

INDIGENOUS PEOPLES RED ROAD TO COPENHAGEN

ACTION PLATFORM FOR COP 15

The goal of the 15th session of the Conference of the Parties (COP15) of the United Nations Framework Convention on Climate Change (UNFCCC) in Copenhagen, Denmark in December 2009 is to finish negotiations and decide what the world will do when the Kyoto Protocol (KP) expires in 2012. The Bali Action Plan (also known as the Bali Roadmap adopted at the UNFCCC COP 13 in Bali, Indonesia 2007) agreed upon a comprehensive 2-year process in order to reach an agreed outcome and adopt a decision at COP 15. The Plan is based upon “a shared vision for long-term cooperative action (LCA), including a long-term global goal for emission reductions, to achieve the ultimate objective of the Convention, in accordance with the provisions and principles of the Convention, in particular the principle of common but differentiated responsibilities and respective capabilities, and taking into account social and economic conditions and other relevant factors”.

The Bali Roadmap includes measures for preserving tropical rainforests and helping poor countries adapt to a green economy. The agreement leaves many contentious issues unresolved. The plan simply lays out a process to negotiate the emissions targets to succeed the limits set by Kyoto Protocol (KP) in its first commitment period, which expires in 2012. It also provides a platform to begin talks to address growing concerns about adaptation, deforestation and facilitating transfer of clean technologies to developing countries. There is a push for countries to finish these negotiations at Copenhagen for an effective, comprehensive and equitable climate change regime beyond 2012 (called the 2nd commitment period). They want to make sure there is no gap between the 1st and 2nd commitment period of the Kyoto Protocol (KP).

There has been an expressed need for Indigenous Peoples from the South and North to have our own Action Plan – our own Road Map to Copenhagen. The Bali Action Plan has no mention of Indigenous Peoples or recognition of our Indigenous Traditional Knowledge (ITK) that could be useful in mitigation and adaptation measures. We recognize the International Indigenous Peoples Forum on Climate Change (IIPFCC) that has been active every year operating as the Indigenous Caucus within the United Nations Framework Convention on Climate Change (UNFCCC) and its subsidiary bodies. Since the 4th Conference of Parties (COP 4) of the UNFCCC, Indigenous Peoples have participated in the UNFCCC meetings. The IIPFCC, the Indigenous Environmental Network and other Indigenous groups from every region of Mother Earth have been active in these annual international meetings providing guidance to this *Indigenous Peoples Road Map to Copenhagen*.

Some of the core elements being discussed in Copenhagen COP 15:

- **Shared Vision**
- **Carbon emissions reduction targets by industrialized countries (Annex 1).**
 - **Adaptation**
 - **Clean Development Mechanisms Beyond the Kyoto Protocol**
 - **Measures to reduce deforestation - REDD.**
 - **Moratorium on new fossil fuel development**

1. SHARED VISION

The shared vision must acknowledge the future survival of the *Circle of Life* – the biodiversity and ecological systems including the survival and affirm the vital role of Indigenous Peoples and local communities. It is the Indigenous Peoples who have the knowledge to teach the world on how to adapt and how to ensure a paradigm shift from the current economic model of development.

The shared vision must acknowledge the historical responsibility of developed countries in terms of causing a climate debt, which comprises an ecological, adaptation and an emissions debt. The shared vision must emphasize the need to take into account the historical responsibility of developed countries for the generation of emissions and their inequitable use of atmospheric space, denying developing countries the environmental space needed for their well-being and sustainable development. Only when the climate debt of the developed countries – their historical responsibility for both adaptation and mitigation is addressed – will the equity principle have been fulfilled and development for all nations will become possible.

The shared vision must provide for ambitious action to rapidly stabilize the concentrations of greenhouse gas (GHG) emissions to ensure temperature rise is well below 350 ppm CO₂ equivalent and

for temperature rise to be limited to no more than 1.5 degree C. Stabilization of GHG emissions should be ambitious and ensure the right of all countries to survive. The shared vision must acknowledge the urgency for developed countries to have deeper cuts in emissions to enable adequate space for developing countries to be effective in sustainable development initiatives and the eradication of poverty.

