Director’s Message

It is an old English custom that on your 21st birthday, you are given the ‘keys to the door’, symbolising your right to control property. As the Forest Peoples Programme completes its 21st year, it is finally becoming clear to policy-makers that the key to sustainable, equitable and climate-friendly development of forests is respect for the rights of forest peoples, including their right to ‘property’ – to own and control their ancestral forests.

It has taken a long time to change an elitist mind-set that forests are best conserved by being taken out of people’s hands and entrusted to the State for ‘scientific’ management. Yet we have seen how under State control the world’s forests have been massively depleted. Now, long term academic studies show that indeed locally controlled forests are better for conservation, better at storing carbon and more productive for local livelihoods. Actually this has long been obvious, even if incontrovertible statistical data was lacking, but the lesson has been resisted by those from State and private sector agencies that benefit from the status quo through logging, plantations, land grabs and taking bribes.

Now that ‘saving the forests’ is again seen as a global imperative – as a cheap way of reducing greenhouse gas emissions while fossil fuel-dependent economies convert to alternative sources of energy – the battle to get forest peoples’ rights recognised has once more become a hot subject. Much of FPP’s effort this year has been to work from the bottom-up with forest peoples to help them deal with pilot projects for Reduced Emissions from Deforestation and Forest Degradation (REDD) and at the same time to make sure that global agreements about REDD recognised forest peoples’ rights. We have made important progress and the main REDD agencies (among which the World Bank notably is lagging behind) do recognise that indigenous peoples’ right to give or withhold their free, prior and informed consent must be respected. The challenge in the years ahead is to make sure these promises translate into secure community control in practice. We thank all those who have supported us in this work.

Marcus Colchester, Director

Peoples’ rights and climate change

FPP supports forest peoples to challenge top-down climate change policies and projects, and ensure that climate change initiatives respect their rights and genuinely contribute to reduced carbon emissions. Future progress on forest and climate issues must be based on international human rights standards, including the rights of indigenous peoples, and States must comply with their international commitments under the human rights and environmental treaties they have ratified.

Cancun Conference agrees to protect indigenous rights in climate projects

During 2010 FPP continuously monitored the policies and positions taken by States participating in the UN Framework Convention on Climate Change (UNFCCC) and supported the International Indigenous Peoples’ Forum on Climate Change to prepare for the UNFCCC’s 16th Conference of the Parties in Cancun, Mexico, in December 2010.

Through effective advocacy, the indigenous caucus kept indigenous peoples’ rights firmly on the negotiating agenda. The final text agreed in Cancun retained language on rights, including unprecedented references to the Declaration on the Rights of Indigenous Peoples, and to safeguards to minimise harmful impacts of REDD (Reduced Emissions from Deforestation and Forest Degradation) projects on people and the environment.

We reaffirm that the three main pillars of our political position must be guaranteed and implemented in the final outcome of Cancun, as well as in all the processes, agreements and actions on climate change at the regional, national and international levels:

- Full respect for our rights, including those contained in the United Nations Declaration on the Rights of Indigenous Peoples.
- Respect for our right to Free, Prior and Informed Consent.
- Recognition and protection of our traditional knowledge as a basis for generating effective solutions to climate change.

International Indigenous Peoples’ Forum on Climate Change, Cancun, December 2010

We thank all those who have supported us in this work.
Paraguay’s REDD planning takes steps to recognise indigenous peoples’ rights

The national indigenous organisation FAPI has achieved a major breakthrough in securing indigenous rights in Paraguay’s REDD readiness proposal as part of the National Joint Programme (NJP) being developed with UN-REDD (see page 6). Assisted by FPP’s support for training, community consultations, analysis and advocacy, FAPI persuaded UN-REDD that solid measures on free, prior and informed consent (FPIC) must be agreed before finalising the readiness plan.

UN-REDD’s NJP for Paraguay now contains a chapter produced by indigenous peoples’ organisations, with FPP’s support, mapping the necessary steps to fulfil indigenous peoples’ rights and requirements to lands, territories, natural resources and FPIC. The chapter, titled ‘FAPI guidelines for REDD implementation in indigenous peoples’ territories’, calls on the UN-REDD Programme and the government to ensure that readiness actions involve a review of current land tenure and legal frameworks and how they relate to Paraguay’s commitments under international treaties. The guidelines call for measures to secure land rights before REDD projects go ahead as well as government steps to ensure full respect for FPIC as set out in the FAPI FPIC protocol (annexed to the draft National Joint Programme document in late 2010).

The main challenge now facing the government and the UN-REDD programme is to uphold the FAPI guidelines on indigenous peoples’ rights enshrined in the NJP document. FPP provided detailed advice to improve the overall NJP document, including strengthening of its monitoring framework to include rights and social indicators tied to the dedicated chapter on indigenous peoples’ rights.

Conservation NGOs in Paraguay are heavily promoting local REDD projects that aim to sell offset credits to the voluntary carbon market. With FPP support FAPI raised concerns in meetings and technical submissions to the National REDD Committee, that the Paraguay government is not regulating such projects, and FPIC and key land and territorial rights issues are being side-lined. FPP supported FAPI and their legal advisors to enter into dialogue with local REDD project backers to press for full recognition of land rights and FPIC.

Amerindian leaders seek rights guarantees from Norway’s climate funding

Indigenous people strongly protested about the failure of Guyana’s Low Carbon Development Strategy (LCDS) to uphold indigenous rights. Norway contributed $30 million to the Strategy but delayed the application of social conditions attached, under pressure from the Guyana government.

FPP supported the Amerindian Peoples Association (APA) to organise training for community leaders on REDD+, free, prior and informed consent (FPIC) and local benefits. Public statements and media work on FPIC, land rights and benefit-sharing generated intense national debate for weeks. Indigenous leaders also questioned Norwegian government officials in Guyana and Norway about the financing of the LCDS and its lack of effective measures to uphold indigenous peoples’ rights. FPP assisted APA in high-level dialogues and face-to-face meetings with the Norwegian government in Georgetown and in Oslo, and supported engagements with the World Bank in June 2010. This kept land rights and safeguard issues at the forefront of national and international discussions on REDD and low carbon development in Guyana.

FPIC sought in Panama’s plans on climate change and forests

Panama’s UN-REDD Readiness Proposal was adopted in October 2009, but the final document is vague about how UN-REDD will implement its Indigenous Peoples’ Operational Guidance and harmonise with the World Bank’s Forest Carbon Partnership Facility (see page 5) on free, prior and informed consent (FPIC), social and environmental impact assessments and other safeguards. We supported indigenous organisations to meet the Environment Ministry and representatives of UN-REDD, following which the national and local government consulted with indigenous peoples on FPIC mechanisms and land tenure issues in relation to REDD planning.

In May 2010 FPP supported the third meeting of the Foro Indígena de Abya Yala sobre Cambio Climático held in Panama where indigenous leaders from Mexico, Guatemala, El Salvador, Nicaragua and leaders from Amazonian countries planned indigenous peoples’ strategies for inputs to the climate conference in Cancun at the end of the year. The workshop developed a road map to Cancun and fostered dialogue with government policy makers and NGOs engaged in REDD negotiations.

Communities reject climate projects linked to Sumatran pulpwod plantations

In the Kampar peninsula of Sumatra, the government has granted licences for Acacia plantations to supply the APRIL and APP pulpwod consortia. The consortia are seeking REDD payments for a central forest conservation area on community lands. APRIL subsidiaries have already started clearing forests without community consent.

Our partner Scale Up helped three communities campaign for their right to free, prior and informed consent (FPIC) prior to any activities on their lands. Community meetings with project managers from APRIL subsidiaries and with APRIL’s Vice-President, and a widely circulated open letter, urged APRIL to obtain the communities’ FPIC. APRIL has now invited community representatives for talks and shown that it is willing to modify its Standard Operational Procedures for engaging with communities, although this is a long way from commitment to FPIC. Meanwhile APP has not yet shown any intention of adopting FPIC or respecting customary rights.

