flooding in Pakistan and China, unprecedented drought in the Amazon, and landslides in Mexico and Central America showed that the impacts of climate change are already causing great pain in developing countries. Countries of the North, on the other hand, seemed to be getting used to the idea of climate change, lowering their concern and ambitions rather than their standard of living. Many, most notably the United States, either failed to pass climate change legislation or greatly reduced the scope of such laws. This happened despite clear evidence that global emissions remain on a business-as-usual trajectory and that, even if all countries were to meet their agreed targets, the mean global temperature would still increase by at least 3.5°C in the longer term²³, causing more catastrophic floods, fires, droughts, and weather variability—all which will predominantly affect the poor in developing countries who contributed the least to the problem and are the least able to protect themselves from it.

“Two degrees is a wishful dream.”

Bob Wilson, Chief Scientist,
Department for Environment,
Food and Rural Affairs (UK)

Despite all the public statements to the contrary, developments in 2010 indicated that responses to climate change, catastrophic disasters, and security crises might come at the expense of the pursuit of the Millennium Development Goals (MDGs), particularly those related

to poverty alleviation. A UN summit and corresponding report

4

MALI: FARMERS RESIST LAND DEALS—“LE MALI N’EST PAS À VENDRE!”



North African oil money is pouring into Mali, one of the world’s poorest countries, to finance secretive and controversial land acquisitions. Since 2008, a spate of closed-door deals has handed more than 300,000 hectares in Segou, the country’s prime agricultural region²⁴, to large local and foreign agriculture and biofuel companies. So far, violent evictions and uncompensated or poorly compensated displacements have been the norm.

Segou farmers are organizing against what they see as a hostile takeover of their land abetted by the Malian government. In November 2010, herders, agriculturalists, and civil-society organizations mobilized in the town of Kolongotomo to condemn the deals and to seek redress from the central government.

The *Coordination Nationale des Organisations Paysannes and the Syndicat des Exploitants Agricoles de l’Office du Niger*, co-conveners of the Kolongotomo Forum, decried the lack of consultation with local stakeholders in the allocation of land leases and the lack of clarity on how local people will benefit. In the case of the 50-year lease granted to Malibya Agricole, for example, the contract does not stipulate any benefits for locals or specify the revenue that will accrue to the state; nor does it require that any portion of output stays in the country. It is thus impossible for local people or local government to enforce the provision of benefits, guarantee local rights, or track revenue receipt or allocations. This seems to be a common problem in deals made in Mali and other Sahelian countries involving the Saudi government or pooled Islamic regional investment funds.²⁷

“The Nation-state has begun to decline, to lose its strength to private profits.”

Madiodio Niasse,
Director,
*Coalition foncière internationale*²⁵

“There won’t be any choice but to take up arms and defend ourselves.”

Ibrahim Coulibailly,
President, *CNOP*
(*National Coordination of Peasant Organizations*)²⁶

evaluating progress towards the MDGs, completed in September 2010, noted few achievements. Rather, it expressed concern that the number of people living in extreme poverty and hunger had surpassed one billion and that hunger and malnutrition had risen between 2007 and 2009, partially reversing prior gains.

The World Food Programme expressed similar concerns in the summit on food security, held in November 2009. There are indications that localized food-supply emergencies will continue to occur, but there may also be global crises. By 2050, the number of people at risk of food insecurity due to climate change is predicted to increase by 10–20% more than would be expected without climate change.²⁸

To make matters worse, it is increasingly clear that the US\$100 billion in official development assistance recently committed to climate change, which was supposed to be new and additional, will, by and large, be neither. Germanwatch analyzed Germany's bilateral aid funding in 2010 and found only US\$70 million in new, additional funding for climate change, with the rest simply reassigned from existing commitments.²⁹ Declining interest rates and adjusted repayment schedules in the wake of the global financial crisis mean that the operating budgets of traditional bilateral donors will face even greater constraints in 2011 and beyond.

There is also a risk that climate change funding will simply replace the tools, capacity, and approaches that have been developed over decades to address poverty with new programs that start from scratch, with the possible loss of hard-learned lessons. Has the world given up on development and eliminating poverty, and is it now moving to simply contain and control the impacts of its failure to confront climate change?

► COUNTERING THE 'GRAB': FOREST MOVEMENTS SET STANDARDS AND CONTROL INVESTMENTS

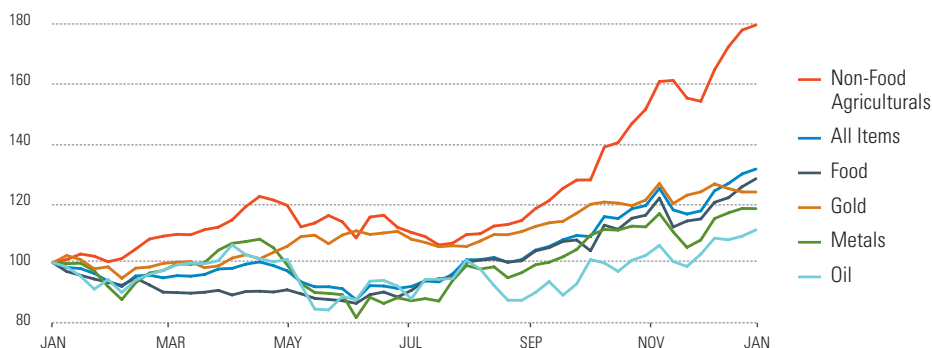
"Inaction to halt speculation on agricultural commodities and continued biofuels policies is paving the way for a re-run of the 2008 food price crisis in 2010 or 2011."