The shared vision must reflect the urgency of action and must recognize the needs of Small-Island States, Least Developed Countries (LDCs) and the communities of the Arctic regions. Impacts on the Small-Island States, LDCs and Arctic communities should be a key benchmark.

The long-term global goal should focus on how to enable implementation of mitigation and adaptation actions. The vision must include technology transfer and the provision of financial resources. Within States where there are Indigenous Peoples, this financial and technological support should have mechanisms for this support to go directly to Indigenous Peoples who are doing their own mitigation and adaptation measures.

The world has recognized that climate change is happening much faster than the science has predicted and that an ambitious and urgent response is required. The shared vision must acknowledge the need to accelerate the pace of negotiations and seek convergence and consolidation. The long-term goal for climate mitigation must be based upon the most recent science and the precautionary principle.

2. RIGHTS OF INDIGENOUS PEOPLES AND FULL AND EFFECTIVE PARTICIPATION OF INDIGENOUS PEOPLES IN UNFCCC

PLATFORM 1: Support language to be inserted within all appropriate negotiating protocols and agreements of the Convention (UNFCCC), its subsidiary bodies and the Kyoto Protocol recognizing the meaningful, full and effective involvement of Indigenous Peoples and their rights to be respected, consistent with the provisions established under respective national legislations and in accordance with the UN Declaration on the Rights of Indigenous Peoples.

The United Nations Framework Convention on Climate Change (UNFCCC) must uphold the inherent and fundamental human rights and status of Indigenous Peoples, affirmed in the United Nations Declaration on the Rights of Indigenous Peoples (UN-DRIP) and other international human rights and environmental standards. IEN acknowledges that at Bonn, Germany at the June 1-12, 2008 UNFCCC meeting of the Subsidiary Body for Scientific and Technological Advice for Parties (SBSTA), the document (FCCC/SBSTA/2009/L.9) on Agenda Item 5; "Reducing emissions from deforestation in developing countries: approaches to stimulate action" included language recognizing the "s' in Indigenous Peoples.

The term "peoples" is recognition of the fact that Indigenous Peoples are peoples with the collective right to self-determination as recognized in the UN DRIP, and are diverse and not a homogenous entity. UN-DRIP adopted in 2007, clearly defines Indigenous Peoples are being distinct peoples, belonging to diverse communities. This terminology is also recognized in the International Labor Organization Convention No. 169.

On the road to Copenhagen COP15, including the UNFCCC meeting in Bangkok, all language in reports of the AWG-LCA, SBSTA and other text that includes reference to the "s' on Indigenous Peoples, the rights of Indigenous Peoples and recognition of the UN-DRIP must stay in the text. It is noted that most countries in the world today, including those 144 countries who voted in favor of the adoption by the UN General Assembly of the UN-DRIP, do not have existing national legislation on Indigenous Peoples' rights. It is crucial that the UN-DRIP remains in negotiating text for it is recognized as the minimum international standard for the survival, protection and well-being of Indigenous Peoples and remain as a framework for the UNFCCC. The UNFCCC has yet to fully recognize Indigenous Peoples as key participants and it is therefore hoped that this effort of SBSTA will soon be replicated and further developed in other UNFCCC processes.

Indigenous Peoples must be fully recognized and respected in all decision-making processes and activities related to climate change.

This includes our rights to our lands, territories, environment and natural resources as contained in Articles 25–30 of the UNDRIP. When specific programs and projects affect our lands, territories, environment and natural resources, the right of Self Determination of Indigenous Peoples must be

recognized and respected, emphasizing our right to Free, Prior and Informed Consent, including the right to say “no”.

PLATFORM 2: Support Indigenous Peoples’ request the UNFCCC’s decision-making bodies to establish formal structures and mechanisms for and with the full and effective participation of Indigenous Peoples.

PLATFORM 3: Support Indigenous Peoples’ request that the UNFCCC organize regular Technical Briefings by Indigenous Peoples on traditional knowledge and climate change;

PLATFORM 4: Recognize and engage the International Indigenous Peoples’ Forum on Climate Change (the Indigenous Caucus within the UNFCCC) and its regional focal points in an advisory role;

PLATFORM 5: Immediately establish an Indigenous focal point in the Secretariat of the UNFCCC;

PLATFORM 6: Appoint Indigenous Peoples’ representatives in UNFCCC funding mechanisms in consultation with Indigenous Peoples;

PLATFORM 7: Take the necessary measures to ensure the full and effective participation of Indigenous Peoples’ and local communities in formulating, implementing, and monitoring activities, mitigation, and adaptation relating to impacts of climate change.