Our public information campaigns on APRIL’s violations and the communities’ demands for recognition of their rights helped to persuade Smartwood to suspend its FSC certification of APRIL. The communities set up three new networks to campaign against the threats posed by pulpwod and oil palm plantations, REDD and ecosystem restoration projects.
**Forest peoples track REDD in Central Africa**

With our partners Association Okani and Centre for Environment and Development, FPP held three community trainings in southern Cameroon on climate change and the opportunities and dangers of REDD projects. Baka, Bagyeli and Bakola people reaffirmed that their activities have protected the forest, and they would welcome a form of REDD that would support them to continue this, not one that would continue to destroy their forests and perpetuate their marginalisation. A national REDD workshop in June received worldwide press attention, and created some movement nationally towards greater participation of local communities and discussion on benefit-sharing mechanisms.

Several REDD projects are being developed in and around the Dzanga-Sangha Protected Area Complex (DPAC) in Central African Republic (CAR). FPP’s consultations revealed that CAR’s REDD readiness concept submitted for World Bank funding failed to consult properly with local and indigenous communities, who were unaware of REDD proposals affecting their forests. FPP provided training on climate change, REDD and forest conservation for our partner Bayaka Community Union of Yobe-Sangha (UCB).

As a result UCB created their own consultative committee on REDD issues which is tracking all REDD proposals for DPAC and is participating in REDD discussions with governmental and WWF managers of DPAC.

In the Democratic Republic of Congo, our partner Cercle pour la Défense de l’Environnement (CEDEN) worked with communities in Equateur Province to produce a local language pamphlet on REDD issues. CEDEN trained community trainers to facilitate community consultations with over 1000 people. This revealed that the communities and local authorities knew virtually nothing about REDD, despite claims that the DRC REDD consultation approach was a ‘model’ system. The impoverished communities were interested in the potential financial benefits of REDD but only if their rights and benefits were protected and they were not restricted from using their traditional forest areas, which would exacerbate the problems already caused by logging and conservation organisations.

**Indonesian climate projects start to recognise forest peoples’ rights**

Intensive advocacy, community support work and national consultations and workshops by FPP and our partners – Pusaka, Scale Up, Bahtera Alam, Yayasan Merah Putih and many local NGOs and community-based associations – has been highly effective. Agencies and donors involved in national REDD planning and in REDD+ projects in four areas of Indonesia have now committed to recognise forest peoples’ customary land rights and right to FPIC. The national REDD Task Force has included the right of indigenous communities to FPIC in its outline plan, and asked FPP to advise on how to include this principle within its national plan.

Our partners’ interventions at the national parliament’s Regional Representative Council meeting on agrarian reform and natural resource management raised awareness that land tenure reforms must ensure respect for local communities and indigenous peoples’ rights. NGOs involved in REDD pilots are now more sensitive to the need for safeguards that protect rights. A serious national debate has started about how benefits from potential REDD projects can be shared fairly, and the need for communities to be protected from changes in land use caused by REDD projects that may affect their livelihoods.

In Aceh Province (Sumatra), FPP and Pusaka’s work with villagers and provincial policy makers in the Ulu Masen REDD project area has led the provincial government’s REDD Task Force to commit to recognising peoples’ rights to land and carbon in the Ulu Masen area and to discuss and share information on REDD policy with NGOs and community organisations. The social standard for the Ulu Masen REDD project now includes the right to FPIC and its application, benefit sharing and a complaint mechanism.

In central Kalimantan, following advocacy by villages affected by the UNFCCC-Australia Kalimantan Forest and Climate Partnership project, the project has said it will seek ‘consent without coercion’ (not quite the same as FPIC), set up a dispute resolution mechanism, and conduct participatory mapping of customary lands affected by its activities.

In Papua and West Papua, where several REDD projects are planned, Pusaka and local NGOs held many workshops covering FPIC, REDD, rights of indigenous peoples, natural resource management and participatory mapping. The sub-provincial authorities in Waropen, West Papua, will now support community mapping and recognise the customary areas so delineated. Government and forestry officials in Mamberamo, West Papua, will now support community mapping and respect the right to FPIC in implementing REDD projects in the province.

Liberian civil society concerns about REDD policies

Liberia’s REDD process is being driven by international conservation organisations and the World Bank, who are focusing on technical issues such as baselines and financing rather than governance and rights issues. The government’s rush to allocate carbon concessions without a prior regulatory framework or policy is a major problem, as is the lack of transparency around the negotiating of the REDD framework and pilot studies.

FPP supported three meetings on REDD policies, attended by hundreds of community representatives. Participants gained understanding of the REDD concept and expressed their concerns that the government will not consult with them on REDD. In particular, they were apprehensive that flawed REDD policies may impose restrictions on rural livelihoods, especially small-scale extractive activities in forest communities, and that top-down REDD money may not benefit communities. They also called for internationalised countries to reduce emissions, rather than displacing the responsibility for reducing emissions to forest countries through carbon offset trading. At a follow-up national workshop NGOs and communities identified priority issues to be addressed in Liberia’s REDD Readiness Plan. They recommended setting up a community support organisation to ensure accountable representation on the REDD Technical Working Group and effective community participation in the process.
International REDD finance in the spotlight in Peru

The World Bank has selected Peru as a pilot country for climate change projects under its Forest Investment Programme (FIP). Voluntary REDD initiatives are also developing rapidly with little scrutiny by the public or government. Neither the World Bank nor voluntary schemes explain how indigenous recommendations will be incorporated, how projects will comply with Peru’s international human rights obligations, how safeguards will be applied, or how the unresolved territorial claims of indigenous peoples will be dealt with. Indigenous communities lack information on carbon trading and REDD policies and are being told only about potential benefits of carbon projects, not the potential disadvantages.

In view of these challenges FPP and partners AIDESEP and ORAU held a major workshop on Indigenous Peoples Rights, Climate Change and REDD+ Policies in Peru. The 150 participants learned about key climate change concepts and new international and national REDD initiatives. The workshop analysed REDD policies and their potential benefits and risks for indigenous peoples in the Peruvian Amazon; government representatives answered questions on pilot forest protection programmes and carbon projects.

FPP is continuing its support to AIDESEP to secure bottom-up rights-based approaches to forest and climate protection and to engage in detailed dialogue with the World Bank’s Forest Carbon Partnership Facility (see page 5) and FIP at the national and international levels in support of recognition of customary land rights and forest management systems. FPP is also assisting AIDESEP to evaluate a sample of voluntary REDD projects to find out how rights and benefit sharing issues are being addressed and to draw out lessons learned so far.

Further resources:
- It is inconsistent, that on one hand the Peruvian State promotes the supposed conservation of forests via mechanisms like REDD+, and on the other promotes projects with large socio-economic impacts which will directly affect indigenous territories, such as extractive activities like hydrocarbons, mineral concessions and building of roads and hydroelectric schemes. Daysi Zapata, AIDESEP Vice-President, at a World Bank FCPF meeting discussing Peru’s REDD Readiness Preparation Proposal, November 2010

Nepalindian indigenous peoples demand FPIC in climate projects

FPP’s training and strategic planning with our partners, the Lawyer’s Association for the Human Rights of Nepal’s Indigenous Peoples, NGO Federation of Nepal’s Indigenous Nationalities and the National Indigenous Women’s Federation, established a strong network between indigenous peoples’ organisations working on climate and forest issues in Nepal. They are now pressing government REDD programmes to obtain indigenous peoples’ consent before starting activities that may impact on them, in line with Nepal’s recent ratification of International Labour Organisation Convention 169 on Indigenous and Tribal People.

With FPP’s technical support, our partners critiqued the Social and Environmental Standards for REDD projects that are being facilitated by the Climate, Community and Biodiversity Alliance and CARE International, and analysed Nepal’s REDD Preparation Proposal submitted to the World Bank’s Forest Carbon Partnership Facility.

Following UN-REDD’s decision to require FPIC in REDD readiness activities in Asia, FPP supported partners to hold a workshop on REDD, free, prior and informed consent and the Rights of Indigenous Peoples, and a strategic planning workshop to identify actions on REDD over the next few years.