Olivier de Schutter, UN Special Rapporteur on the Right to Food

Acquisitions and 'grabs' of farmland and forest lands in the developing world continued—and arguably expanded—in 2010. Wheat prices jumped 30% in August, and the price of basic food commodities have now passed their previous peak in 2008—which led to at least 30 food riots around the world.³⁰ Consistent with the global predictions, a new report by the US Department of Agriculture predicted substantially lower US cereal production in 2011, and even higher food prices in 2011.³¹ Oil, metals, non-food agricultural (including

timber) and other commodities showed similar price rises in the latter part of the year (see Figure 2). The volatility of the world's food prices and their connection to forests, climate change, and political upheaval was highlighted dramatically by the forest fires that erupted in Russia in July, engulfing farmlands and burning an estimated 20% of wheat production. The Russian government subsequently banned wheat exports, sending prices soaring in world markets. As a result, Mozambique (which imports 70% of its wheat consumption) increased the price of bread, leading to food riots that killed seven people.³²

The increased global demand for farmland became clear in 2010: a World Bank study on land grabs published in September found that at least 45 million hectares of large-scale farmland-expansion deals were announced in 2009, compared with an

FIGURE 2 COMMODITY PRICE GROWTH IN 2010

SOURCE: *The Economist*, 2010.³³

average of 4 million hectares per year before 2008.³⁴ The study reveals the opportunistic approach some investors are taking—targeting developing countries with weak local land tenure where governments feel entitled to make such deals despite contestation by local communities. The phenomenon is not restricted to farmland, leading to increasing conflicts and pushback by farmers, forest-dwellers, and hunters and gatherers alike, as demonstrated by protests in Mali (*Box 4*) and India (*Box 1*).

The land grab for oil palm plantations in Southeast Asia exemplifies the link between forests, food, conflict, and pushback. In 2010, attempts to increase community control over their traditional land were met with threats by powerful government and commercial interests. Contrary to claims made by the industry, 55–60% of the region's land grab has occurred at the expense of existing tropical forests,³⁵ achieved by dispossessing Indigenous Peoples and local communities of their land rights. In Indonesia, the Forest Peoples Programme (FPP), together with Indonesia's Sawitwatch, AMAN, HuMa, and others,³⁶ have been pushing for stricter industry and lending controls on palm oil production and trade to make it socially and environmentally sustainable.³⁷

Part of their strategy includes pressuring the Roundtable on Sustainable Palm Oil (RSPO), an organization established by palm oil companies in 2002 and which includes the largest palm oil trading company Wilmar Group, to deliver on its mission of ensuring environmentally and socially sustainable production by its members.³⁸ Under pressure from FPP and local organizations, the World Bank began a detailed review of the palm oil sector, after an independent audit last year of the International Finance Corporation's (IFC) funding of Wilmar Group staff that showed repeated standards violations by IFC staff. As a result of this action, the

CHINA: WHITHER CSR? ILLEGAL FOREST LAND GRAB SHOWS LIMITS OF VOLUNTARY STANDARDS



In concert with local officials and other middlemen, the global paper giant Stora Enso gained control through illegal means of thousands of hectares of forest lands in the Guangxi Autonomous Region of southern China for a eucalyptus plantation. Stora Enso is arguably one of the world's greenest paper companies and has a well recognized commitment to corporate social responsibility (CSR) principles.

Acting on behalf of Stora Enso, middlemen often violated the law in their efforts to secure land; at times they physically threatened farmers who balked at signing over their rights. In the process they undermined recent measures by China's central government to allow collectives to devolve control over land to individual farmer households, directly affecting 100 million hectares and benefiting about 400 million people. The reforms also require the active participation of households in the decision-making procedures that determine transactions in collective forests.

According to Li Ping, co-author of a joint study by RRI and the Rural Development Institute,³⁹ it is "unconscionable that these important and historic measures, which were designed to give farmers secure rights to their forest lands, have been so abused." Despite having been made aware in 2006 of the legal irregularities in its land transactions, Stora Enso began to verify the legality of leasing contracts in Guangxi in late 2010, recognizing the real legal and political complexities and risks.

"It is unconscionable that these important and historic measures, which were designed to give farmers secure rights to their forest lands, have been so abused."

Li Ping, Rural Development Institute

President of the World Bank required first the IFC, and then the entire World Bank Group, to cease financing the palm oil sector worldwide. The World Bank is now developing a new, comprehensive financing strategy for palm oil and later for other key commodities such as cocoa and soya.

