

16 June 2016

The Green Climate Fund Board  
Songdo, South Korea

Distinguished Board Members,

We take the liberty of writing to you to solicit your views and action on matters that we deem of crucial relevance in order to ensure that the Green Climate Fund effectively delivers its expected transformative impacts in supporting adaptation and mitigation action.

In particular, we wish to call your attention to the urgent need for the Fund to develop and adopt an Indigenous Peoples' Policy in line with the highest internationally-recognized norms and standards such as the UN Declaration on the Rights of Indigenous Peoples (UNDRIP).

The reasons for this urgent call are various and have to do with the need to ensure alignment and consistency of the Green Climate Fund activities and operations with the vision, purpose and goals of the Paris Agreement.

Furthermore, such a step would be required in order to position the Fund in the highest level of environmental, social and human rights standards as regards climate finance, while enabling the Fund to deliver high quality and high impact results.

As a matter of fact, and as you will also discuss in the upcoming Board meeting to be held in Songdo this June, the Fund will have to strive to ensure consistency with and support to the Paris Agreement outcomes and related actions.<sup>1</sup> As one of the key financing mechanisms, the Fund is called on to guarantee that its actions are consistent both with the country ownership and the overall goal of limiting temperature increase and trigger robust mitigation and adaptation efforts.

As far as the Paris Agreement is concerned, there are some key elements that have to do with indigenous peoples and that the Fund will have to take into due account in the design, planning and implementation of projects and programmes. The Paris Agreement explicitly refers to the need to ensure the respect of the rights of indigenous peoples in any climate change-related activity and acknowledges the potential contribution and the need to strengthen indigenous peoples' traditional knowledge in climate change mitigation and adaptation.<sup>2</sup>

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<sup>1</sup> "The GCF and the Paris Agreement," GCF B13\_06.

<sup>2</sup> Decision 1/CP.21 Adoption of Paris Agreement - Preamble: "Acknowledging that climate change is a common concern of humankind, Parties should, when taking action to address climate change, respect, promote and consider their respective obligations on human rights (...) the rights of indigenous peoples..." art 7 para 5. "Parties acknowledge that adaptation should (...) be based on and guided by best available science, and, as appropriate, traditional knowledge of indigenous peoples and local knowledge systems; art. 135 "recognizes the need to strengthen knowledge, technologies, practices and efforts of local communities and indigenous peoples related to addressing and responding to climate change".

It should also be stressed that the summary for policymakers in the contribution of Working Group II to the Fifth Assessment Report (AR5) of the Intergovernmental Panel on Climate Change (IPCC), Climate Change 2014: Impacts, Adaptation, and Vulnerability, noted that *“Indigenous, local, and traditional knowledge systems and practices, including indigenous peoples’ holistic view of community and environment, are a major resource for adapting to climate change, but these have not been used consistently in existing adaptation efforts. Integrating such forms of knowledge with existing practices increases the effectiveness of adaptation.”*<sup>3</sup>

The positive contribution of indigenous peoples’ traditional knowledge in adaptation should be clearly acknowledged by the GCF when developing its Adaptation Planning processes, building up on current best practices and approaches.<sup>4</sup> We therefore call on the Board to ensure that explicit reference to the role and contribution of indigenous peoples’ traditional knowledge is made in the document on Adaptation Planning Processes that will be discussed and adopted at B.13.<sup>5</sup>

Hence, positive action by the Fund to integrate and support indigenous peoples’ traditional knowledge in adaptation can indeed contribute to effectiveness of adaptation efforts.

In this context, we are concerned that the Fund’s interim Performance Standards – those sections related, for instance, to indigenous peoples and to land acquisition – do not offer an adequate system of safeguards. While limited in their scope, and even lower than internationally-recognized standards, as in the case of Free, Prior and Informed Consent (FPIC), these do not even consider the issue of traditional knowledge and the modalities and criteria according to which traditional knowledge can positively contribute to adaptation and mitigation.

Furthermore, the experience we have had with the Fund this far hints to the need to develop and adopt a specific consultation policy for indigenous peoples. All these elements would then form part of a free-standing Indigenous Peoples’ Policy.