Coming up in 2011:
- Work with local partners to ensure Cancun safeguard agreements are put into practice in the UNFCCC and at the national and local levels
- Support partners to undertake high level engagement with FCPF and FIP
- Assist FAPI to press for implementation of its guidelines in the Paraguay UN-REDD programme
- Workshop on REDD and rights in Central Africa
- Participatory evaluations of local voluntary REDD projects, including treatment of ‘carbon rights’
- Community guide to human rights and forest and carbon projects
- Four briefings on REDD pilots in Indonesia

Indigenous peoples’ territories in the Peruvian Amazon are affected by government REDD plans and a growing number of voluntary REDD projects. Photo: Tom Griffiths
Ensuring that finance and industry don’t harm forest peoples

FPP’s Responsible Finance work aims to make financial institutions respectful of, and accountable to, forest peoples. Our advocacy calls for publicly and privately funded projects affecting forest peoples to obtain their free, prior, and informed consent and include binding ‘safeguard’ policies to minimise harm. Government-funded projects must uphold human rights and environment obligations under international treaties the State has ratified.

Pressure maintained on World Bank for safeguards and accountability in REDD funding

During 2010 FPP and our partners continued to press the World Bank to uphold commitments to indigenous rights, land tenure and free, prior and informed consent (FPIC), and to apply safeguards in its funding for REDD activities via the Forest Carbon Partnership Facility (FCPF) and Forest Investment Programme (FIP).

In critiques by FPP and our partners of the FCPF guidelines for Strategic Social and Environmental Assessment (SESA), FCPF evaluation criteria, and the REDD Readiness Preparation Proposals submitted by Panama, Guyana, Suriname and Indonesia, we continued to insist that the World Bank should apply the safeguard standards already enshrined in its established operational policies, and deal properly with land tenure, FPIC and governance issues, in line with the international obligations of REDD counties to uphold human rights. As a result, the draft SESA guidelines will uphold safeguards and will require REDD policies to support the UN Declaration on the Rights of Indigenous Peoples.

In several FPP-assisted meetings with the FCPF, in country and at FCPF Participants Committee meetings, indigenous leaders from Guyana, Suriname, Peru and Indonesia made strong statements asking why the REDD proposals submitted by their governments had not addressed key land rights issues. They cited the official rulings of human rights bodies that REDD countries must protect land rights and FPIC, and uphold their international human rights obligations.

The FCPF’s Charter has very specific commitments to respect applicable international obligations above and beyond the requirements of the Bank itself. At meetings with Department for International Development officials in London, we urged the UK government to take action on failures in FCPF due diligence and gaps in its safeguard framework, and uphold the progressive rules and commitments on rights in the FCPF’s Charter (that exist partly due to FPP’s previous work). Subsequently the FCPF Participants Committee, including the UK government, called for a more transparent decision-making process and the FCPF decided to evaluate how it is complying with the FCPF Charter’s requirements to implement safeguards and uphold indigenous peoples’ rights.

Following FPP’s work with the FCPF Secretariat, the FCPF’s Evaluation Framework now includes criteria to evaluate the contribution of FCPF in addressing land tenure, land rights issues, and recognise traditional knowledge and livelihood practices and the role of safeguards, in particular the rights of indigenous peoples and other forest peoples as enshrined in the FCPF Charter.

We provided technical inputs to the standards and criteria in the World Bank’s FIP Design Document and supported indigenous leaders engaged in the FIP sub-committee meetings. This enabled our partners to get useful language into the design of the FIP’s Dedicated Fund for Indigenous Peoples, including the intention to support recognition of indigenous peoples’ customary land use and management systems in forests. The FIP Results Framework will include an assessment of the role of FIP projects and programmes in supporting indigenous peoples’ rights and traditional practices, as well as land tenure reforms and other key governance aspects. The FIP now ‘recognises’ that the UN Declaration on the Rights of Indigenous Peoples has been adopted by the UN General Assembly and also accepts that future FIP projects and programmes should be ‘...consistent with relevant international instruments, obligations and domestic laws’. But, as the World Bank still claims that Free, Prior and Informed Consultation (FPIC) is functionally equivalent to FPIC, the overall design of the FIP still fails to respect indigenous peoples’ rights to FPIC.

Raising the bar on REDD social standards

With partners from Indonesia and Nepal, FPP contributed to the revision of the REDD+ Social and Environmental Standards. Our inputs have helped to make these voluntary, national standards potentially useful with strong language on rights, including FPIC, and safeguards. They will be tried out in selected countries such as Nepal.

Hopes for IFC recognition of free, prior and informed consent

The International Finance Corporation (the World Bank’s private sector loan window) undertook revisions to its Sustainability Policy and Performance standards during 2010 and the final revised standards are due for completion by June 2011. Draft language at the end of 2010 contained important advances advocated by indigenous peoples’ organisations and FPP during our intensive engagement with the IFC’s review of its Sustainability Policy and Performance Standards during 2010.

With civil society and indigenous organisations we participated in consultations in Washington and Manila and succeeded in getting the consultation period extended. With partners we submitted a statement to UN Expert Mechanism on the Rights of Indigenous Peoples (UNEMRIP) and then participated, with the Chair of UNEMRIP, at a workshop on FPIC in the IFC standards.

As a result the proposed IFC standard for indigenous peoples (Performance Standard 7) requires clients to obtain the free, prior and informed consent of the affected indigenous peoples in certain circumstances. Many weaknesses continue to plague the draft, but the inclusion of FPIC is a positive advancement and must be protected in the final text.

Indigenous organisations challenge IADB infrastructure projects

The Initiative for the Integration of Regional Infrastructure in South America (IIRSA), funded by the Inter-American Development Bank, is planning roads, dams, airports and electricity grids threatening indigenous territories across South America. In Peru, FPP supported partners AIDESEP and Senin Soli to hold community workshops and train indigenous leaders on indigenous rights and IIRSA. Indigenous leaders held meetings with relevant government officials in Lima to press for full compliance with applicable environmental and social standards. We also supported community workshops in Flor de Ucayali, a remote area affected by the Pucallpa Cruzeiro do Sol Road, an infrastructure project planned under IIRSA.
Freeze on oil palm funding maintained

FPP and partners continued to press the World Bank group to improve standards for investing in oil palm funding. This work builds on our successful complaint in 2007 to the Compliance Advisory Ombudsman of the International Finance Corporation about the IFC’s financing of illegal activities by the Wilmar Group (the world’s largest palm oil trading company) in oil palm projects in Indonesia. As a result the IFC agreed a moratorium on funding the oil palm sector pending a participatory review of its investment strategy. Under pressure from FPP and partners the moratorium was extended to cover the entire World Bank Group.

After making very detailed inputs to the participatory review in 2010, FPP and partners critiqued the World Bank’s first draft of its strategy document as failing to provide a responsible investment framework for oil palm. The President of the World Bank agreed to revoke the document, extend the freeze on funding for a further 12 months, carry out further consultation and commit serious effort to produce an appropriate strategy.

During 2010 we collaborated with partners tracking the compliance of major palm oil conglomerates, Sinar Mas and Wilmar Group, with the certification standards of the Roundtable on Sustainable Palm Oil (RSPO). Sinar Mas was blacklisted by major US and European palm oil processors, owing to reports of serious violations of RSPO standards.

We sponsored direct dialogues between affected communities and Wilmar. Wilmar agreed to investigate new mechanisms to ensure that palm oil it buys from companies which are not subsidiaries (which comprise 70% of its traded palm oil) meets RSPO standards.

Sustainable palm oil: certification standards agreed for smallholders

Over the past five years, FPP and our partners Sawitwatch and OxfamNovib, have ratcheted up the standards adopted by the Roundtable on Sustainable Palm Oil (RSPO) to protect the rights of indigenous communities and smallholder producers of palm oil. The involvement of smallholder producers is essential if a reliable market in sustainable palm oil is to be achieved. During 2010, we convened a meeting of the RSPO Task Force on Smallholders which led, after further drafting and public consultation, to standards for the group certification of independent palm oil smallholders. These standards were adopted by the RSPO in July 2010. The RSPO’s engagement with smallholders was a central theme of the Roundtable held in Jakarta in November 2010 at which FPP and partners organised a Task Force meeting and made a presentation to the plenary. We began a research project with civil society organisations and oil palm smallholder associations to document the dire socio-economic circumstances of smallholders.