This example, along with the example of Stora Enso investments in China highlighted in *Box 5*, shows both the power and limits of voluntary, international standards. Major western investors are held to account, but their share of the global market is declining, and demand is growing rapidly in the developing and middle income countries without similar standards or potential pressure from consumers. This all suggests more fights ahead with less scrupulous investors and collaborating governments and demonstrates that, ultimately, national standards and accountability

systems need to be established and fully functional for rights to be recognized, and the interests of all—owners, investors and the government—to be protected.

► FAST PYROLOSIS: FOREST MARKETS AND TECHNOLOGIES INCREASE OPPORTUNITIES FOR SMALL-SCALE PRODUCERS

Big transitions now underway in the forest industry, particularly in the developing world, signal new opportunities for community forest owners and enterprises. Small-scale ownership and processing has long been dominant in the US and Europe. In 2010, private forests in the US generated seven times the GDP per acre as commercially-managed public forests,⁴⁰ and 90% of Europe's forest enterprises have long employed less than 20 workers. Equally impressive, where rights are recognized in China and Mexico, small-scale production and enterprises also thrive. New data from China indicates that 90% of the value in the domestic and export furniture industry comes from small-scale enterprises and smallholders.

Demand is dramatically shifting to domestic and regional markets in developing countries. Approximately 80% of market growth in the next decade will be in developing countries.

Five major shifts suggest that this transformation will extend across the developing world in the coming years. First, demand is dramatically shifting to domestic and regional markets in developing countries. Approximately 80% of market growth in next decade will be in developing countries,⁴¹ which will generate new opportunities for local suppliers. The Africa Wood Products Association held their second deliberations with ITTO on shifting the focus of sub-Saharan African timber trade from traditional export markets to domestic and regional markets. Second, markets for non-timber forest products (NTFPs) are expanding both in domestic and export markets, often along cultural or diaspora lines—for medicinal and botanical derivatives, food and seasonings, fibers, dyes, and ornamentals. Demand for some products such as the Amazon fruit açai is soaring, both inside Brazil and globally. The state of Pará exported 380 metric tons of the fruit in 2002, and increased to 9400 metric tons in 2010, while local consumption rose in parallel, spawning new enterprise opportunities.⁴²

Third, forest land is becoming pricier and larger blocks that are not already owned or available are increasingly scarce—leading timber and plantation investors to consider business models that source from communities and smallholders. Along with the maturing of the EU Forest Law Enforcement, Governance and Trade Action Plan (FLEGT) and certification initiatives, this will continue to limit and shape business models and investment patterns.

Fourth, in the aftermath of the global financial crisis, it is clear that the industrial-scale tropical timber concessions and the industry are in decline. They are not attracting investment in higher-value processing, are increasingly recognized as unsustainable, and are often converted to plantations or agriculture. New wood-plastic composites, thermalized woods and wood substitutes are taking over the market share and are presented as “greener” alternatives. Increasing demand for energy plantations and other commodities, even for speculation, makes maintaining revenue difficult for tropical timber exporters,⁴³ and the expanding requirement for legal or certified wood is raising costs, making this business model less attractive. At the same time, FLEGT’s recognition of the importance of legalizing the small-scale industry is growing. Large-scale operations are no longer the only legal actors.

The last shift is in wood technology and the options for production scale. New biofuel technology, including fast pyrolysis, which converts liquefied wood fiber to energy, greatly increases conversion efficiency and favors production in small batches keeping transport costs low and enabling a broader source of supply.

6

INDONESIA: CIVIL SOCIETY PLATFORM FOR SAFEGUARDING COMMUNITY RIGHTS IN REDD



In May 2010 the governments of Norway and Indonesia announced a new bilateral partnership on REDD. As part of it, Norway will provide up to US\$1 billion through a fast-track financing scheme in proportion to any reductions in greenhouse gas emissions achieved by slowing deforestation in Indonesia.⁴⁴ Later in the year the Australian government joined the partnership, contributing US\$45 million.⁴⁵

The Letter of Intent formalizing the partnership between Norway and Indonesia pledges “a two-year suspension on all new concessions for conversion of peat and natural forest.” This places a temporary freeze on the expansion of oil palm plantations and other large-scale agriculture, now the main drivers of deforestation in Indonesia.

Indonesian civil society is seriously concerned that unless the core issue of forest tenure rights and safeguards are first addressed, this and other REDD schemes will exacerbate already intense forest conflicts. The Indonesian Civil Society Forum for Climate Justice (which includes RRI collaborators HuMa, Sawitwatch, and AMAN among its membership) is pushing for stronger rights for forest-dependent communities in the proposed forests-for-carbon schemes.⁴⁶ The Indonesian government’s own data and the World Bank show that more than 25,000 villages and an estimated 50-70 million people (nearly one-fourth the total population) live in and around “state forest land”—only 12% of which has been properly gazetted, thus making the remaining area uncertain in legal status—yet the country’s draft national REDD strategy does not recognize the importance of a rights-based framework.⁴⁷

This technology offers the additional potential benefit of local electrification. China's veneer industry now mills logs to a core of just a few centimeters in diameter, one-tenth the conventional industry standard, favoring both smallholder agroforestry and alternatives like bamboo. No longer is it necessary to be large to be competitive.⁴⁸ A wide new range of markets and business models are emerging that can support sustainable forest management while creating local jobs, diverse products, and more resilient local economies.

