
REDD and Rights: The Good, the Bad and the Ugly

*The foundation of critical thinking, then, is in the dissent of the existing state of things and the search for alternatives, drawing from characterizations of the present situation, whose causes can obviously be located in the past” (1)
in memoriam Hector Alimonda*

The proposal to include forests in the UN climate negotiations is now 10 years old. Since the 2007 climate conference in Bali, Indonesia—within the framework of moving forward with the REDD+ mechanism—the issue of human rights and the rights of indigenous peoples, women, local communities, and others, has been an interplay of actors, scripts, stages, casts and comedies. But above all, special effects and makeup have prevailed (2).

THE GOOD

We must recognize that it is a good thing that there have been efforts in recent years to address the issue of peoples' rights in the face of a problem as serious as climate change. Those of us who have been raising our voices for twenty years, demanding real solutions to global warming—such as leaving fossil fuels in the ground—always invoke the rights of people where these resources are extracted, the rights of communities where projects have been applied under the Clean Development Mechanism (CDM) or other carbon offset mechanisms, and also the rights of nature.

Thus, since REDD+ began to be discussed in climate negotiations, many organizations—especially at the international level—pushed to include the rights of indigenous peoples. This pressure eventually led to the proposal “No Rights, No REDD+,” in December 2008. However, these just demands took another course in the following years.

One example is the right to territory—a collective right that people have been demanding for decades—and in particular the one on land and territorial titling. Although the latter is a right that is foreign to the customary practices of demarcating and organizing their territories, it has been necessary to demand it in front of the forceful incursion of States. In this context, the REDD+ mechanism and REDD+ programs at the national level are clearly distorting this essential right of peoples. Because for carbon trading to work, collective property must be assigned a private use; since it must be clear who owns what, how much, where and to what extent. The buyers will own a property title to the carbon found in a certain amount of land covered by forests, which is demarcated and titled. In this case, land titling is thus being promoted and used by carbon traders to give buyers a guarantee of ownership of the carbon contained.

Hence, the good news that human rights and the rights of peoples have been included in the basis of measures addressing climate change has been corrupted.

THE BAD

Those who have dominated climate negotiations—from corporate actors, financiers and even

conservation NGOs and hegemonic government representatives—understand and take on the issue of rights in a totally different way than indigenous peoples and other local communities. Human rights and the rights of nature have been subjugated to capital and to so-called business and financial rights. The lobbying and business deals that coopt climate change summits have ensured that corporate interests prevail over common sense, under the narrative that they are the superheroes saving the planet. This raises a clear conflict about rights, as money—in the form of capital—has become a subject with rights, above humans and all forms of life.

The Paris Agreement, signed in the COP21 climate negotiations in 2016, features a new scenography but with the same protagonists. Among other drawbacks, it ratifies the inclusion of forests “to conserve and enhance, as appropriate, sinks and reservoirs of greenhouse gases.” (Article 5) These will deepen the loss of peoples' rights at the local level, and—with the possibility of offsetting emissions through REDD+ projects—will increase the extraction and burning of oil, gas and coal, thus deepening climate change. In the best style of Comedie-Française, with its permanent troupe of actors, the Paris Agreement perpetuates the distribution of pollution quotas amongst those who pollute most; and it also perpetuates the possibility of conducting a global business, not only among companies but also among States.

Under the Paris Agreement, the logic of using forests to offset pollution has a planetary impact. Although REDD+ includes forest plantations, agriculture and soils—that is, any vegetation or soil that may contain carbon—it focuses mainly on the forests in Africa, Asia and Latin America, which are mostly under indigenous peoples' collective ownership systems, and for this very reason, are the largest and best cared for forests.

REDD+ turns indigenous peoples and nature into permanent providers of environmental or ecosystems services. So we can say that REDD+ not only contributes to further loss of peoples' rights and worsens climate change, but it also violates the rights of nature. REDD+ subjects nature to processes of slavery, servitude and appropriation of its work (in the same way that happens with peoples), by converting its biological cycles, functions and the recreation of life and reproductive cycles into work and goods that can be bought and sold.