FPP and partners have shown how government regulations are allowing oil palm plantations to encroach on ‘high conservation value areas’ which are essential for community needs. During 2010 the RSPO Executive Board endorsed a special working group on High Conservation Values in Indonesia with FPP’s Director as Chair. Following meetings with FPP, Indonesian civil society organisations decided to establish a regional chapter of the High Conservation Values Resource Network in 2011. FPP convened a dialogue between RSPO members, civil society organisations and the Indonesian government. We proposed stronger procedures to secure areas that have been set aside for HCVs including community use and started a process to engage with local government in West Kalimantan to include HCV areas and community lands in spatial plans.

During 2010 FPP started looking at oil palm issues in the wider regional context, and the scope for possible solutions through the RSPO and additional regulatory reforms in the oil palm sector. With partners, we carried out country studies in Thailand, Vietnam, Cambodia and the Philippines, held two regional workshops with academics and NGOs to pool regional information, and drafted a review paper. Our work revealed serious human rights abuses and land grabbing in Cambodia, Philippines, Papua New Guinea, Sarawak and Indonesia.

The workshops set up a regional network, which will target national human rights commissions to set agreed standards for palm oil expansion in their respective countries. Philippine participants planned to set up POW! (Palm Oil Watch) as a local chapter of SawitWatch to track the palm oil sector in the Philippines.

FPP leads FPIC dialogue in The Forest Dialogue

FPP is leading a new Free, Prior and Informed Consent ‘dialogue stream’ in The Forest Dialogue. TFD is an influential industry and NGO-led group, based at Yale University, which convenes field-based dialogues between the private sector and civil society groups to examine issues of contention.

Following publication of a scoping paper by FPP we ensured vigorous Indonesian NGO interaction, led by our partner Scale Up, with major pulp and paper and palm oil companies in a TFD meeting on free, prior and informed consent held in Pekanbaru. We set in train follow-up dialogues to create space for affected communities to negotiate with specific companies. The new dialogue links up with other initiatives affecting forests, such as the REDD financing schemes, and we ensured that Indonesian indigenous and civil society organisations will be invited to dialogues organised by TFD on REDD Readiness.

Better protections for indigenous peoples in UN-REDD

The UN Collaborative Programme on Reducing Emissions from Deforestation and Forest Degradation in Developing Countries (UN-REDD) assists developing countries to prepare and implement national REDD+ strategies, within the framework of a National Joint Programme. It deals with measuring, reporting and verification, stakeholder engagement and indigenous peoples’ participation. UN-REDD’s main challenge is how to put in place practical mechanisms and safeguards at country level to fulfil its progressive guidelines on indigenous peoples and REDD.

During 2010 FPP and local partners met several times with UN-REDD and attended regional workshops in Vietnam, Panama and Tanzania to provide guidance on indigenous peoples, FPIC and standard setting. With Rainforest Foundation Norway, FPP advised UN-REDD on development of a grievance system.

UN-REDD and FCPF have pledged to ‘harmonise’ their standards so that recipient countries are expected to comply with similar, if not identical, requirements for the two financing initiatives. FPP’s work to help UN-REDD understand and implement FPIC aims to promote stronger standards in the FCPF and potentially throughout the World Bank group.

Community training guides on international finance

FPP’s fact sheets on REDD and rights, the Climate Convention, the World Bank FCPF and Guyana Low Carbon Development Strategy were used in indigenous training of trainers workshops and community workshops in Guyana, Paraguay and Peru. Our guides and fact sheets on REDD+ were adapted for workshops in Cameroon, Central African Republic and DRC.

FPP and our partners’ work has helped to protect the rights of smallholder producers of palm oil.

Photo: FPP
Anti-industrial shrimp farming campaign hots up

Activists opposing industrial shrimp production achieved a breakthrough in strategic planning and international advocacy following a conference in Khulna, Bangladesh. The conference involved, among others FPP, our partner Nijera Kori in Bangladesh, and NGOs CODEFFAGOLF (Honduras), Asia Solidarity Against Industrial Shrimp Aquaculture (ASIA), Koalisi Rakyat untuk Keadilan Perikanan (KIARA, Indonesia), Africa Mangrove Network (USA) and Mangrove Action Project (MAP, USA). Participants produced a ‘mangrove map’ – a road map of aims and activities for how to move ahead in making the world aware of the severe damage done to local livelihoods and ecosystems by the $40 billion global shrimp industry. The activists are also pressing for reduced global shrimp consumption rather than legitimising shrimp consumption through certification based on weak standards developed without local communities’ participation. These could lead to no more than a ‘greenwashing’ of the industry, and a distraction from the real issues at hand.

The meeting enabled anti-industrial shrimp groups to have constructive discussions with the Shrimp Aquaculture Dialogue (SHAD) group which is producing certification standards that are expected to be adopted by the Aquaculture Stewardship Council in 2011. The participants visited two sites with different experiences of industrial aquaculture.

At Polder 20, over 100 community members gave passionate testimony against the murder, violence, rape, salinisation and land grabbing resulting from the shrimp industry around their community, which produces shrimp for consumption in the EU.

In contrast at Polder 22, the participants noticed that despite the violence of the past, the community had managed to get rid of shrimp farming in their area; they were farming their own food again, the children were at school, there was less salinisation and the embankments were better protected against flooding.

A panel discussion raised numerous questions and concerns that the pro-shrimp certifiers were unable to answer, but the discussion helped to identify common ground between the polarised parties.

The anti-shrimp networks renamed themselves the Polder 22 Group in recognition of the vision of the Polder 22 community. They sent the SHAD group a list of key thematic concerns around industrial shrimp farming, including the lack of community participation in the development of standards, the ecological siting of mangroves, free, prior and informed consent, feed sourcing, corruption and membership of the SHAD group.

Subsequently a group of activists from ASIA, Latin America, USA and EU built political contacts with MEPs, NGOs and other stakeholders in Brussels, Paris and Amsterdam, culminating in an hour-long discussion led by Polder 22 activists in front of governmental stakeholders at the UN’s World Oceans Meeting in Paris.

Anti-shrimp networks in Indonesia, Bangladesh and Latin America are now collating academic studies examining how industrial shrimp farming undermines and breaks domestic and international laws.

Further resources:
- Palm oil and indigenous peoples in South East Asia. http://tinyurl.com/5ss5aew

Coming up in 2011:
- Finalise inputs to the World Bank-IFC palm oil sector review
- Influence the Global Environment Facility process for a new safeguard policy on Indigenous Peoples
- Submissions and briefing on new World Bank review of its safeguard systems
- Increased advocacy targeting World Bank FIP
- New report on palm oil expansion in SE Asia
- New report on experiences with CAO complaint on palm oil investments by IFC
- New report on Merauke Integrated Food and Energy Estates in Papua
Supporting forest peoples to defend their rights

FPP’s Legal and Human Rights Programme assists forest peoples to secure their rights by supporting national and international legal actions including human rights mechanisms and procedures, by providing legal analysis on various issues, and by providing training and other technical assistance.

Defending indigenous rights through the United Nations system

FPP assisted indigenous peoples in Nepal to draft a formal complaint to the UN’s Human Rights Committee about the exclusion of indigenous peoples’ freely chosen representatives from the drafting of Nepal’s new constitution. We held several trainings and meetings to explain the process and draft the complaint, and we also provided extensive inputs into a pending case before the Nepal Supreme Court. The UN Committee on the Elimination of Racial Discrimination (CERD) issued further decisions about this situation.

CERD adopted important decisions on situations in Argentina, Brazil, Cambodia, Cameroon, Colombia, Costa Rica, India, Papua New Guinea, Paraguay, Peru, Republic of Congo, and Suriname. We supported our partners to get their governments to implement these decisions in their countries.

In the case of Costa Rica, CERD called on the State to respect the right to free, prior and informed consent in relation to the proposed Diquis dam. In collaboration with the affected indigenous peoples we submitted complaints to the UN Special Rapporteur on the Rights of Indigenous Peoples and produced a major report with the University of Texas Human Rights Clinic. This resulted in a site visit to Costa Rica to advise the government on how to secure and protect indigenous peoples’ rights in relation to Diquis and nationally. We also advised on the proposed Autonomy Bill that will substantially change the law of Costa Rica in favour of indigenous peoples.