3. CARBON EMISSIONS REDUCTION TARGETS BY ANNEX 1 COUNTRIES

PLATFORM 8: Support a binding aggregate emissions reduction target for developed countries (Annex 1) of at least 45% below 1990 levels by 2020 and at least 95% by 2050.

Within the UNFCCC, the Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol (AWG-KP) is the body that was formed in 2005 to discuss and eventually recommend the scale of commitments by Annex 1 Parties (developed countries) in reducing their greenhouse gas emissions in the second commitment period (Kyoto Protocol “2”). The first commitment period which commenced in 2008 expires in 2012 (the existing Kyoto Protocol). Developing countries are frustrated that Annex I countries are delaying in putting forward the proposed scale of emission reductions for the second period of commitment, despite the fact that the AWG-KP has been working close to four years now. There is a general opinion that accepts a fundamental principle that developed countries shall take the lead in combating climate change. While Annex 1 countries are failing to make progress, small island communities in the Pacific and communities in the Arctic regions are experiencing climate impacts now.

Indigenous Peoples must call for the most stringent and binding emission reduction targets. A growing body of western scientific evidence now suggests what Indigenous Peoples have expressed for a long time: *Life as we know it is in danger*. Western scientists tell us that climate change is accelerating, that changes are happening faster than expected. Western science tells us that global emissions need to peak within the next ten years. In accordance with the Intergovernmental Panel on Climate Change (IPCC) prescriptions, it reports for all developed countries to take on reduction of greenhouse gas emissions by 2020 in the range of 25 to 40 percent based on 1990 levels. At COP 15 in Copenhagen, one of its goals is for the States to agree on a post-Kyoto Protocol binding emissions reduction target agreement.

New scientific information made available since the IPCC’s Fourth Assessment Report shows that changes in ocean acidification, melting of permafrost, and ice melting are happening much faster than projected by the IPCC. Objectives must be made to reach stabilization of GHG concentrations at well below 350 ppm and to limit temperature rise to below 1.5 degrees centigrade, based on pre-industrial levels, noting that emissions must peak in 2015, with Annex I reductions of more than 40% by 2020 and more than 95% by 2050 below 1990 levels. This supports the positions of the Small Island Developing States (SIDS), Least Developed Countries (LDC) and Bolivia that call upon Annex I countries to take on emission reductions significantly deeper than those set out in the IPCC Reports. As Indigenous Peoples, we must raise the bar. As Indigenous Peoples, we are the guardians of Mother Earth, and must make principled stands for the global well-being of all people and all life.

From 20 – 24 April, 2009, Indigenous representatives from the Arctic, North America, Asia, Pacific, Latin America, Africa, Caribbean, and Russia met in Anchorage, Alaska for the first Indigenous Peoples’ Global Summit on Climate Change. The Anchorage Declaration, which represents the collective positions of the over 300 Indigenous Peoples’ present in Anchorage, supports this carbon emissions reduction target.

Note: In response to the inadequate pledges and announcements of several developed countries by the end of UN climate change talks in Bonn, Germany (1-12 June, 2009), a group of 37 developing countries submitted a proposed aggregate emission reduction target for developed countries listed in Annex 1 of the United Nations Framework Convention on Climate Change, of at least 40% below 1990 levels by 2020, and individual quantified reduction commitments for those countries. It said that this was the reason why 37 developing countries from Asia, Africa and Latin America formally and jointly proposed an amendment to Annex B of the Kyoto Protocol. The proposed aggregate reduction for Annex 1 countries of at least 40% below 1990 levels by 2020 applies historical responsibility from 1850 to 2005. The proposed second commitment period would be from 2013 to 2020.

