



## Tebtebba

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***NGO in Special Consultative Status with the Economic and Social Council of the UN***

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The Green Climate Fund Board  
Songdo, South Korea

Dear Board members:

We take the liberty of writing to you with reference to the imminent Board discussion on some key issues related to modalities for the implementation of the Paris Agreement with particular focus on REDD+ and in particular related to the operationalization of the Results-Based Framework. This is a key topic that has also implications for other important policy debates such as that on the Environmental and Social Safeguards (ESS), the ESMS (Environmental and Social Management Systems) and the other forests-related discussions that will be held in the next B15 meeting in December. With this letter, we wish to convey our concerns and recommendations on a matter that is of crucial relevance for us, given the central role that forests play for our livelihoods and survival, since any decision on RBP at B14 will also set a precedent for further forests-related decisions and activities the Fund intends to pursue in the future.

Indigenous peoples have been engaged in the years of negotiations that led to the various REDD+ related decisions at the UNFCCC level, with particular focus on safeguards, and have been following various processes that are meant to provide options for the operationalization and implementation of the UNFCCC guidance on REDD, such as the UNREDD, FIP and FCPF.

On the basis of our previous engagement in these processes as well as of good practice and lessons learned from the field on how REDD+ can potentially affect our lands and rights, or possibly open space for possible benefits, indigenous peoples wish to reiterate that any activity on REDD+, and in particular on Results based Payments needs to be anchored to a solid rights-based framework and approach.

As the GCF is now working to develop modalities for support of Results-Based Payments, and intends to address the contribution of forests in adaptation and mitigation as modalities to support and implement the Paris Agreement, indigenous peoples wish to voice concerns and proposals to ensure that these actions be fully aligned with international human rights and indigenous peoples' rights standards and instruments, as well as relevant UNFCCC provisions on REDD+ safeguards.

Furthermore, in order for the Green Climate Fund to effectively enable indigenous

peoples to contribute to the Fund's stated goals, effective and high-level safeguards need to be accompanied by a robust Indigenous Peoples' Policy or equivalent framework based on relevant and applicable international standards and instruments on indigenous peoples' rights such as the UN Declaration on the Rights of Indigenous Peoples. Such policy or equivalent framework should not only spell out the "preconditions," such as the recognition and respect of the rights to land, territories and resource, but also the positive actions and enablers to ensure that indigenous peoples' contribution by means of traditional knowledge and livelihoods is fully acknowledged and ensured.

### **Results based Payments, REDD+ and the need to adopt high-level safeguards on indigenous peoples' rights in line with international obligations and standards such as the UN Declaration on the Rights of Indigenous Peoples (UNDRIP)**

The Fund's intention to speed up the operationalization of Results-Based Payments (RBP) and REDD+ is a matter of concern, for the reasons explained above, and for the insufficient level of information and consultation with indigenous peoples thus far.

We understand that the Fund intends to build up on the REDD-plus logic model and performance measurement frameworks for ex post REDD-plus results-based payments adopted at its eighth meeting. However, such model is almost exclusively based on measurement of carbon, while omitting key issues related to rights, governance, and non-carbon benefits that are crucial to ensure that REDD+ effectively contributes to a paradigm shift in forest management and conservation.

As a matter of fact, as noted by the REDD+ Safeguards Working Group, the logic model and performance measurement framework, by not properly acknowledging the relevance of non-carbon benefits "neglects the Warsaw Framework reference to non-carbon benefits" and falls short of recognizing that some of the key potential outcomes and deliverables for REDD+ are conditional to the recognition of land tenure and land rights, proper governance, and full respect of social, environmental and human rights safeguards.

The logic model and performance measurement framework only refer to safeguards with reference to a Safeguards Information System that is expected to provide information on how safeguards are respected and not the extent to which these are addressed and whether these are effectively respected. This is a major shortcoming and just a minimum requirement that falls short of identifying the required modalities to ensure that support to RBP by the GCF is fully compliant and in respect of the REDD+ Cancun Safeguards and further iterations.

