

# Forest Watch Special Report – REDD negotiations at the UNFCCC, Bangkok 2009

## Two steps backwards for tropical forest protection at the Bangkok climate change talks...

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From 28 September - 9 October 2009, 191 countries came together in Bangkok to continue the United Nations Framework on Climate Change (UNFCCC) negotiations which aim to produce a global climate agreement in Copenhagen in December. Both the Ad Hoc Working Group on Long-term Cooperative Action (AWG-LCA) and the Ad Hoc Working Group on Further Commitments under the Kyoto Protocol (AWG-KP) met during the 12 days and forest discussions occurred in both working groups.

Discussions on forests took place in the context of wider negotiations which have stalled on the big issues of binding emission reduction commitments for industrialised countries and ensuring financial transfers are in line with historical responsibility. The lack of a clear and unified EU position, along with overly complex accounting rules, has also led to stalled discussions on the issue of how industrialised countries measure and account for emissions from changes in land-use, including forests.

### Overview of REDD discussions

Discussion on one of the hottest topics, how to reduce emissions from deforestation and forest degradation (REDD) takes place under a sub-group of the mitigation contact group (part of the AWG-LCA), and focused on objectives and principles, including safeguards. By the end of the two weeks safeguards language had been considerably weakened, leading to a tense finish to the REDD discussions in Bangkok. There had been hope that REDD could learn a lesson from the problems that have stalled the forest carbon accounting discussions under the Kyoto Protocol and look for ways of halting deforestation that do not rely on complex accounting rules, but the Bangkok talks saw an increasing tendency towards complicated fixes, rather than straightforward solutions.

Prior to the meeting, REDD made up 20 pages of the LCA negotiating text,<sup>1</sup> which, under the chairmanship of Tony La Viña of the Philippines, had been streamlined to a 9 page non-paper<sup>2</sup> by the end of the first week.<sup>3</sup> This text clearly showed all the options on the table and included important language on the overall objective of REDD, as well as language on rights and safeguards. The final version (non-paper 18)<sup>4</sup> was referred to as

'Chair's negotiated text' which led to objections from Tuvalu and Thailand who indicated that the drafting was a result of facilitator impressions, rather than party negotiations. Despite several parties expressing their reluctance to use this text as a basis for negotiations in Barcelona (the final negotiating meeting prior to the Copenhagen climate summit), due in part to the reasons outlined below, this draft will nonetheless serve as the starting point for continued negotiations.

Key elements that are now missing from the Chair's negotiated text include adequate language on respecting forest peoples' rights; protection of natural forests; the need to tackle the drivers of deforestation and safeguards against funding conversions to plantations. Despite complaints from Norway, clauses on 'transparent forest governance' and the 'conservation of biological diversity' changed from 'ensuring' that such actions are carried out to the need to 'promote' them. The phrase sustainable forest management (SFM) also remains in the text, a poorly defined term that in practice has included highly destructive activities such as industrial-scale logging in intact natural forests.<sup>5</sup>

### No plantations in REDD

In a dramatic final session, over 20 countries led by Tuvalu, declared that REDD must at its core be about protecting intact natural forests and that safeguards against conversion of natural forests to plantations should be reinserted into the text. India stated that parties needed to send a clear message to the outside world that conversion is not part of REDD, and Brazil suggested inserting "ensure that actions are consistent with the conservation of native forests."

The Chair's suggestion that there appeared to be universal support and no objections to the addition of this language pushed several parties to make their opposition clear. The most notable were the DRC (on behalf of Cameroon, Congo, and Equatorial Guiana) who stated that they need to be able to use the forest resources for economic development, unless there is adequate financial compensation in the agreement. The EU subsequently became the only developed country to oppose reinstating this language in their intervention, by calling for further discussion on this issue.



The demands of Congo Basin countries are an issue that the negotiations still need to deal with. Under current proposals for a market based REDD, countries are awarded offset credits for reducing deforestation against a historical baseline. Countries with low historical deforestation, such as the DRC, would therefore lose out. Possible solutions include offering inflated baselines to low deforesting countries which could then see them rewarded for falling below this inflated level of deforestation, even if the actual level of emissions have increased.

It is important that solutions are found which enable financial compensation that does not incentivise logging, and all eyes are now on the EU to clarify how they will ensure that the primary objective of REDD, to protect natural forests, does not become an excuse to subsidise logging concessions and conversions.