At Copenhagen, the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol (CMP) must adopt the amendment to Annex B of the Kyoto Protocol, and establish Annex I Parties' emission reductions targets at the level listed above that are deep enough to ensure that we are on track to save the world from the climate change disaster.

PLATFORM 9: Support all national and global actions to stabilize CO₂ concentrations below 350 parts per million (ppm) and limiting temperature increases to below 1.5°C.

Parts per million (PPM) is a way of measuring the concentration of different gases, and means the ratio of the number of carbon dioxide molecules per million other molecules in the atmosphere. **For all of human history until about 200 years ago, our atmosphere contained 275 parts per million (PPM) of carbon dioxide (CO₂).** The modern world is taking millions of year's worth of carbon, stored beneath Mother Earth as fossil fuels, and releasing it into the atmosphere. **The planet now has 387 parts per million CO₂ – and this number is rising by about 2 parts per million every year.** Scientists are now saying that's too much – that number is higher than any time seen in the recorded history of our planet – and we're already beginning to see disastrous impacts on people and places all over the world. These impacts are combining to exacerbate conflicts and security issues in already resource-strapped regions.

The Arctic is sending us perhaps the clearest message that climate change is occurring much more rapidly than scientists previously thought. In the summer of 2007, sea ice was roughly 39% below the summer average for 1979-2000, a loss of area equal to nearly five United Kingdom's. Many scientists now believe the Arctic will be completely ice free in the summertime between 2011 and 2015, some 80 years ahead of what scientists had predicted just a few years ago. Propelled by the news of these accelerating impacts, some of **the world's leading climate scientists have now revised the highest safe level of CO₂ to 350 parts per million.**

4. ADAPTATION

PLATFORM 10: Indigenous Peoples call for effective, well-funded adaptation safety nets, at the domestic and international level for Indigenous Peoples. A common, but differentiated mitigation strategy is needed to protect indigenous Peoples, who in many regions, in both developed and developing countries are most vulnerable to climate change and who currently are experiencing climate related impacts.

The Bali Action Plan: paragraph 1 (c) on "Enhanced action on adaptation" which spells out the need for urgent implementation of adaptation actions is now being discussed under the Ad Hoc Working Group on Long-term Cooperative Action (AWG-LCA). While all agree on the need for adaptation measures, differences appear among countries on two counts: a) the question of responsibility and b) where the money is to come from. Within these debates, the issues of adaptation by of our indigenous communities are not being adequately addressed – neither at the international nor national (domestic) level.

Adaptation to climate change is vital: its impacts are already happening, as observed by our Indigenous Peoples from the Arctic regions, to the hunters and gatherers of North America, to the people of the Pacific Rim and oceans, to the Indigenous Peoples of Latin America, Africa, Asia and Russia. Shortages of water and food, increased strength of tropical storms, coastal inundation, acidification of the oceans, droughts and changing spread of disease vectors will all lead to greater risks to health and life for billions of people, particularly our land-and-water-based indigenous communities in both developed and developing countries.

There are many options and opportunities for countries to adapt, with adjustments and changes

required at every level: community, national and international. Appropriate adaptation strategies involve a synergy of the correct assessment of current vulnerabilities to climate change impacts; use of appropriate technologies; and information on traditional coping practices, diversified livelihoods and current government and local interventions. National and international adaptation strategies could benefit from knowledge of community-based adaptation measures and local coping strategies of our indigenous communities.

Frameworks for setting up adaptation funding must be linked to GHG emissions, based on the polluter pays principle, with criteria established for contributions and for prioritization of resources. Adaptation funding mechanisms must be prioritized for meeting the adaptation needs of Indigenous Peoples – from both developed and developing countries.

5. CLEAN DEVELOPMENT MECHANISMS (CDM) – Beyond Kyoto Protocol

PLATFORM 11: Industrialized countries will need to meet their obligations for financial transfers in a way that is independent from and additional to their emission reduction obligations. Several non-offsetting funding mechanisms to help developing countries reduce emissions and adapt to climate have recently been proposed for the post-2012 regime. Carefully constructed fund-based approaches must replace offsetting in any post-2012 international agreement that stands a chance of pulling Mother Earth back from climate disaster.