Such concerns are confirmed and the urgent need for a solid and effective safeguards system and related monitoring and compliance framework further corroborated by the findings of recent evaluations of the Carbon Fund and RBP projects done by the Rights and Resources Institute (RRI) and Environmental Investigation Agency (EIA). The two reports point to serious shortcomings in governance related matters as well as to the lack of recognition of the importance of land rights and land tenure for effective REDD+ implementation and the lack of adequate engagement of locally-affected populations and vulnerable groups in key processes.

Therefore, before proceeding to the operationalization of RBP, or approving REDD+ projects the Fund will have to first develop, adopt and operationalize environmental and social safeguards that are based on highest standards and criteria, such as those developed by some REDD+ initiatives as a follow-up to the Cancun Agreement.

As a matter of fact, the Cancun Agreement and relevant REDD+ safeguards offer a good base to develop – as an important contribution to the development of a broader Indigenous Peoples’ Policy – a safeguard framework for the planned GCF actions in Results-Based Payments and REDD+.

In some cases, the REDD+ Safeguards in the Cancun Agreement have been followed up by high-level operational guidance and principles that, while based on these, do in fact upgrade and align them to higher standards. This is the case, among others, with the REDD+ SES (Social and Environmental Standards) of the CCBA (Climate Community and Biodiversity Alliance) or – as regards to the Free, Prior and Informed Consent and the engagement and participation of indigenous peoples in REDD+ – the UN-REDD Guidelines for Free, Prior Informed Consent, the related “legal companion,” and UN-REDD guidance on the engagement of indigenous peoples.

The GCF should also recognize the importance of ensuring non-carbon benefits, such as biodiversity conservation, land tenure, governance, food security and ecosystems integrity, as further reiterated in the Paris Agreement. Land rights are also a key issue not only as regards REDD+ but also when dealing with broader land-based mitigation and subsequent RBP activities. The GCF might also refer to the FAO Voluntary Guidelines on Land Tenure as a guiding document to inform the implementation and evaluation of land-based RBP and mitigation projects.

Furthermore, such enhanced safeguard system needs to be anchored to an effective Environmental and Social Management System. The GCF was expected to discuss its ESMS at the B14 meeting, and this would have offered the occasion to ensure that the ESMS is tailored to the need to ensure a high-level rights-based safeguard system for RBP and other GCF funded activities. This is particularly important for high-risk projects that should not be approved until an ESMS, an enhanced safeguard system and an indigenous peoples’ policy are adopted and operationalized. Nevertheless, it is our understanding that the ESMS will not be discussed in B14 and hence the funding proposals presented for approval at B14 will not be informed by a proper system of safeguards other than the provisional ESS, notably the IFC PS, that are inadequate to fully assess the implications of projects involving indigenous peoples or the ecosystems we depend on, such as forests. This is a matter of serious concern to us, since it will be the third time that the Board approves funding proposals under a provisional system of interim safeguards.

### **The need for an Indigenous Peoples’ Policy, a rights-based Environmental and Social Safeguards System (ESS) and a rights-based ESMS**

Indigenous peoples have repeatedly called on to the GCF to develop and adopt an Indigenous Peoples policy in line with what other Climate funds and initiatives have done, such as the Adaptation Fund. It should be recalled here, for instance that the Adaptation Fund in its Social and Environmental Policy makes explicit reference to indigenous peoples, and in particular specifies that the Fund “should not support projects/programmes that are inconsistent with the rights and responsibilities set forth

in the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) and other applicable international instruments relating to indigenous peoples”. A similar provision was also suggested by the GCF Secretariat in occasion of the elaboration of the GCF Interim Safeguards system and should be reintroduced in the final definition of the GCF ESS.

Beyond a “do-no harm” approach, it should also be noted that the GCF does not have any policy in place to “do good” as regards indigenous peoples’ possible contribution to the Fund’s stated goals and objectives.

In light of the above, the GCF should develop and adopt an Indigenous Peoples’ Policy or an equivalent framework as matter of urgency, in such a way that indigenous peoples are fully engaged, and consulted. The key elements of a GCF Indigenous Peoples’ Policy and an additional FPIC Protocol, have already been spelled out in a joint FPP-Tebtebba submission on the GCF Environmental and Social Management System (ESMS), as well as in an Indigenous Peoples’ Organizations’ joint letter to the GCF Board in November 2015.