In the case of Cameroon, CERD called on Cameroon to drop the drafting of a bill on ‘marginalised populations’ because this term further marginalises indigenous peoples instead of adequately protecting their rights. CERD recommended that the State instead adopt a law on indigenous peoples which provides for a definition of indigenous peoples that is in line with the UN Declaration on the Rights of Indigenous Peoples. CERD further called on the State to take urgent measures to protect indigenous peoples’ right to land.

Following reports submitted jointly with our partner UOBDU, the UN Special Rapporteur on the Rights of Indigenous Peoples issued important observations in 2010 on the land rights of Batwa people in Uganda. Also with our partner UOBDU, we submitted a report to the UN Committee on the Elimination of Discrimination against Women, which led to the adoption of Concluding Observations on the rights of Batwa women in Uganda.

Inter-American Commission admits indigenous peoples of Roraima case

In 2010 the Macuxi, Wapichana, Taurepang, Ingá and Patamona peoples of the Raposa Serra do Sol in Roraima, Brazil, successfully petitioned the Inter-American Commission on Human Rights to accept their case concerning non-indigenous trespassers on their traditional lands, and the failure of the government to punish violent attacks against their communities. While their territory has been official demarcated and titled since the case was filed (one of their initial demands), a decision that was successfully defended by the Brazilian Supreme Court, the case now focuses on challenging a series of prejudicial limitations on their title enumerated in the Supreme Court’s judgment as well as addressing violent attacks against the indigenous people committed by colonists and others.

As part of the analysis of the merits of the case the indigenous peoples of the Raposa Serra do Sol sent the Commission a detailed legal and policy analysis of the deficiencies of the new Supreme Court Decision on indigenous land rights in Brazil. They also challenged Brazil’s efforts to get the Commission to dismiss the case. The Commission is now reviewing additional submissions before making a decision on the case, which has major implications Brazil-wide, particularly with regard to respect for rights in large infrastructure and extractive projects.

Rights-based conservation in Paraguay

The Mby’a people are challenging the imposition of a national park on their ancestral lands in Paraguay’s interior Atlantic Forest. Conservation work on the Reserve for the San Rafael National Park began in 2001, with funds from the Global Environment Facility channelled through the United Nations Development Programme (UNDP) and the Paraguay Government. However, the Mby’a had to threaten the government with legal action in order to get information about the park, which they finally did in 2007. Following legal and advocacy support from FPP, the Mby’a obtained government and UNDP assistance for a community mapping project, which they are currently working on.

During 2010, with FPP support and support from UNDP, the community finalised their own study on indigenous use and ownership and produced a report. Using the preliminary results, one Mby’a community finally secured title to their lands which had been delayed for many years. We also supported indigenous organisations that have been actively engaging in the UN-REDD programmes with training and drafting assistance (see page 2).
Legal support for Suriname’s indigenous peoples

During 2010 FPP continued intensive legal support to obtain justice for indigenous and tribal peoples in Suriname. Following years of legal work by FPP on the Saramaka People v. Suriname case, the Inter-American Court of Human Rights found in 2007 that Suriname had violated the Saramaka’s human rights by imposing mining and logging concessions on their lands without their consent, reasonable benefit-sharing or proper socio-environmental assessment. The Court required Suriname to pay compensation, give the Saramaka people title to their lands and pass laws to protect their rights.

FPP continued to monitor the Court’s orders, only half of which have been implemented. A Court hearing in September criticised Suriname’s lack of effort, and its granting of mining and logging concessions on Saramaka territory where the communities plan conservation initiatives. Although the Saramaka’s territory is now delimited on maps agreed to by the government, the main obstacle to implementing the Court judgment is the lack of laws enabling demarcation and titling of indigenous and tribal peoples’ territories, recognition of indigenous and tribal government and institutions, and provision of judicial remedies and legal personality. Following our input, the government has asked the UN Special Rapporteur on the Rights of Indigenous Peoples for technical assistance in drafting these laws.

The need for Saramaka control over, and titling of, their lands is becoming more urgent as Suriname prepares to seek funding for projects to Reduce Emissions from Deforestation and Forest Degradation (REDD). We supported advocacy work by our partners VIDS and VSG critiquing the REDD planning process, following which the government committed to consult with indigenous and traditional communities, but these promises have not yet been implemented.

With our partners we challenged the way Suriname has used projects funded by the Inter-American Development Bank to violate the rights of the Saramaka people and to delay or deny the implementation of the Court’s decisions. The IADB’s funding for the Support for the Sustainable Development of the Interior (SSDI) project and the SU-T1036 project, a forestry project, pose particular threats to the Saramaka. The IADB responded by cancelling the SSDI project and committing to tri-partite agreements between the Government of Suriname, the IADB and any impacted indigenous or tribal peoples for future projects.

In the Moiwana Village case, concerning the massacre of more than 50 Cottika Nj’uka maroons by the Suriname military in 1986, Suriname still has to comply with two of the Court’s orders. One of these (land tenure) has been deferred until the Saramaka People case is implemented. The other order is obstructed by the change in government in Suriname, as the person who ordered the massacre at Moiwana is now the President and is immune from prosecution.

The Maho indigenous community filed a case with the Inter-American Commission on Human Rights, to prevent government-backed sand mining, agriculture and logging on their traditional lands, which is causing environmental degradation and food shortages. We obtained precautionary measures (analogous to an interim injunction) from the Commission which called on the government to ensure that there would be no further encroachment on lands occupied by the Maho community.

The Kaliña and Lokono indigenous people of the Lower Marowijne River are challenging the imposition of mining and logging concessions and protected areas on their lands and asked the Inter-American Commission to review their case. FPP submitted additional pleadings and evidence and we are awaiting a decision from the Commission on the merits. This is a potentially precedent case that deals with rights in relation to the establishment and management of protected areas and indigenous peoples’ rights in coastal and marine areas. It also represents a good opportunity to better harmonise international environmental and human rights law as well as influence the practice of conservation bodies.
Promoting indigenous women’s rights in Asia, Latin America and Africa

With the Asian Indigenous Women’s Network FPP held a workshop in Manila for Asian indigenous women to discuss gender and land rights issues. The workshop introduced participants to techniques for researching and documenting problems facing their communities and informed them about training manuals and guides on the use of international mechanisms to address gender and land rights issues. Workshop participants drew up strategies for research and using international mechanisms to deal with common problems including appropriation of land by companies or government for dams, mining and plantations. Government non-recognition of indigenous peoples’ rights to lands, and complex and conflicting laws and regulations governing land and resource access. One of the workshop decisions was to submit a report on the situation of indigenous women in Nepal to the UN Committee on the Elimination of Discrimination against Women (CEDAW) in 2011.

In Colombia FPP supported the indigenous women’s organisation Fuerza de Mujeres Wayuu to submit a report to the United Nations Permanent Forum on Indigenous Issues (UNPFII) during its visit to Colombia in July 2010. The report denounced the daily threats to life and cultural and territorial rights experienced by Wayuu women. The armed conflict is severely impacting on Wayuu women and many in the Wayuu community have been forced to relocate to Venezuela. Multinational corporations are exploiting the Wayuu’s natural resources without their consent, which violates their land ownership rights, destroys their environment and deprives them of their traditional way of life. The report asked that the UNPFII urge the Colombian government to address the Wayuu’s situation and take all the necessary measures to ensure that their rights to land and natural resources are fully guaranteed. FPP is supporting the Indonesian women’s group Bahtera Alam to promote women’s voices in the negotiations with the Indonesian government and pulpwod companies that are threatening to take over their community’s lands for pulpwod plantations and REDD+ projects (see page 3). Women are also participating in FPP’s and partners’ programme to get government and private sector initiatives throughout Indonesia to seek forest peoples’ free, prior and informed consent prior to carrying out activities on their lands. As women make use of the land in different ways from men, strong women’s voices have solidified the communities’ demands for recognition of their rights to land and management of their natural resources.