We would also wish to stress the fact that an effective system of safeguards and an Indigenous Peoples’ Policy should not be considered as a hurdle, but rather as an enabler for positive and effective outcomes of GCF activities. Take, for example, the recognized positive link between the recognition of indigenous peoples’ rights to land, territories and resources and the effective and economically viable conservation of forests and resulting mitigation action. Scientific data and evidence show that securing land rights is key to the survival of indigenous peoples and, at the same time, for sustainable reduction of emissions and, hence, climate

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<sup>3</sup> <http://unfccc.int/resource/docs/2014/sbsta/eng/inf11.pdf>.

<sup>4</sup> For an example of how indigenous peoples’ traditional knowledge can be integrated in adaptation planning, please see: “Weathering uncertainty. Traditional Knowledge for Climate Change assessment and adaptation”: UNESCO, UNU, 2012 <http://unesdoc.unesco.org/images/0021/002166/216613E.pdf>; see also Conference proceedings of UNESCO Conference “Resilience in a time of uncertainty: indigenous peoples and climate change”, 26-27 November 2015, an international conference contributing to COP21 Conference, <http://indigenous2015.org/>.

<sup>5</sup> [http://www.greenclimate.fund/documents/20182/226888/GCF\\_B.13\\_05\\_-\\_Adaptation\\_planning\\_processes.pdf/8833fcb7-d30a-4cb2-ad44-4051b8ec0256?version=1.0](http://www.greenclimate.fund/documents/20182/226888/GCF_B.13_05_-_Adaptation_planning_processes.pdf/8833fcb7-d30a-4cb2-ad44-4051b8ec0256?version=1.0)

change mitigation. For instance, a study carried out by the Rights and Resources Initiative and World Resources Institute on 130 cases in 14 countries shows that forests managed by communities register less deforestation and store more carbon than other forests.<sup>6</sup>

Furthermore, such link is explicitly recognized, among others, in the Forest Investment Facility Results Framework that includes indicators on the extension of forest areas under customary tenure and indigenous peoples' traditional rights.<sup>7</sup> The Carbon Fund Methodological Framework also recognizes the importance of land tenure and land rights of indigenous peoples and local communities as a crucial prerequisite for effective and sustainable emission reduction.<sup>8</sup>

The need for the Fund to take the operational implications of the positive contribution of indigenous peoples' traditional knowledge in mitigation and adaptation actions in forests is even more compelling when considering that four of the key GCF deliverables for this year are directly or indirectly pertinent. In B.14, the Board intends to finalize the "operationalization of results-based payments for forestry-related activities," while in B.15 it will finalize "alternative policy approaches such as joint mitigation and adaptation approaches for the integral and sustainable management of forests" and "mobilization of private-sector finance in order to progress GCF forestry-related results areas." One thing that strikes the eye here is the continued use of the term forestry rather than forests, implying only an approach to forest management that risks excluding non-use values.

Pending the definition and adoption of a comprehensive Indigenous Peoples' Policy, an initial step towards the right direction, at least as regards the linkage between land rights, forest conservation/management and beneficial mitigation impacts, can be for the Board to support the adoption of a specific indicator on indigenous peoples in the criterion 9 of the GCF Performance Indicators that would explicitly recognize the relevance of recognized tenure and territorial rights, including customary land rights of indigenous peoples and local communities.<sup>9</sup>

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<sup>6</sup> See also WRI: "Securing rights, combating climate change" July 2014 <http://www.wri.org/securingrights>

RRI-Tebtebba: "Recognizing indigenous and community rights, priority steps to advance development and mitigate climate change," September 2014

<http://www.rightsandresources.org/wp-content/uploads/Policy-Brief-RRI-Tebtebba-Securing-Indigenous-and-Community-Lands.pdf>;

Oxfam, RRI et al. "Common ground. Securing land rights, safeguarding the Earth"; March 2016 [https://www.oxfam.org/sites/www.oxfam.org/files/file\\_attachments/bp-common-ground-land-rights-020316-en\\_0.pdf](https://www.oxfam.org/sites/www.oxfam.org/files/file_attachments/bp-common-ground-land-rights-020316-en_0.pdf).