▶ A SEAT AT THE TABLE: INDIGENOUS PEOPLES AND LOCAL COMMUNITIES SAVE AND SHAPE REDD

Since its inception, REDD has been viewed with both hope and hype. Many said REDD was going to be cheap (relative to other options), it was going to be fast (recall the original plans to have countries 'ready' by Copenhagen), and it was going to be easy (relative to the difficulties of achieving reductions in other sectors based in the polluting North). Instead, new analyses suggest that REDD will not be as cheap as first predicted;⁵⁰ there have been only limited efforts to change business as usual; the global carbon market is emerging only slowly; and there is little compulsion, and much hesitation, for private sector to purchase REDD+ offsets.

Many Indigenous Peoples and forest community representatives were originally hostile to REDD for fear that it would further deprive them of rights to their forests—and many still are. Slogans like “No Rights – No REDD” dominated much of the international critique of REDD. Yet, as the details of REDD began to shake out and the allure of compensation grew, the rhetoric evolved to “Rights then REDD” as some Indigenous Peoples and forests community representatives began to see some upsides to REDD. Fortunately, these same groups were relentless in pushing for rights-based approaches to REDD that includes FPIC and full participation in the development of REDD+ strategies—those who were successful in their pushback find themselves rewarded with more voice, political clout, and a seat at the table.

As a result of sophisticated and hard-fought advocacy, the international negotiations and the multilateral funds guiding REDD+ have opened their doors to more participation by Indigenous Peoples and forest community representatives in their decision-making structures. In 2010, Indigenous Peoples and forest communities had more seats at the

“Indigenous people are not doing REDD because of money. That’s a very important thing. They are doing it for their rights.”

Abdon Nababan, Secretary General, AMAN⁴⁹

“REDD, for now, is a threat. We want to change this threat to an opportunity.”

Abdon Nababan, Secretary General, AMAN⁴⁹

table. More than 500 Indigenous Persons from Africa, Asia and the Pacific, Latin America and the Caribbean, the Arctic, and North America were present in Cancún, organizing a wide range of meetings and actions to ensure that their concerns were taken on board by COP-16.⁵¹ Indigenous Peoples and civil society organizations now have observers on the boards of the REDD+ Partnership, the FIP and the FCPF and full voting rights on the UN-REDD Policy Board.

This victory for civil society has important consequences for the effectiveness of REDD programs. Forests exist in a variety of landscapes with competing demands for the resources on, under, and in forests. Policies promoting industrial timber extraction, agriculture and mining drive deforestation in most of the world.

New analysis shows that, since 1990, 80 countries have changed course from deforesting to reforesting through policy reforms focusing on secure tenure, investing in planting, and reducing the regulatory burden on smallholders.⁵² It's clear that policies, not just payments, are needed. The sophisticated policy prescriptions required to slow deforestation and increase carbon sequestration must, therefore, be informed

7

UNITED STATES: RECOGNIZING FIRST PEOPLES, PAST WRONGS, AND UNDRIP—BUT ACTION NEEDED TO MATCH WORDS



In 1996, after years of government inaction and mismanagement, Elouise Cobell (Blackfeet Tribe, Montana) filed suit on behalf of her people against the U.S. government for withholding royalties from mineral and oil extraction on Indian lands. This spurred a contentious and polarizing 14-year class action suit that was finally resolved in December 2010. The

Claims Resolution Act was signed into law, appropriating US\$1.9 billion to address the original claims as well as more than US\$1 billion in water industry revenues.⁵³

Despite these historic settlements, change continues to be both hard-fought and hard to come by. In 2010 there was pushback across Indian Country: men, women, and youth protested the continued use of Indian identity as mascots in Colorado, Wisconsin, and Oregon;⁵⁴ elders worked to perpetuate languages on the brink of extinction in Alaska;⁵⁵ and 300+ American Indian communities continued to petition for federal recognition.⁵⁶

Also in 2010, after decades of Indigenous political mobilization, the U.S. government finally endorsed UNDRIP and promised implementation—following Canada and New Zealand, which also endorsed UNDRIP in 2010. When making this historic and highly significant commitment, President Barack Obama remarked that, *“the aspirations [the declaration] affirms—including the respect for the institutions and rich cultures of Native Peoples—are ones we must always seek to fulfill... what matters far more than words—what matters far more than any resolution or declaration—are actions to match those words.”*⁵⁷

by robust analyses of the drivers of deforestation and the knowledge and concerns of traditional forest managers. Only if REDD is expanded to include multiple objectives beyond deforestation—like adaptation, food security, poverty and vulnerability—will it be successful.

On the whole, these developments signal tremendous progress. Including groups that have been historically marginalized in global governance structures is no small advance. But as the case of Indonesia illustrates (*see Box 6*), big questions remain. Will progress at the global level be translated to the national or local? What about the other marginalized, but less cohesively organized groups, like women? Will they have the opportunity to take advantage of this growing political space?

▶ GLOBAL MONITORING AND TELECOMMUNICATIONS: COOL TOOLS, BUT EMPOWERING?