In Uganda, FPP held trainings on gender and land rights with Batwa communities and supported them in the drafting of a report submitted to CEDAW. The report argued that Batwa women, as women and as members of indigenous communities dispossessed from their land, face multi-layered discrimination. Following this report, CEDAW adopted Concluding Observations which called on Uganda to take special measures to address the vulnerable situation of Batwa women.

Indigenous women were also supported to participate in a Cameroon forestry conference and to submit reports to the African Commission and to the UN Committee on the Elimination of Racial Discrimination (CERD). Both human rights bodies adopted solid standards and recommended that Cameroon adopt special protection measures for indigenous women and girls.

Two toolkits on indigenous women’s rights in the African and the Inter-American human rights systems were prepared in consultation with partners. The African Commission’s Special Rapporteur on the Rights of Women in Africa endorsed the toolkit, which followed up on her call, made in 2008, for specific studies and information materials on the situation of indigenous women in Africa. The toolkits are being validated through strategy meetings and workshops with partners and will be published in 2011. We expect these toolkits to evolve in the coming years so that partners can use them for their own capacity building purposes.

Argentina investigates forced evictions of Diaguita people

In Argentina FPP continued to support the Diaguita people who are fighting state-backed evictions from their lands in Tucumán Province. We obtained strong Concluding Observations from the UN Committee on the Elimination of Discrimination, which aided in prompting a Presidential Decree which calls for the adoption of a new law to address the recognition and protection of community lands. FPP was asked to help draft that law and complete a comprehensive report on the forced evictions of the Diaguita in Tucumán which will be released by the communities themselves to support their advocacy and help bring the officials (including judges and police) responsible for violent evictions to justice.

Batwa develop land claim strategies

FPP is continuing to support Batwa communities in south-west Uganda who were evicted from their traditional forest lands to create national parks. The Batwa have set up their own community-based organisation, United Organisation for Batwa Development in Uganda (UOBDU), to advocate for recognition of their rights. They are seeking access to, and involvement in, the management of, their ancestral forests and a greater share in the benefit-sharing schemes linked to the national parks.

During 2010 UOBDU held two major strategy meetings on how to gain redress for the loss of their lands. They exchanged information with indigenous participants from neighbouring countries, including the Endorois of Kenya, and representatives of human rights NGOs and agencies. In 2010 the African Commission decided, in the Endorois Case, that the eviction of the Endorois from their ancestral land by the Kenyan government, without their free, prior and informed consent and without adequate compensation, violated fundamental rights of the Endorois people protected under the African Charter on Human and Peoples’ Rights and other international instruments.

The Batwa want to set up a Land Trust to hold title to all land donated or owned by the Batwa in trust for their families. During 2010 UOBDU held four meetings for Batwa representatives, NGOs, and government officials to establish broad support for the idea of the Land Trust. Batwa representatives also continued to advocate recognition of their land rights in local and national level dialogues with government officials and UOBDU participated in the National Land Policy Review. A programme of training in finance, management and leadership skills, including a week-long training course for UOBDU’s Finance and Administration officer at FPP’s office in the UK, helped to strengthen UOBDU’s organisational capacity.

Indigenous Wayuu women’s livelihoods in Colombia are being destroyed by multinational companies and armed conflict threatens their lives on a daily basis. Photo: Miguel Iván Ramírez Roscán
Reforming Indonesian forest law and governance

FPP’s long-term work to improve forest governance in Indonesia includes legal training, capacity building and legal advice to selected communities in high profile and representative cases of land grabbing or impending land conflict. During 2010 our partner HUMA led this work by supporting the national indigenous peoples organisation AMAN to prepare a draft Bill on Masyarakat Adat (rights of indigenous peoples), which was circulated for comments. HUMA also supported the Public Interest Lawyer Network to file a petition at the Constitutional Court to review the Plantations Act, which violates community rights.

FPP is working to strengthen arguments for indigenous and community rights in forests based on wide use of plural law i.e. both customary and formal law. HUMA produced three case studies in Aceh, Lembata and Central Sulawesi followed by three provincial workshops. Then, in collaboration with RECOFTC, we convened a national meeting in Jakarta with about 30 participants and a regional workshop with 24 participants in Bangkok.

The national level work in Indonesia has been very creative and thorough with detailed reflections at the provincial and district level. The case studies identified innovative legal options for securing rights through legal pluralism. The national and regional workshops, involving academics, activists and indigenous peoples, revived interest in the need for legal pluralism to inform legal reform, and established an informal network to take this work further in the region.

African Commission holds Cameroon to account on indigenous peoples’ rights

Following an alternative report submitted by FPP and our partners to the African Commission on Human and Peoples’ Rights (ACHPR), the Commission questioned Cameroon closely on its lack of recognition and protection of indigenous peoples’ rights. The Commission queried Cameroon’s failure to implement international standards including the UN Declaration on the Rights of Indigenous Peoples, the recommendations of ACHPR in its reports on indigenous populations/communities and the rights protected by the African Charter. The discussions between the African Commission and the Cameroon delegation showed that the State needed to make substantial efforts to further understand the issues raised by the Commission. This prompted the Commission to suggest that its Working Group on the Rights of Indigenous Peoples could travel to Cameroon to support the State in implementing indigenous peoples’ rights in accordance with the African Charter and international law. The Commission referred directly to the recommendation made by the UN Committee on the Elimination of Racial Discrimination to stop using the term ‘marginalised populations’ and reiterated the need to adopt a specific legislation on indigenous peoples.

The Concluding Observations adopted pay specific attention to the rights of Baka, Bakola and Bagyeli women in Cameroon, and highlight that they are disproportionately affected by land dispossession. These recommendations offer a solid opportunity for our partners to press for legal reforms to implement these standards through domestic measures.

This year, FPP was nominated as expert member from civil society to ACHPR’s Working Group on Environment, Extractive Industries, Natural Resources and Human Rights, a specialist group that our partners have pressed the ACHPR to set up, to ensure that the impact of forestry and mining activities on indigenous peoples’ rights will receive critical attention.

Further resources:
- Inter-American Commission on Human Rights Agrees to hear case of Indigenous Peoples in Raposa Serra do Sol, Brazil. http://tinyurl.com/biczex4g
- Teribe people of Costa Rica demand their rights in relation to the Diquis Dam. http://tinyurl.com/6byhs3k
- Inter-American Court of Human Rights adopts new orders on compliance in the Moiwana Village Case, Suriname. http://tinyurl.com/6b7fsie

Coming up in 2011:
- Further work on developing the legislative enactments required to implement the Saramaka People judgment.
- Intensified support work in Costa Rica on the Diquis dam and adoption of the Autonomy Bill
- Support for Mby’a mapping project in Paraguay and drafting a government-tribal agreement on land titling, future cooperation and respect on social, economic and cultural matters
- In Argentina, support drafting and adopting a land law to ensure indigenous possession and control over their ancestral lands
- Support partners to influence Forest Law Enforcement, Governance and Trade processes in six central African countries
- Symposium on the implications of the African Commission’s decision on the Endorois case for indigenous peoples of Uganda, Kenya and Tanzania
- Launch of indigenous women’s rights toolkits and training workshops on gender and land rights
- Compilation of international human rights standards pertaining to the rights of indigenous women
- Special edition of FPP e-newsletter on gender and land rights
- New report on Legal Pluralism in South East Asia
Supporting forest peoples to regain control over natural resources

FPP’s Environmental Governance Programme supports forest peoples to regain control over their lands and resources. Through mapping and documenting their traditional resources and strengthening their traditional governance institutions, forest peoples can develop community management and sustainable livelihoods, and negotiate agreements based on the principle of free, prior and informed consent, with external agencies seeking access to community lands.