The CDM was established under the Kyoto Protocol with the stated aims of reducing the crisis of cutting greenhouse gas emissions in industrialized countries (Annex 1 developed countries), and promoting sustainable development in developing countries. Under these carbon-emission trading regimes, developed industrialized countries of the North can earn credits to offset against their emission targets by funding clean technologies, such as solar power, mega-hydro electric dams, in poorer countries of the global South. Countries can also claim credits for planting trees that soak up CO₂ - so-called carbon "sinks". The offset buyers – industrialized country companies, energy and oil transnational corporations and governments – use the credits to show compliance with Kyoto Protocol-mandated emissions reductions. The Kyoto Protocol also provides for "Flexible Mechanisms" – which are mechanisms for countries to reach their emission targets without actually reducing emissions at home. These include emissions trading - where one country buys the right to emit from another country which has already reduced its emissions sufficiently and has "spare" emissions reductions.

Unfortunately, since the implementation of the Kyoto Protocol, mechanisms such as the CDM has failed to meet either of its goals and emerging concerns that it is undermining the effectiveness of the Kyoto Protocol. A significant proportion, perhaps the majority of CDM credits are from projects that do not actually reduce emissions. Some projects applying for the CDM are causing serious social and environmental harm, and human right violations. There are increases in reports of the implementation of CDM having structural flaws and cheating by project developers.

Deep emissions cuts by industrialized countries will be necessary in the years after the first phase of Kyoto expires in 2012, as will much larger financial flows to support shifts towards low-carbon development paths in developing countries (and for helping these countries lessen the impacts of climate chaos). For all the reasons described above, it is clear that the CDM will undermine these goals if it continues as an offsetting mechanism beyond 2012. Industrialized countries will need to meet their obligations for financial transfers in a way that is independent from and additional to their emission reduction obligations. Carefully constructed fund-based approaches must replace offsetting in any post-2012 international agreement that stands a chance of pulling Mother Earth back from climate disaster.

6. REDD (REDUCING EMISSIONS FROM DEFORESTATION AND FOREST DEGRADATION)

PLATFORM 12: As a result of lack of guarantees and assurances that the rights of Indigenous peoples are recognized, we call for the suspension of all REDD initiatives in the territories of forest dependent Indigenous Peoples and local communities within developing countries until such a time that Indigenous Peoples' rights are fully recognized and promoted. Indigenous Peoples' land and resource rights must be recognized prior to the inclusion of forest dependant Indigenous Peoples and local communities' lands, territories and forests in REDD and carbon offset schemes.

Articles 10, 31 and 32 of the UN *Declaration* set the minimum standard for free and prior informed consent (FPIC) by Indigenous Peoples and these articles must be fully respected by UNFCCC as well as any REDD or any other carbon trading and carbon offset initiative that has an impact on the rights of Indigenous Peoples.

Indigenous Peoples recognize the position of the International Indigenous Peoples Forum on Climate Change (IIPFCC), which reiterates that Indigenous Peoples have been, and continue to be, the primary guardians of forests. For generations, Indigenous Peoples have managed to utilize forests resources in a sustainable manner. Forests have not only provided shelter and food to Indigenous Peoples; they also form the basis of many cultures, and have various spiritual and cultural values for us that cannot be expressed in monetary values. In addition, many of the forests being considered for utilization in REDD (Reduce Emissions from Deforestation and Desertification) and other carbon trading and offset mechanisms are located within our ancestral lands and territories.

The Indigenous Peoples acknowledges the IIPFCC is in opposition to the commercialization and commodification of forests and recommends that Parties and other key stakeholders involved in the UNFCCC and other international and national climate policy and mitigation initiatives be educated to understand the different, holistic world view of Indigenous Peoples and to understand the different values that forests have for Indigenous Peoples and for humankind. Climate change mitigation and sustainable forest management must be based on different mindsets with full respect for Nature, and not solely on market-based mechanisms. It must be acknowledged that the trading of carbon means the ownership of atmosphere and privatization of air. It is a property right issue.

There are other issues to be resolved concerning the implementation of REDD. Some of these are: mechanism for financing for REDD, a methodology to calculate emissions reductions and another on the pricing of forests who owns the forest and determining who owns the carbon in the trees. Also of concern is how the emission reduction from REDD will be used to offset emissions in the developed countries. Concerns that if REDD is used to offset emissions in the developed world, then it would flood the carbon market; depress carbon price; and slow the transition to clean energy.

