

REDD+ for Climate Change: Ensuring the Rights of Local Communities

By Antonio G.M. La Viña¹

In the face of the threats posed by climate change, initiatives for the conservation of natural resources are now being prioritized globally, particularly the conservation of watersheds and forests to reduce carbon emissions. REDD+ (Reducing Emissions, Deforestation, and Forest Degradation and the Conservation of Existing Carbon Stocks) is now gaining ground as a sound mechanism to address climate change. However, countries need to mainstream and adequately implement the social, governance, and environmental safeguards of REDD+ for the mechanism to succeed. Likewise, the issue of carbon property rights needs to be clarified to ensure that the rights of the primary duty bearers of forest and watershed management are recognized.

Humanity is now approaching a “state-shift” in the Earth’s biosphere—a tipping point in the global ecological system—primarily caused by the human-induced climate change. As the detrimental effects and the causes of climate change become apparent, initiatives for the conservation of natural resources have become a global priority, particularly the conservation of watersheds and forests to lessen the anthropogenic carbon emissions.

REDD+

REDD+ is a mechanism under negotiation at the United Nations Framework Convention on Climate Change (UNFCCC) that aims to conserve, manage, and grow forests sustainably such that more carbon is stored in the forests, and conversely, the carbon already stored is not released.

The forest sector contributes from 10% to 15% of greenhouse gas emissions. Thus, reducing emissions in the forest and watershed sector would have considerable impact on the state of global climate change mitigation.

Specifically, REDD+ activities focus on the following:

1. Reducing emissions from deforestation;
2. Reducing emissions from forest degradation;
3. Conservation of forest carbon stocks;
4. Sustainable management of forests; and
5. Enhancement of forest carbon stocks.

Accordingly, REDD+ provides a framework that incentivizes activities that measure, report, and verify the emissions that avoid deforestation, and the ability to retain the capacity to sequester carbon.



Photo by Nikki Sandino Victoriano

Carbon Property Rights

REDD+ has the potential to contribute to the climate change mechanism. The framework, however, raises the issue on the ownership of carbon in watersheds and forests, which is critical as the people and institutions responsible for maintaining and storing carbon in the trees may be entitled to financial compensation and payment for environmental services. In the context of finance, compensation, and investments in REDD+, the issue of carbon property rights needs to be clarified, particularly if the mechanism is considered as a way to bring funds into the watershed and forest.

Carbon rights commoditize carbon, thereby allowing carbon to be traded. Consequently, this raises the issue whether carbon can be traded separately from the resource that keeps it (i.e., forests or land) or should be bundled together. Some proponents lobby to separate carbon from the ecosystem—from the watersheds and forests—so it can be traded more freely. However, carbon property rights need to be understood more broadly in terms of the rights to the forests and land and should not be treated separately. If carbon is traded separately from the resource, then this could mean that the inflow of funds may not necessarily go to the watershed and forests, but to the impacts that these resources give. As such, only

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those activities that are directly involved in carbon sequestration will benefit.

To unlock the problem of carbon property rights, the local communities' and indigenous peoples' rights to carbon must be recognized as they have been the duty bearers of watershed and forest management since time immemorial. Hence, they are the likely owners of carbon in the trees. Failing to acknowledge this right can threaten their established system of natural resource management as this could serve as a disincentive for them to plant trees and conserve the forests.

However, although local communities and indigenous peoples are the likely owners of carbon, they do not have full control of it. Under international law, REDD+ programs are national in character, thus governments have the power to make decisions on program implementation. In this sense, the control or ownership of carbon should be jointly shared by governments and local communities.

The recommended approach in REDD+ programs then is to recognize the dual control of the government and local communities (i.e., indigenous people) in carbon property rights such that both entities must consent, participate in the design and implementation, and share the benefits of REDD+ programs.





Photo by Raniel Castaneda

REDD+ Safeguards

To ensure that the REDD+ framework is successfully adopted by countries, UNFCCC has prescribed three main safeguards for implementing REDD+ projects.

Governance safeguards. Governance safeguards include *anti-corruption*, *access to information*, and *policy coherence*. *Anti-corruption* measures ensure that the funds flow to the right beneficiaries and to the right activities. *Access to information*, on the other hand, ensures that national forest governance structures are transparent and effective in consideration of national legislation and sovereignty. Lastly, *policy coherence* ensures that activities complement or are consistent with national programs and international agreements on forest conservation.

Environmental safeguards. These include *biodiversity safeguards*, *non-conversion of natural forests*, and *climate change mitigation*. *Biodiversity safeguards* are measures that ensure that biodiversity is not sacrificed in favor of carbon progress in carbon sequestration. Meanwhile, the second environmental safeguard guarantees that REDD+ activities will not result in the conversion of natural forests, but will instead

incentivize the protection and conservation of natural forests and watersheds and their ecosystem services, and enhance other social and environmental benefits. *Climate change mitigation* ensures that actions will address the risks of reversals and reduce displacement of emissions.

Social safeguards. Social safeguards ensure that there is respect in the rights of local communities by accounting for national and international laws and agreements on the rights of indigenous people. Social safeguards also ensure that carbon control is jointly shared by different stakeholders (e.g., government, indigenous peoples, and local communities), and that benefits are shared among them.

Rights-based Approach, Payments for Ecosystem Services, and Access and Benefit-Sharing

Implementing REDD+ activities, while complying with the safeguards, calls for social responsibility and accountability. Thus, the program advocates for strategies that promote *rights-based approach*, *payments for ecosystem services*, and *access and benefit-sharing* in implementing REDD+ activities.

Rights-based approach. This approach involves empowering the different stakeholders of a project, especially local communities, through recognizing their human rights and through observing environmental justice.

Payments for ecosystem services. In return for reforestation, conserving existing forests and biodiversity, and for providing hydrological services, duty bearers such as the indigenous people and the local communities should be financially rewarded by those who benefit from these ecosystem services.

Access and benefit-sharing. This establishes a framework for balancing access to genetic resources on the basis



of free and prior informed consent (FPIC), traditional knowledge, and fair and equitable sharing of benefits.

Legislation for REDD+

The Philippines, through Republic Act No. 8371 or the Indigenous Property Rights Act, already recognizes that local communities and the indigenous people privately own ancestral domains as well as the carbon stored in them. Accordingly, the trend in other countries is now moving toward recognizing community-based private ownership of ancestral domains, including forests.

New legislations for REDD+ in the Southeast Asian region need to be established that include carbon rights, if not property rights. Carbon policy legislations need to be drafted that focus on the following elements:

1. **They should be effective.** Carbon policies must work without complication and deliver and

maintain the desired carbon benefits over a long term.

2. **They should be synergistic.** The policies should maximize the benefits for all local communities, climate, biodiversity, and investors.
3. **They need to be equitable.** Benefits must be fairly and equitably shared, with particular emphasis paid to the poor and marginalized.

Climate change is now a global priority as the effects of extreme weather events are upon humanity. Accordingly, new and creative ways of addressing climate change that would garner the most participation from stakeholders are being developed. In the course of implementing these initiatives, however, social accountability must prevail to ensure that the local communities and the marginalized people are empowered and that their rights are recognized and protected.

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