FPP partners promote the new conservation ‘paradigm’

Over the last 10 years FPP’s intensive work on indigenous peoples and biodiversity conservation has helped to persuade governments and conservation organisations to move away from the fences and guards of ‘fortress conservation’ and adopt a ‘new paradigm’ which recognises the role of indigenous peoples’ sustainable management of their territories in safeguarding biodiversity. Although, on paper, conservationists have now made significant policy commitments to uphold the rights of indigenous peoples and local communities in conservation areas, little has changed on the ground; indigenous peoples are still widely excluded from conservation management decisions and, in some cases, are displaced from their ancestral homelands in the name of conservation. As conservation funding is set to increase due to payments for Reduced Emissions from Deforestation and Forest Degradation (REDD), and the Convention on Biological Diversity’s planned expansion of protected area coverage, robust procedures to implement the new paradigm, fully involving indigenous peoples and local communities in protected area decision-making, are becoming ever more urgent.

FPP supported partners in Cameroon, the Central African Republic (CAR), Suriname, Thailand and Uganda, in a wide range of activities to promote the recognition of their rights and role in conservation to their national conservation agencies and governments.

In Cameroon, CAR, Thailand and Uganda partners met with conservation agencies and government to discuss their obligations under the new paradigm and press for implementation of these obligations on the ground. In CAR and Suriname partners also consulted with community members, held strategy meetings and shared information to support their advocacy work on this issue.

During the year FPP and our partners organised and prepared for a high level dialogue between indigenous peoples’ representatives and Chairs of Commissions of the International Union for the Conservation of Nature (IUCN) and other conservation organisations held at IUCN’s Sharing Power conference in January 2011 in Whakatane, New Zealand. The aim of the dialogue was to find concrete ways in which IUCN will effectively implement the various resolutions and recommendations in favour of indigenous peoples, adopted at the World Parks Congress 2003 and the World Conservation Congresses 2004 and 2008.

Strengthened traditional knowledge and resource use in Thailand

Supported by our partner IMPECT, indigenous communities in northern Thailand met regularly to exchange information. Community leaders were trained in leadership, presentation skills and how to use GPS to make simple community maps. A Hmong women’s network discussed biodiversity management in their traditional gardens, and villagers planted trees and erected signs to protect biodiversity of community areas. Karen community members discussed conserving and promoting their medicinal knowledge. In the recently established cultural centres, elders and experts passed on traditional knowledge of weaving, music and medicinal plants. The project supported new livelihood initiatives such as a pig raising group, and training in food making and energy saving stoves. IMPECT publicised traditional knowledge and development of community mapping through posters on indigenous resource management and videos on a forest ordination ceremony, an aquatic biodiversity conservation ceremony and use of community maps for resolving landuse conflicts.

IMPECT continued work on community mapping and land demarcation for communities bordering the Ob Luang National Park, but around the Doi Inthanon National Park official were unwilling to participate. Clear demarcation of areas claimed by villagers within and bordering the national park is essential to avoid conflicts with the authorities.

IMPECT contributed its experience of community land mapping and biodiversity management to a new project on Development of Model Communities on Natural Resource and Environmental Management in the Highlands supported by the environment ministry. Under the project IMPECT worked with the Office of the Environmental Department, park officials and teachers to carry out community mapping and coordination of activities in Hmong and Karen communities, and field monitoring and evaluation. IMPECT is engaging with municipal and district government offices to get customary use and community initiatives recognised through local government decisions and budget allocation. Officers contacted so far are supportive of this approach.

Dayaks seek official recognition of their customary forest

The Dayak Kodatn community of Kampong Sanjan, West Kalimantan, Indonesia, is seeking official recognition of its 260-hectare customary forest which is threatened by oil palm and industrial forest plantations. Supported by our partner Institut Dayakologi, community members met District officials to demand that forestry officials complete rapidly their mapping of the community forest.

Indigenous and local communities in CAR are pressing the managers of the Dzango Sangha Protected Area Complex to recognise their rights and their role in conservation management. Photo: John Nelson
The traditional users of the mangrove forests of the Sundarbans, Bangladesh, are continuously struggling to sustain their livelihoods. Most are entirely dependent on the Sundarbans, and are very vulnerable to forest degradation, frequent cyclones and increased salinity due to seawater encroachment.

Our partners Unnayan Onneshan and Nijera Kori, with assistance from Humanity Watch, are supporting communities to learn how customary sustainable resource management techniques can reduce degradation of forest resources. Under the training programme, experienced resource collectors pass on traditional knowledge about sustainability (including customary rules) while training other local forest users in collection and harvesting of honey, *golpata* (Nipa palm), fish and wood. This is backed up by formal and informal gatherings to share information on resource management, documentary films and posters on natural resource management and a Munda indigenous cultural team which reinforces traditional knowledge through traditional songs, folklore, dance and drama. The experienced resource collectors are helping to create vulnerability maps of current and potential threats, including areas of abundant and of depleted resources, and risks of flooding. These maps can inform forest departments which areas need special conservation attention and which areas can be used for resource collection, and to what extent.

Species extinction and loss of biodiversity are affecting the ecology of the Sundarbans and consequently the livelihoods of the forest-dependent communities. Working with a group of expert fishermen, Unnayan Onneshan tested a community-based method for monitoring biodiversity. The fisher group described how often and in what quantities they caught different species of fish, identified from photographs, from which a list of threatened and endangered species was drawn up.

An expert fisher group from the Sundarbans participates in an exercise to monitor fish species, providing information about the locations, quantity, and quality of the fish stocks.

An authentic list of traditional forest resource users is being compiled. Recently the Forest Department stated that they would issue passes and permits for forest resource collection in the Sundarbans to the traditional forest resource users. However, there is no list of who those traditional forest resource users are. Our partners are working on getting people with traditional occupations recognised in Bangladesh’s National Classification of occupations.

Traditional forest users have set up three cooperatives to manage forest resources collaboratively and to pursue their rights effectively. When sufficient monthly subscriptions have been collected, the cooperatives will buy a communal boat with a boat licence certificate, which is essential for obtaining a license to collect forest resources. With their own licence, they will no longer have to deal with middlemen, and so get better financial returns from collecting forest products.

Guna people research impacts of climate change in Panama

Our partner FPCI, working with the Guna and Naso People of Comarca Guna Yala, Panama, produced educational and training materials to increase Guna communities’ awareness of megaprojects, climate change, and biodiversity and the importance of traditional knowledge.

Workshops on biodiversity and climate change were held with women and youth groups, and FPCI also raised these issues at meetings of the Guna Congress, the highest Guna authority. A Sunday morning radio programme broadcast by FPCI and its partners reinforced the information.

FPCI carried out fieldwork to analyse natural habitats vulnerable to climate change, such as sandy islands and mangrove-swamps, combined with inventories of flora and fauna in the vulnerable areas and mapping exercises. A protocol on access to genetic resources was developed to promote protection of access to genetic resources of indigenous peoples – the first nationwide initiative of its kind.
Adapting traditional institutions in Suriname

Working with our partner KLIM, FPP continued a capacity building programme with the Lokono and Kaliña peoples of the Lower Marowijne, Suriname.

Community members improved their leadership skills, through watching videos produced by successful north American indigenous nations, and practicing meeting skills, presentation and communication skills. Leadership skills were discussed in the context of major external events such as large mining projects and the Saramaka case (see page 9).

Community members formed a working group and received training to support them in organising participatory development of a land management plan for the Marowijne region.

What is important is that [indigenous nations] themselves have worked on stabilizing their leadership and making it visible. By making leadership visible, you create stable communities. We have to do this too here.

In order to get your land rights, you have to have a plan. How are you going to use the land? It must be effective, nature friendly and according to traditional rules.

Comments by workshop participants

Wapichan prepare territorial management plan

After many years of community mapping, workshops and discussions, the Wapichan people of Guyana have produced a draft management plan for their territory in the South Rupununi, Guyana. The plan was developed through an intensive community consultation process, supported by FPP’s partner South Central Peoples Development Association.

Neighbouring Amerindian communities have adopted multiple inter-community agreements on sustainable resource use, shared land title boundaries between villages and a common vision for self-determined and community-driven development.

The draft territorial management plan includes actions for managing mountains, savannah and bush island habitats, forest and aquatic ecosystems, community conserved areas, extractive reserves (for craft and construction materials), wildlife conservation sites, sacred sites and spiritually sensitive no-go areas as well as areas for the development of ecotourism and community development activities. Community leaders have commissioned feasibility studies to identify best options for natural resource management and income generation in burning of savannah grasslands, water quality and fisheries, cash cropping, farm livelihoods and food security, livestock farming, and craft enterprises.