2010 saw major progress in global forest mapping and monitoring technologies. Google released Earth Engine⁵⁸ and Cisco Systems together with NASA launched the Automated Land-change Evaluation, Reporting and Tracking System (ALERTS)⁶⁰, computing platforms that will enable much more precise measurement and tracking of land use and forest carbon by the international community. More potentially empowering for local people, 2010 also saw the launch of O3b Networks—which announced a constellation of satellites in 2012 that would provide the opportunity for broadband internet access to ‘the other three billion’ (i.e. ‘O3b’)—people who have so far been denied access to the internet for “reasons of geography, political instability and economics.”⁶¹ The power of mobile information and communication technology was demonstrated when the Government of Mozambique announced a rise in food and electricity prices in September. The announcement ignited riots in the streets of Maputo orchestrated via mobile phones and text messages—which were promptly suspended by the government.⁶²

UN Secretary General Ban Ki-moon linked the spread of telecommunications and internet access to trade, commerce and education, and also to faster progress toward the MDGs.⁶² The importance of information and communications technology in addressing climate change was cited in the Cancún agreement⁶⁴ and also in the Peoples Agreement, which was struck at the 2010 World People’s Conference on Climate Change and Rights of Mother Earth.⁶⁵ Kenyan communities and women also banded together to push for equality leading up to the new national constitution,

“As an Indigenous woman, community radio is the only place that I can express my views and opinions and be sure that they will be heard by the entire town. The mayor expresses his opinion on our radio, so do the police, and so do I.”⁵⁸

Angelica Cubur Sul, Manager,
Radio Ixchel

as seen in *Box 2*.

The number of people using the internet surged from 5% of the world's population in 2000 to 29% in 2010, with a nearly 2,500% increase in Africa in the last decade.⁶⁶ Broadband access in remote areas will enable the easy sharing of multimedia, including maps, facilitating greater local mapping capability and accountability, and allowing communities and advocates to push for faster change. Advances in 2010 signal a dramatic step-up in the potential of technology to empower the poor and disenfranchised, and to hold governments and elites accountable. Still, it is local radio that is most important in most rural areas of the world, and some governments are still controlling this rudimentary medium. In Guatemala, 175 local communities are trying to overcome their government's prohibitions against community radio.⁶⁷ If

governments limit radio, will they limit broadband? Will communities have equal access to use, benefit from, and influence the interpretation the new mapping and monitoring technologies—which will be monitoring their forests?

“The modern Indian environmental movement should stand humbled. It is the activism of the same people we middle-class environmentalists distrusted that has defeated one of the world’s most powerful companies, Vedanta. This is the environmentalism of the very poor. Their activism is driven by the need for survival... Let us be clear, this is not a movement of the city-bred green lobby. This is a movement of a tribe... It is their belief in their culture that made them fight.”

Sunita Narain, Indian environmentalist, on the August 2010 decision to halt Vedanta Resources' bauxite mine in Orissa

► BIG CONSERVATION IS BACK: BUT COMMUNITIES RESIST FOR LOCAL CONTROL

Despite little systematic reflection on the effectiveness, and human rights impacts, of conventional models of forest protection, big conservation is poised for a comeback in 2011.⁶⁸ In October, the Convention on Biological Diversity's COP-10 agreed to expand the existing terrestrial protected areas system by 70% from 12 to 17% of earth's land base, albeit with “active participation of indigenous and traditional peoples.”⁶⁹ In addition, the largest international conservation agencies, commonly coined as BINGOs, are restructuring and positioning to respond to the new opportunities and challenges of climate change mitigation and adaptation, and increasingly play important roles as advisors to government environment agencies in countries poised for

REDD.⁷⁰ This expanded role complements their growing partnerships with large corporations, who hoped to ‘green’ business while helping the BINGOs to secure the longer term viability of their conservation models.

Under increased pressure stemming from past human rights abuses, the seven

largest BINGOs, with help from IUCN and IIED,⁷¹ formally announced an initiative responding to broad critiques of their actions called the Conservation Initiative on Human Rights (CIHR) and pledged to better respect human rights and local livelihoods in their policy and practice. Although new mission statements include ‘human rights and well-being,’ there is little evidence of a real commitment to change the past exclusionary models. And, as of yet, these organizations are still to respond to concrete allegations such as the 2009 findings and recommendations from the UNHCR Special Rapporteur on Indigenous Peoples asserting that protected areas and national laws should be revised to prevent the current human rights violations in the conservation context in Nepal.⁷² Meanwhile, local peoples in a wide range of forest landscapes are putting increasing pressure for a quicker response.

Grassroots organizations and their allies are often an invisible countercurrent that has been consistently fighting for conservation with social justice, over these past thirty years.

Grassroots activism by FECOFUN, Nepal’s national federation of community forest user groups, and their NGO supporters, are moving the country to reject conventional conservation. FECOFUN organized rallies and protests in the early months of 2010 involving local elected leaders, community-based forest user groups, and other local affected peoples. In the case of one proposed conservation area, that of Gaurishankar in Dolakha District, plans for an opening event by the Prime Minister in March 2010 were successfully halted by FECOFUN and other actors. Although a process of stakeholder consultation had taken place, the rights of local communities had not been resolved. As a result of FECOFUN’s action, the Government of Nepal abandoned the proposal and is reconsidering how to respect community rights.