We wish to reiterate however, that when developing an ESMS the Fund will have to commit to mainstream capacity building activities in Readiness programs that would enable recipients to ensure full country ownership by facilitating proper engagement and contribution of indigenous peoples in multistakeholder engagement processes. By doing so, the Fund would offer a key contribution to develop the capacity of accredited entities or implementing agencies to fulfill the highest standards in accordance to international human rights obligations, and related safeguards including the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) and ILO Convention 169.

In the light of the above, the signatory indigenous peoples’ and support organizations urge the Board and the GCF Secretariat to fully acknowledge our concerns and consider our recommendations at B14 and in further policy developments leading to B15. A delegation of indigenous peoples will be present in Song-Do and will be keen to meet and discuss these matters in person.

### **Signatories:**

1. Alliance of Community Co-operatives of Ethnic Groups (ACCES), Vietnam
2. Africa Indigenous Women Organization (AIWO), Kenya
3. Asian Indigenous Women’s Network
4. Asia Indigenous Peoples’ Pact
5. Caritas Philippines
6. Center for Indigenist Development in the Philippines (CIDev-Phil)
7. Centro de Culturas Indígenas del Perú (CHIRAPAQ)
8. Centro para la Autonomía y Desarrollo de los Pueblos Indígenas, Nicaragua
9. Centre of Research and Development in Upland Area (CERDA), Vietnam
10. Center for Indigenous Peoples Research and Development, Nepal
11. Chepkitale indigenous People Development Project (CIPDP), Kenya
12. Climate Justice Programme
13. Cordillera Disaster Response and Development Services, Philippines
14. Centre for Sustainable Development in Mountain Area (CSDM), Vietnam
15. Cultural and Development Society (CDS), Bangladesh
16. Dignité Pygmée (DIPY), DRC
17. Federación por la Autodeterminación de los Pueblos Indígenas (FAPI), Paraguay
18. Friends of the Earth, United State of America

19. Forest Peoples' Programme, UK
20. Indigenous Forest Peoples, Kenya
21. Indigenous Information Network (IIN), Kenya
22. Indigenous Livelihoods Enhancement Partners (ILEPA), Kenya
23. Indigenous Peoples' Biocultural Climate Change Assessment (IPBCCA)
24. Indigenous Peoples' Working Group on REDD+, Cambodia
25. Institut Dayakologi, Indonesia
26. International Alliance of Indigenous and Tribal Peoples of the Tropical Forests (IAITPTF)
27. International Forestry Resources and Institutions
28. KADUAMI- Regional Development Center- Northern Luzon, Philippines
29. Lelewal, Cameroon
30. Maleya Foundation, Bangladesh
31. Mindanao Peoples' Peace Movement, Philippines
32. National Secretariat for Social Action (NASSA), Philippines
33. Narasha Community Development Group, Kenya
34. Nepal Federation of Indigenous Nationalities, Nepal
35. Ogiek Welfare Council, Kenya
36. Ogiek Peoples Development Program
37. People Development Institute, Philippines
38. Pikhumpungan Dlibon Subanen Inc., Philippines
39. Programa Regional de Investigación sobre Desarrollo y Medio Ambiente (PRISMA), El Salvador
40. Promotion of Indigenous and Nature Together (POINT), Myanmar
41. Raymond Marvic Baguilat-Philippines
42. Samdhana Institute
43. Sengwer Indigenous Peoples' Programme (SIPP), Kenya
44. Sengwer of Embobut Community, Kenya
45. Sibol ng Agham at Teknolohiya (SIBAT), Philippines
46. Silingang Dapit- Southeastern Mindanao (SILDAP), Philippines
47. Tebtebba (Indigenous Peoples' International Centre for Policy Research and Education)
48. Third World Network, Malaysia
49. Timuay Justice and Governance (TJG), Philippines
50. Transparency International
51. Union Pour l'Émancipation de la Femme Autochtone (UEFA), DRC
52. Vietnamese Indigenous Knowledge Network, Vietnam
53. Youth Federation of Indigenous Nationalities, Nepal