<sup>7</sup> [http://www.climateinvestmentfunds.org/cif/sites/climateinvestmentfunds.org/files/FIP\\_Results\\_Framework\\_final.pdf](http://www.climateinvestmentfunds.org/cif/sites/climateinvestmentfunds.org/files/FIP_Results_Framework_final.pdf)

<sup>8</sup> <https://www.forestcarbonpartnership.org/sites/fcp/files/2014/March/March/FCPF%20Carbon%20Fund%20Methodological%20Framework%20Final%20Dec%2020%202013.pdf>

<sup>9</sup> [4] a possible formulation of criterion 9 could be as follows: "Hectares of land or forests under sustainable management or improved management, **recognised tenure and territorial rights, including traditional rights of indigenous peoples and local communities**, leading to reduced GHG emissions and/or enhancement of carbon stocks." We take note of the proposed language contained in the relevant document for discussion at B13, according to which the criterion would include respect for social and environmental safeguards, and wish to reiterate that the linkage

In order for the Fund to maximize such a positive linkage and effectively enable indigenous peoples to contribute to the Fund's stated goals, effective and high-level safeguards need to be accompanied by a robust Indigenous Peoples' Policy that not only spell out the "preconditions," such as the recognition and respect of the rights to land, territories and resource, but also the positive actions and enablers to ensure that indigenous peoples' contribution by means of traditional knowledge and livelihoods, including upholding and advancing the status and rights of indigenous women, is fully respected and ensured.

While the **interim** safeguards, i.e., the IFC Performance Standards, do represent an, albeit limited as explained above, set of safeguards to possibly prevent harm, the GCF does not have any policy in place to "do good" as regards indigenous peoples' possible contribution to the Fund's stated goals and objectives.

We therefore would strongly urge you to agree on a process for the development and adoption of an Indigenous Peoples' Policy as matter of urgency, in such a way that indigenous peoples are fully engaged, and consulted. The key elements of a GCF Indigenous Peoples' Policy and an additional FPIC Protocol, have already been spelled out in a joint FPP-Tebtebba submission on the GCF Environmental and Social Management System (ESMS),<sup>10</sup> as well as in an Indigenous Peoples' Organizations' joint letter to the GCF Board in November 2015.<sup>11</sup>

Finally, we wish to express our concern at the Fund's intention to speed up the adoption of a policy or programme on Results-Based Payments (RBP) and REDD+, for the reasons explained above, and for the insufficient level of information and consultation with indigenous peoples thus far.

As to the substance of a future RBP policy for the GCF, we believe that the Cancun Agreement and relevant REDD+ safeguards might offer a good starting base to develop – as an important contribution to the development of a broader Indigenous Peoples' Policy – an initial safeguard framework for the planned GCF actions in Results-Based Payments. In some cases, the REDD+ Safeguards in the Cancun Agreement have been followed up by high-level operational guidance and principles that, while based on these, do in fact upgrade and align them to higher standards. This is the case, among others, with the REDD+ SES (Social and Environmental Standards) of the CCBA (Climate Community and Biodiversity Alliance)<sup>12</sup> or –

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between land rights and avoided deforestation needs to be clearly stated. In this sense we also invite the Board to make an explicit recommendation to the UK International Climate Initiative that would be tasked with the role of developing relevant methodologies.  
[http://www.greenclimate.fund/documents/20182/226888/GCF\\_B.13\\_26\\_-\\_Further\\_development\\_of\\_some\\_indicators\\_in\\_the\\_performance\\_measurement\\_frameworks.pdf/0ad22e10-703d-49ae-baad-eb87669d0223?version=1.1](http://www.greenclimate.fund/documents/20182/226888/GCF_B.13_26_-_Further_development_of_some_indicators_in_the_performance_measurement_frameworks.pdf/0ad22e10-703d-49ae-baad-eb87669d0223?version=1.1)