Such grassroots organizations and their allies are often an invisible countercurrent that has been consistently fighting for conservation with social justice, over these past thirty years. Their gains can be great. The Transamazon social movement successfully advocated recently for the creation of a 5.6 million hectare reserve mosaic in the Xingu river basin in the Amazon,⁷³ and indigenous movements gained control over more than 1 million km², while household rubber tappers gained control of reserves totaling 200,000 km². Transamazon is a counter-example of how international NGOs can achieve conservation goals by allying with social movements and recognizing them as institutional interlocutors. 2010 shows that pushback by communities will, with time, change the course of conservation. And with CIHR, BINGOs are beginning to acknowledge the need for public accountability.

► THE BRICS HAVE ARRIVED: GLOBAL REALIGNMENT AND NEW CHALLENGES FOR DEVELOPMENT

It has been known for some time that the BRICs—Brazil, Russia, India, and China—and other developing countries have been growing much faster than the club of nations that was the G7,⁷⁴ and that this economic strength would eventually translate to political power. However, many did not expect the shift to take place so fast.

This shift in economic power is altering global political and institutional arrangements.

In the next 40 years, Brazil, Russia, India, China, and Mexico are expected to grow at an average 6.1% per year, raising their share of gross domestic product (GDP) among the G20 group of nations⁷⁵ from 18.7% in 2009 to 49.2% in 2050. By contrast, the GDP of the G7 nations is expected to grow by an average of less than 2.1% annually

to 2050, with their share of G20 GDP declining sharply from 72.3% in 2009 to 40.1% in 2050. In terms of purchasing power parity, the shift is even more dramatic.⁷⁶

This shift in economic power is altering global political and institutional arrangements. The balance of voting power in the UN and the multilateral financial institutions is shifting to emerging economies. China has gained the most—its share of the vote in the International Bank for Reconstruction and Development, for example, has risen to 4.42%, making it the Bank's third-largest shareholder. China is also set to gain the third-largest share of votes in the International Monetary Fund (IMF). Under changes agreed upon in November 2010, advanced economies will shift more than 6% of IMF shares to emerging countries, including China, whose voting power will thus be elevated above that of Germany, Britain, and France.

Whether it is dealing with financial and economic crises, world trade, or climate agreements, the emerging economies are increasingly shaping the outcomes of global affairs. Not only have they increased their influence on multilateral financial institutions, they are separately investing in and providing assistance to developing countries.⁷⁷

Investments by and assistance from emerging economies often garner appreciation disproportionate to their size because they are made available relatively quickly and easily—without the political, economic, social, and environmental conditions, safeguards (the development of which has been a major achievement of the world's development community in the last four decades), or bureaucratic procedures that traditional bilateral donors, as well as multilateral financial institutions, typically impose. Perhaps even more important than the level of investment is the perceived growing political sway of 'East' over 'West': developing-country leaders increasingly reject the conventional Northern models of development and democracy and are

turning instead to Beijing for inspiration. Further, the quickest-growing countries in Africa—Ethiopia, Rwanda, and Uganda—are led by political leaders with limited, and apparently dwindling, dedication to open democracy and elections and therefore have little tolerance for the conditions and safeguards imposed on development assistance from the North.

On the other hand, there are some hopeful signs in this rapidly realigning world. First, the expanding economies of many developing countries are propelling rapid growth in their domestic markets, creating opportunities for diverse small and medium-sized enterprises both in their own countries and off-shore—with huge potential for alleviating poverty. Second, the increasing integration of these economies with the rest of the world increases expectations and the chances of pushback by their own local communities, who are demanding greater transparency from their own governments, a stronger voice in economic and political affairs, and the development of national environment and social standards. How will these governments, and their investors overseas, respond to community pushback in 2011? ■

Perhaps even more important than the level of investment is the perceived growing political sway of 'East' over 'West'.

LOOKING AHEAD TO 2011: OLD ISSUES, NEW OPPORTUNITIES

2011 will bring more opportunity than ever before to advance community rights and livelihoods and the transformation of the forest sector.

With rights and tenure on the agenda, communities and civil society increasingly at the table, and growing markets for local production and enterprises, 2011 will bring more opportunity than ever before to advance community rights and livelihoods and the transform the forest sector. What is not clear is whether this transformation will be supported by governments, conservation organizations, and private investors, or whether conventional

conservation, industrial logging, and business as usual will prevail. Without sturdy global frameworks and safeguards to steer and manage international policy and investments, the direction of change will be increasingly set at the national level. Without innovative investors, entrepreneurs, and development agents open to allying with and supporting local people and enterprises, these new opportunities will not be seized.

Surely there will be gains in some countries and backsliding in others. In some countries, Indigenous Peoples, community organizations, and civil society are robust enough and legal frameworks progressive enough, to manage. In other countries, official development assistance (ODA) and the global frameworks, and private-sector investors committed to improving CSR, will continue to play a critical role.

How the world responds to six sets of questions will shape whether the new opportunities to advance community rights and livelihoods and the transformation of the forest sector will be seized or lost.