## Indigenous peoples' rights

One of the positive points about REDD discussions is that the need to include indigenous peoples and local communities in any efforts to halt deforestation has been clearly recognised. It is not yet clear however whether this will translate to a final agreement that recognises the real and binding rights of communities to collective resources, and their right to give or withhold consent to activities impacting on these resources. The EU, for example, supports the "full and effective participation" of all relevant stakeholders in all stages of REDD activities. However, they, and other parties such as the US, oppose inclusion of the free, prior and informed consent that is essential to the recognition of the customary and collective rights that indigenous communities hold to land and resources. To recognise only participation, without acknowledging tenure rights will not be sufficient to ensure permanence of forests, which research (and history) shows is linked to security of land tenure.<sup>6</sup> Binding language regarding consent in all stages of REDD, and reference to other international instruments such as UNDRIP, is essential. The final non-paper on REDD from Bangkok shows a weakening in the language on rights, despite the International Indigenous Peoples Forum on Climate Change's (IIPFCC) clear statement: "No rights; no REDD!"

Along with rights, strong governance criteria are an essential element of REDD as they can ensure that policies and measures address the underlying drivers of deforestation and go beyond measuring and monitoring forest carbon. There is fear however amongst some Southern countries that governance requirements could be used against them rather than be in their favour. Papua New Guinea for example stated that there is no need to 'throw another governance stick at developing countries'. Bolivia,

however, disagreed and outlined the importance of ensuring that governance criteria are correctly expressed as a means to incentivise policies and measures appropriate to different national circumstances. Switzerland and Norway, supported by Venezuela, Ecuador and Mexico are calling for stronger language on governance.

## Other issues to watch:

- Scope – Discussions on the extent to which REDD should include conservation of existing forests, sustainable management of forests, increasing forest cover and even agriculture, have not yet commenced. While several countries made the point that they cannot discuss the detail of REDD until they know what REDD is, the chair insisted that the divergences on scope are significant to warrant postponing this discussion to Barcelona or possibly Copenhagen.
- NAMAs – whether REDD will be part of nationally appropriate mitigation activities in developing countries (NAMAs), or a separate mechanism is still the subject of much disagreement, complicated by the fact that many of the substantive details of both NAMAs and REDD (such as financing mechanisms and institutional arrangements) are yet to be decided.
- Finance –the three options of 'fund-based', 'market-based' and 'hybrid' are still all on the table. Tuvalu and Norway have suggested that a decision on financing REDD through carbon markets should be postponed to COP 16, as serious questions remain around the risks of carbon trading to the environmental and social credibility of REDD.

## Concluding remarks

The Bangkok climate talks may well be remembered as a turning point in REDD discussions. It became transparently clear that some parties want REDD to provide subsidies to industrial-scale logging despite the high risk of this undermining land rights, leading to conflict and increased emissions. As in previous international discussions, some governments remain intent on drafting an agreement to suit national circumstances rather than the world's needs. If the texts remain as they are or are further weakened, it looks like REDD will not protect intact natural forests and biodiversity, will "promote" rather than ensure the rights of indigenous peoples and local communities, and leave loopholes around governance, permanence and international leakage. There is still time left, but with only Barcelona and Copenhagen ahead, many are already starting to say that no deal is better than a bad deal.

### ENDNOTES

1. <http://unfccc.int/resource/docs/2009/awglca6/eng/inf01.pdf>

2. A non-paper is a drafting paper used in the negotiations which does not have official status. Therefore, the current official negotiating text is the paper linked above.

3. Contact group on enhanced action on mitigation – sub-group on paragraph 1b(iii) of the Bali Action Plan. Non-paper 11 - [http://unfccc.int/files/meetings/ad\\_hoc\\_working\\_groups/lca/application/pdf/mitigation1biiinp11031009.pdf](http://unfccc.int/files/meetings/ad_hoc_working_groups/lca/application/pdf/mitigation1biiinp11031009.pdf)

4. Non-paper 18 - [http://unfccc.int/files/meetings/ad\\_hoc\\_working\\_groups/lca/application/pdf/mitigation1biiinp18081009.pdf](http://unfccc.int/files/meetings/ad_hoc_working_groups/lca/application/pdf/mitigation1biiinp18081009.pdf)

5. Trick or Treat: REDD, Development and Sustainable Forest Management, Global Witness, October 2009, [http://www.globalwitness.org/media\\_library\\_get.php/1047/1255695423/trick\\_or\\_treat.pdf](http://www.globalwitness.org/media_library_get.php/1047/1255695423/trick_or_treat.pdf)

6. Chhate, A., and Agrawal, A. (2009) Trade-offs and synergies between carbon storage and livelihood benefits from forest commons. [www.pnas.org/cgi/doi/10.1073/pnas.0905308106](http://www.pnas.org/cgi/doi/10.1073/pnas.0905308106)