The final outline territorial management plan is due for full publication at the end of 2011.
Indigenous advocacy makes gains at CBD

FPP supported the International Indigenous Forum on Biodiversity (IIFB) in negotiations at the Convention on Biodiversity’s 10th Conference of the Parties. The IIFB was heavily involved in the development of the new CBD Strategic Plan, comprising a mission and 20 targets intended to guide action by Parties in the coming decade. It was a great moment when the Parties unanimously decided to accept the target on traditional knowledge and customary use drafted by the indigenous participants. This reads: By 2020, traditional knowledge, innovations and practices of indigenous and local communities relevant for the conservation and sustainable use of biodiversity, and their customary use of biological resources, are respected, subject to national legislation and relevant international obligations, and fully integrated and reflected in the implementation of the Convention, with the full and effective participation of indigenous and local communities, at all relevant levels by 2020.

With the adoption of the CBD’s Nagoya Protocol on Access and Benefit-sharing (ABS Protocol) governments have accepted to take domestic and international measures to uphold the customary and human rights of indigenous peoples, and to protect their traditional knowledge with respect to genetic resources. However the IIFB felt that much more still needs to be done to end bio-piracy and also noted with disappointment that the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) is only ‘noted’ in the ABS Protocol and the Strategic Plan.

In relation to traditional knowledge, the Parties adopted elements of a (voluntary) Code of Ethical Conduct in which they agree that their activities or interventions should not interfere with indigenous and local communities’ access to traditional resources, as access to traditional resources is crucial for sustainable use of biological diversity and cultural survival. The Code also ensures respect for the cultural and intellectual heritage of indigenous peoples and local communities. In terms of sustainable use, the Conference of the Parties recognised the high importance of customary sustainable use by indigenous peoples and local communities for the sustainable use and conservation of biodiversity. Unfortunately, Parties fell short of acknowledging that customary sustainable use depends on secure land tenure, despite repeated efforts by the IIFB to point out the crucial link between secure land and resource tenure and the maintenance of customary sustainable practices. However the new focus on customary use in the revised Programme of Work on Traditional Knowledge will allow indigenous peoples to revisit this issue in future negotiations.

In the negotiations about protected areas, the IIFB held that protected areas are still largely established or expanded without their participation and free, prior and informed consent and that these issues are still not being addressed satisfactorily in the implementation of the CBD’s Programme of Work on Protected Areas (POWPA). In the COP10 Decision, the Parties agreed to ‘establish clear mechanisms and processes for equitable cost and benefit-sharing and for full and effective participation of indigenous and local communities in relation to protected areas.’ (Unfortunately the concrete reference to establishment and expansion was removed by Parties). The COP10 Decision on protected areas now also refers to UNDRIP in the future implementation of the POWPA, and created space for a diversification of protected areas governance types, including indigenous and community conserved areas. It also invited Parties to establish effective national processes for the full and effective participation of indigenous and local communities in the governance of protected areas, in full respect of their rights.

**Further resources:**
- Video: Dwindling Futures? Mangroves and forest peoples under threat in the Sundarbans, Bangladesh. http://tinyurl.com/3f96zv4
- Joy and disappointment go hand in hand at the 10th meeting of the Conference of the Parties to the Convention on Biological Diversity. http://tinyurl.com/3h9hcvt
- Customary sustainable use of biodiversity by indigenous peoples and local communities: Examples, challenges, community initiatives and recommendations relating to CBD Article 10(c). http://tinyurl.com/3fmevz2
- Review of the implementation of Article 10(c): obstacles and ways forward. ECO 31(1). http://www.cbdalliance.org/sbstta-14/
- Disappointment over reluctance of SBSTTA-14 to accept link between land rights and sustainable use and over the treatment of ‘bush meat’ issues. http://tinyurl.com/67k9rh4

**Coming up in 2011:**
- Workshop on human rights, gender and biodiversity issues for FPP partners in Guna Yala, Panama
- Promote a more prominent role for customary sustainable use in the CBD’s work programmes
- Continue to promote indigenous and local community rights at the Convention on Biological Diversity’s technical bodies and working groups
- Continue with community capacity building on biodiversity and rights including FPIC, climate change and REDD
- Expand community-based research, mapping, biodiversity surveying and monitoring, and community-based management and conservation and sustainable livelihood activities (including territorial management plans)
- Continue the promotion and transfer of traditional knowledge
- Support participants to partner in revising and updating National Biodiversity Strategies and Action Plans in their respective countries (as called for by COP10)
Staff capacity building

FPP is committed to the training and capacity building of our staff. In 2010 we arranged Spanish language classes and an internal training in Excel for our administrative staff, and we supported one of our lawyers to participate in various training sessions on international human rights.

Our finance staff undertook training in EC reporting requirements, employment law and also in giving financial training to partners. We then provided financial training for one of our partners in Guyana.

We also trialled an exchange visit where administrative staff from partner organisations came together at the FPP office to meet our staff and gain a better understanding of how we plan and organise things here, and to share their experiences of administrative work in the field. This exchange of ideas was very valuable for everyone involved, and we hope to repeat it in the future.

Administrative interns Asaph Muhimbise and Vinna Mulianti with FPP Volunteer Alancay Morales Garro, at FPP’s office. Photo: Fiona Cottrell

Staff

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<td>Emil Kleden</td>
<td>Field Officer, Indonesia</td>
</tr>
<tr>
<td>Fergus MacKay</td>
<td>Senior Counsel, Legal and Human Rights Programme</td>
</tr>
<tr>
<td>Francesco Martone</td>
<td>Policy Advisor, Responsible Finance Programme</td>
</tr>
<tr>
<td>John Nelson</td>
<td>Policy Officer, Africa</td>
</tr>
<tr>
<td>Julia Overton</td>
<td>Administrative Officer</td>
</tr>
<tr>
<td>Sarah Roberts</td>
<td>Finance Officer</td>
</tr>
<tr>
<td>Helen Tugendhat</td>
<td>Policy Advisor, Legal and Human Rights Programme &amp; Responsible Finance Programme</td>
</tr>
<tr>
<td>Messe Venant</td>
<td>Field Officer, Cameroon</td>
</tr>
<tr>
<td>Rebecca Whitby</td>
<td>Administrative Assistant</td>
</tr>
<tr>
<td>Penninah Zaninka</td>
<td>Project Officer, Uganda</td>
</tr>
</tbody>
</table>

Finance

<table>
<thead>
<tr>
<th>Category</th>
<th>Income</th>
<th>Expenditure</th>
</tr>
</thead>
<tbody>
<tr>
<td>O/B</td>
<td>£736,120</td>
<td>£1,785,859</td>
</tr>
<tr>
<td>Income</td>
<td>£1,593,226</td>
<td></td>
</tr>
<tr>
<td>Grants</td>
<td>98.2%</td>
<td>Staff costs 37.1%</td>
</tr>
<tr>
<td>Donations</td>
<td>1.4%</td>
<td>Field projects 45.3%</td>
</tr>
<tr>
<td>Bank Interest</td>
<td>0.1%</td>
<td>Travel/M&amp;E 9.8%</td>
</tr>
<tr>
<td>Other Income</td>
<td>0.3%</td>
<td>Administration 3.9%</td>
</tr>
<tr>
<td>Expenditure</td>
<td></td>
<td>Documentation 2.3%</td>
</tr>
<tr>
<td>IT/Equipment</td>
<td></td>
<td>IT/Equipment 1.0%</td>
</tr>
<tr>
<td>Communications</td>
<td></td>
<td>Communications 0.6%</td>
</tr>
</tbody>
</table>

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Alancay Morales Garro, Sue Richards, Victoria Schmeda Theoduloz, Rebecca Small, Saskia Woodd and Tracy Wright

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Ford Foundation Indonesia
Ford Foundation Eastern Africa
Grundtvig National Agency
Network for Social Change
NORAD
North South Institute
Oxfam Novib
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Report written, designed and produced by Dorothy Jackson

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