Will food insecurity and climate disasters derail development and rights?

Few feelings are as politically volatile as hunger, and fears of food shortages can override all other political and moral commitments. 2011 is likely to bring more of both. Donors dealing with emergencies and governments facing food shortages are likely to take the politically expedient route and shift resources and attention from long-term investments and development reforms to deal with emergencies.

The food-importing, cash-rich countries will continue to secure more land in developing countries, where cash-poor governments are often willing to sacrifice rural land rights. Even more problematic—there will be increasing opportunities and rationales to recentralize power to deal with national emergencies, and overrule local rights in the name of the immediate national interest. Strong, empowered local producers and communities are essential to enhance food production and increase climate resilience. In the face of competing demands for ODA and national security urgencies, will governments maintain their commitments to rights and due process? Will they opt to empower local communities?

Will bilateral ODA for climate change adopt safeguards and accountability?

Multilateral development assistance, such as that given through the World Bank or the UN, is increasingly influenced, and sometimes even co-governed, by representatives of civil society, Indigenous Peoples, and local communities, and these same institutions increasingly have social and environmental standards and recourse mechanisms that enable local people to hold them accountable. The majority of new funding for climate change, though, is channeled through bilateral donors, which, by and large, have neither mechanisms for stakeholder input nor safeguards or grievance mechanisms for their own investments. This weakness becomes deadly when donors are increasingly driven to demonstrate quick impact, countries can shop among donors for the lowest bar, and new donors from emerging countries ask even fewer questions from recipient country governments. Bilateral aid funding is also inevitably influenced by domestic political and security concerns, increasing the chances that social standards are waived or sacrificed for broader political objectives. In 2010 there was a struggle among participants in the REDD+ Partnership regarding whether they would adopt safeguards. The Partnership will meet and roll out its program and procedures in 2011. Will governments adopt standards and accountability mechanisms for their own investments?

Will national standards and accountability be strengthened to sanction private investments, REDD, and BINGOs?

While ODA will remain important in some countries, the vast majority of investment in forest areas will continue to come from the private sector and conservation BINGOs. These investments are normally conditioned by government agencies, usually without the free, prior, and informed consent of local people and with limited transparency. In most forested areas of developing countries, weak judicial and accountability mechanisms and public consultation processes,

complicated regulatory frameworks, and major challenges for women to exercise their rights are also more the rule than the exception. Many international voluntary forest certification systems have been established to help fill these gaps, but all are limited to specific investments, areas, and products. In the end there is no substitute for national-level standards, public consultation, and accountability. With the prospects for investments of all types growing, and the increasing power and capacity of forest organizations, there is a major opportunity to set up or strengthen safeguard systems—bringing clarity, simplicity, and security to local people, governments, and investors alike. In 2011, will national governments, donors, and the private sector seize the opportunity provided by climate change funding and encourage new standards, compliance, and accountability systems?

Will Indonesia and the Democratic Republic of the Congo commit to tenure reform?

In terms of the number of forest people, greenhouse gas emissions from land use and land use change, and the area of threatened tropical forests, these two countries are of global importance. In 2010 the governments of both countries signaled a new openness to recognizing local rights and considering tenure reforms. Both are also positioning themselves to secure substantial REDD-readiness funds and to attract other funds through the private market, and both have been told by the international community and their own citizens that REDD cannot proceed and cannot be effective unless local rights are recognized. On the other hand, both countries have colonial legacies of resource abuse and strong vested interests in industrial logging, the palm oil industry, and the agricultural sector. Both are being lobbied hard to set aside more forests for public protected areas. Both are hosting major conferences on forests and governance in 2011 and will have ample opportunities for public commitments to recognize customary rights and begin the long process of tenure reform. Their citizens and the world will be watching.

Will REDD realign to support community conservation and deal with adaptation and agriculture?

REDD was designed to reduce deforestation and is largely dedicated to establishing the institutional infrastructure for offset markets for carbon. The World Bank, UN-REDD, and the REDD+ Partnership will all operationalize their programs in 2011. With a global market for carbon a distant reality and private voluntary projects small and dispersed, ODA will remain by far the largest source of finance and national funds the primary vehicle for payments. Perhaps more important: only three to five countries have real opportunities to benefit from mitigation markets and

adaptation to climate change is a far more pressing reality in most countries receiving REDD aid. There was further evidence in 2010 that investing in community conservation and restoration can help to both mitigate and adapt to climate change, as well as reduce poverty. It also became increasingly clear that, with sufficient political will, the most destructive drivers of deforestation—clearing for industrial agriculture and logging—can be tackled. Will ODA ensure that REDD supports the aspirations of local communities over industry and complements the long-term objectives of eliminating rural poverty, adapting to climate change, and environmental restoration in the broader rural landscape?

Who will forest communities and Indigenous Peoples choose as allies?