PLATFORM 14: Related to REDD+ (Plus), we are demanding the funding mechanism for REDD be directly funded rather than tied to the carbon market. This would ensure environmental integrity. Forest conservation and protection of forest biodiversity can be funded by non-carbon offset mechanisms, including adaptation activities related to forests. The following points must be considered:

- 1. A fund-based mechanism that allows for equitable distribution of funds.**
- 2. Not allow for off-set mechanisms.**
- 3. Able to protect the rights of Indigenous Peoples and local forest-dependent communities as there is no transfer of rights of carbon ownership to the market.**
- 4. Ensures sovereignty and national as well as local control over REDD-plus activities.**

PLATFORM 13: As Indigenous Peoples continue to question and resist the implementation of REDD, it is recognized that many REDD initiatives are being fast-tracked by the UNREDD Program and the World Bank. In these situations, Indigenous Peoples must be empowered, as part of continuous Free, Prior and Informed Consent (FPIC) processes, to decide whether and how they wish to participate within the REDD framework, ensure the full recognition of their rights in such participation, and build further capacity in order to ensure continued full and effective participation within the REDD framework, including in all benefits. Parties should respect FPIC and the principles of full and effective participation and benefit-sharing.

Indigenous Peoples further acknowledges the potential participation of Indigenous Peoples who decide, through a process of FPIC, to participate in REDD and carbon offset initiatives. We recognize that Indigenous Peoples are diverse communities with differing values and needs occupying different types of forests. We affirm that Indigenous Peoples have the right and capacity to decide whether their lands should be considered for REDD or other carbon offset projects. In these cases, Indigenous Peoples must be empowered, as part of continuous FPIC processes, to decide whether and how they wish to participate within the REDD and other carbon offset frameworks, to ensure the full recognition of their rights in such participation, and to build further capacity for full and effective participation, and benefit sharing within the REDD and carbon offset frameworks as the most natural guardians of the forest lands.

and sensitive areas, in areas where the watershed and water resources could be degraded, as well as environmentally, socially, culturally, historically and spiritually significant areas. Reducing carbon emissions has to mean ending fossil fuel exploration and shifting to renewable energies. These could play a substantial role in achieving the cuts we need, but only when coupled with a low-consumption lifestyle.

On Other Matters

Phase-Out and Moratorium of Fossil Fuels

PLATFORM 14: Establish a process that works towards the full phase-out of fossil fuels, without nuclear power, with a just transition to sustainable jobs, energy and environment. We are against the expansion of and new exploration for the extraction of oil, natural gas and coal within and near Indigenous lands, especially in pristine environments.

Other Positions

From 20-24 April, 2009, Indigenous representatives from the Arctic, North America, Asia, Pacific, Latin America, Africa, Caribbean and Russia met in Anchorage, Alaska for the Indigenous Peoples' Global Summit on Climate Change. IEN fully supports the consensus statement of the Summit that reads as follows:

False Solutions

We challenge States to abandon false solutions to climate change that negatively impact Indigenous Peoples' rights, lands, air, oceans, forests, territories and waters. These include nuclear energy, large-scale dams, geo-engineering techniques, "clean coal", agro-fuels, plantations, and market based mechanisms such as carbon trading, the Clean Development Mechanism, and forest offsets. The rights of Indigenous Peoples to protect our forests and forest livelihoods must be ensured.

Fund to be Established for Indigenous Peoples Participation in Climate Processes

We call for adequate and direct funding in developed and developing States and for a fund to be created to enable Indigenous Peoples' full and effective participation in all climate processes, including adaptation, mitigation, monitoring and transfer of appropriate technologies in order to foster our empowerment, capacity-building, and education. We strongly urge relevant United Nations bodies to facilitate and fund the participation, education, and capacity building of Indigenous youth and women to ensure engagement in all international and national processes related to climate change.

Risk Insurance for Indigenous Peoples

We call on financial institutions to provide risk insurance for Indigenous Peoples to allow them to recover from extreme weather events.