THE UGLY

One of the objectives of REDD+ promoters is to try to reduce resistance to project implementation in mainly indigenous territories; and they try to win over local organizations so that the REDD+ mechanism is well looked upon and accepted.

Thus, as if by a special cinematic effect, human and peoples' rights in climate negotiations have been vanishing or undergoing metamorphosis. Rights became standards. The rights of women became voluntary safeguards; other rights became “participation and involvement in reporting and monitoring”; collective and territorial rights became “forest governance”; and the protection and enforcement of rights became merely promoted or something that “will be taken into account.” Rights became “establishing operational models to comply with safeguards and consolidate the co-benefits,” that is to say, “non-carbon benefits,” as stated by Indigenous REDD+, an international initiative managed by the Coordinator of Indigenous Organizations of the Amazon Basin (COICA) (3).

In essence, the inclusion of human rights in REDD+ is nothing more than makeup so that it looks pretty—to try to stop peoples' rebellion and hide the truth behind these projects.

In light of this, we must protect peoples' rights to resist, to say NO to carbon offset projects, to not be

displaced, to not have restrictions on their access and traditional use of their territories, to not be used so that oil or mining companies can violate another community's rights in another part of the planet and to not be manipulated so that the machinery keeps working.

EPILOGUE

To conclude, we must further define what we mean when we say rights.

Even though rights are inherent to subjects—human and non-human—they are not static. Rights are a process: in historical, political, social and natural terms. They are a matter of dignity and they emerge as a reaction to oppression, discrimination, or the loss of livelihood. They are an ideal to attain, and they are not granted by the United Nations, let alone by the World Bank or transnational conservation organizations.

REDD+ assumes that rights are a reality that has already been achieved, conferred by the operators of this kind of project, and it distorts them by considering them to be a matter of governance, bureaucracy or institutional engineering. It also perverts rights because it “universalizes” them within a framework of Western capitalist modernity. Today, due to historical and political circumstances, rights are imbued with cultural and natural pluriversality.

When the concept of rights is part of climate negotiations, as in the REDD-rights pairing, it prioritizes benefiting the free market, meanwhile nullifying the cultural and political contexts of the villages and peoples where these kinds of projects or programs are carried out.

The proposal to include rights in REDD+ should have demanded the real practice of collective rights. These rights, according to Mexican Enrique Leff, are nourished by the “rights of the cultural being to build diverse worlds of life,” by the “rights to reinvent their cultural identities,” or by the rights “to reconstruct worlds of life and design possible futures.” (4) REDD+ clearly prevents the exercise of these rights.

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- (1) CLACSO. *Pensamientos críticos contemporáneos: análisis desde Latinoamérica*. Piedrahita C., Díaz A., Vommaro P. (comp.). Bogotá, 2015.
- (2) “For example, REDD+ aims to cover 4 billion hectares, that is, 31 per cent of earth's (non marine) surface.” International Rights of Nature Tribunal. *Presentation of REDD+ as a case of violation of the rights of nature*. Lima, 2014.
- (3) CBC-GIZ. *REDD+ INDÍGENA EN EL PERÚ: Perspectivas, avances, negociaciones y desafíos desde la mirada de los actores involucrado*. Pinto, V. Molero, M. (Eds). Lima, February 2014.
- (4) Leff, Enrique. “Las relaciones de poder del conocimiento en el campo de la ecología política: una mirada desde el sur.” In: *ECOLOGÍA POLÍTICA LATINOAMERICANA. VOLUMEN I. Ecología política latinoamericana: pensamiento crítico, diferencia latinoamericana y rearticulación epistémica*. CLACSO. Héctor Alimonda [et al.] (Coords). Buenos Aires 2017.