For the last decade or so there has been growing collaboration—born more of convenience than of moral affinity—between environmental organizations and Indigenous Peoples and forest communities. Wealthy environmental BINGOs have courted Indigenous Peoples and begun new programs to support community forestry and conservation. As Indigenous Peoples and community organizations have strengthened, pushed back, and gained seats at the table, they are no longer junior partners and have increasingly expressed their own independent voices and agendas. They often have different visions of conservation than the conservation BINGOs and are, of course, fundamentally oriented to protecting their own rights and livelihoods. The emerging crack grew wider in Cancún, when some Indigenous groups argued for a REDD deal from which they could benefit, while some environmental organizations decried REDD, concerned that it would be another excuse for the North to not reduce their own emissions and control high-carbon development. The divergence is likely to increase. Who, then, will ally with forest communities and Indigenous Peoples in their quest to have their rights *and* livelihood choices respected in the future? Will conservation organizations adjust and support rights-based approaches and local voices? Most important, who will forest communities and Indigenous Peoples choose as their allies in the future? ■

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- 16 This longstanding repression continues in climate-related arrangements. In a survey of national action plans on climate change adaptation we found that one-third did not mention women or gender and

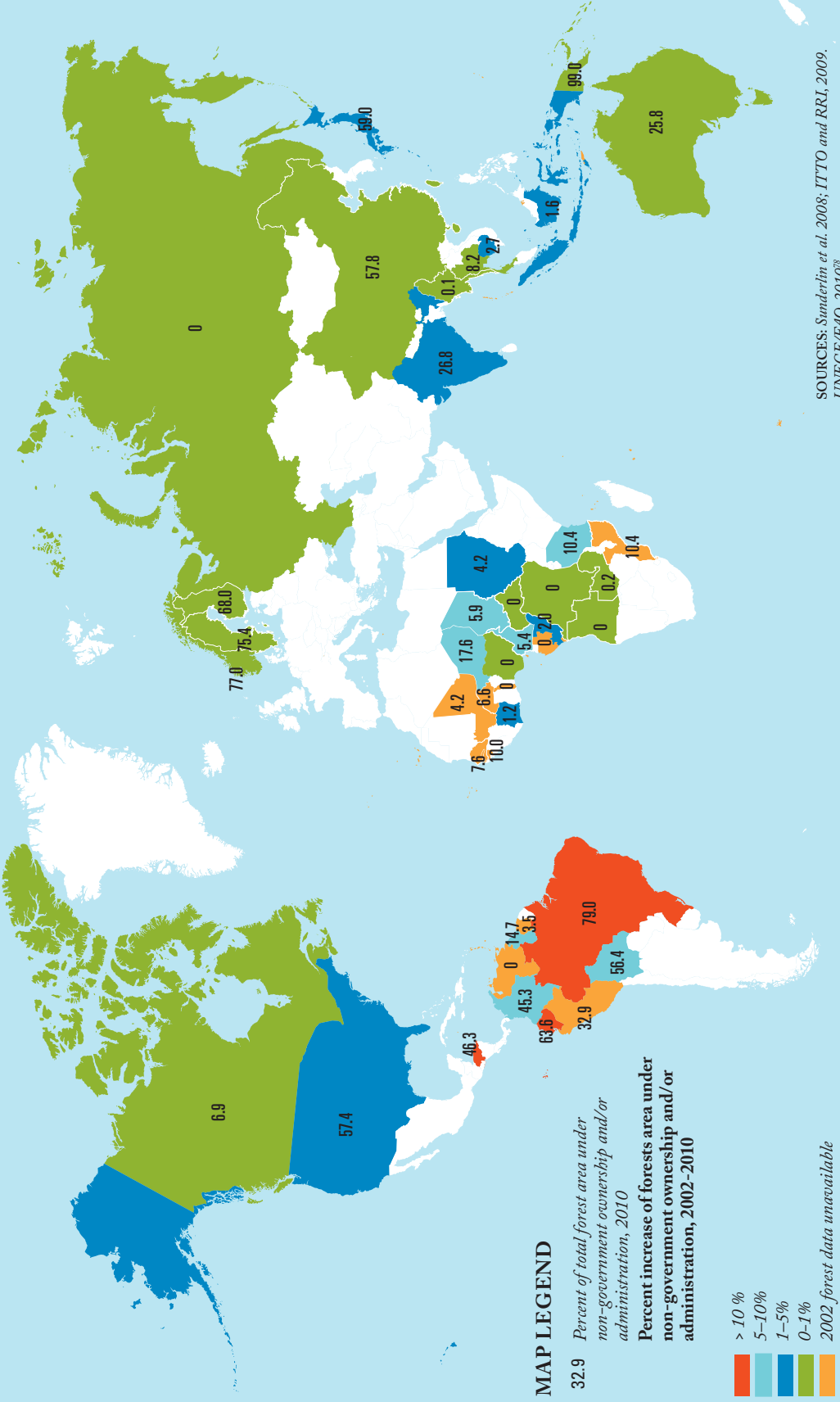
- one-third did so only in tokenistic ways. Even for the remaining one-third of the national action plans that had a sound approach to gender, women were largely excluded from their preparation.
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FIGURE 3: STATE OF GLOBAL FOREST TENURE, 2010



SOURCES: Sunderlin et al. 2008; ITTO and RRI, 2009. UNECE/FAO, 2010⁸



1238 Wisconsin Avenue NW / Suite 204
Washington, DC 20007
www.rightsandresources.org