<sup>10</sup><http://www.forestpeoples.org/sites/fpp/files/news/2016/02/Indigenous%20Peoples'%20Submission%20to%20the%20GCF%20ESMS.pdf> ; the need for the Fund to adopt an Indigenous Peoples' Policy and an additional protocol on the proper interpretation, application and implementation of FPIC is also substantiated in the findings of a FPP-Tebtebba briefing on a GCF mitigation project in the Peruvian wetlands, published in December 2015  
[http://www.forestpeoples.org/sites/fpp/files/publication/2015/12/briefingpaper-fpic-ippolicy\\_0.pdf](http://www.forestpeoples.org/sites/fpp/files/publication/2015/12/briefingpaper-fpic-ippolicy_0.pdf)

<sup>11</sup> <http://www.forestpeoples.org/sites/fpp/files/news/2015/11/Letter-to-GCFBoard.pdf>

<sup>12</sup> <http://www.redd-standards.org/process-for-using-redd-ses>

as regards to the Free, Prior and Informed Consent and the engagement and participation of indigenous peoples in REDD+ – the UN-REDD Guidelines for Free, Prior Informed Consent,<sup>13</sup> the related “legal companion,”<sup>14</sup> and UN-REDD guidance on the engagement of indigenous peoples.<sup>15</sup> Furthermore, while developing its own RBP policy or guidance and related programming, the GCF should also recognize the importance of ensuring non-carbon benefits, such as biodiversity conservation, land tenure, governance, food security and ecosystems integrity, as further reiterated in the Paris Agreement. We would therefore be interested to know what process the Fund will put in place to ensure alignment of the interim Performance Standards with the Cancun REDD+ safeguards, and their higher level iterations, such as the UN-REDD guidelines and REDD+ SES of the CCBA, and how and when indigenous peoples, including indigenous women, will be formally consulted.

We look forward a constructive dialogue and a fruitful discussion on these and other crucial issues at the upcoming Board meeting in Songdo.

**Signatories:**

1. Tebtebba (Indigenous Peoples’ International Centre for Policy Research and Education), Philippines
2. Community Knowledge Support Association, Lao PDR
3. Silingang Dapit (SILDAP), South Eastern Mindanao, Philippines
4. Chirapaq, Centro de Culturas Indígenas del Perú, Peru
5. Maleya Foundation, Bangladesh
6. Sengwer Indigenous Peoples Programme - Kenya
7. Nepal Federation of Indigenous Nationalities, Nepal
8. Borromeo Motin, Romblon State University, Philippines
9. IP Working Group on REDD+ (IPWG-REDD+), Cambodia
10. Theodore Solang, IP advocate, Philippines
11. Rocky Valderrama, Bugkalot/Ilongot Confederation, Philippines
12. Nepal Indigenous Nationalities Preservation Association (NINPA), Nepal
13. Centre for Support of Indigenous Peoples of the North/ Russian Indigenous Training Centre, Russian Federation
14. Lelewal, Cameroon
15. Esther Camac, Asociacion IXACAVAA de Desarrollo e Informacion Indigena, Costa Rica
16. Abe Somalinog, Transparency International, Korea Chapter, South Korea
17. Third Word Network, Malaysia

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<sup>13</sup> <http://www.unclearn.org/sites/default/files/inventory/un-redd05.pdf> - these guidelines can be used as guidance for the benchmarking and implementation of the REDD+ Cancun safeguards, as well as the FPIC-related interim Performance Standard.

<sup>14</sup> [http://www.unredd.net/index.php?option=com\\_docman&Itemid=134&view=document&alias=8792-legal-companion-to-the-un-redd-programme-guidelines-on-fpic-8792&category\\_slug=legal-companion-to-fpic-guidelines-2655](http://www.unredd.net/index.php?option=com_docman&Itemid=134&view=document&alias=8792-legal-companion-to-the-un-redd-programme-guidelines-on-fpic-8792&category_slug=legal-companion-to-fpic-guidelines-2655)

<sup>15</sup> [http://www.unredd.org/Stakeholder Engagement/Guidelines On Stakeholder Engagement/tabid/55619/Default.aspx](http://www.unredd.org/Stakeholder%20Engagement/Guidelines%20On%20Stakeholder%20Engagement/tabid/55619/Default.aspx)

18. Friends of the Earth, Malaysia
19. Labour, Health and Human Rights Development Centre, Nigeria
20. Center for Indigenous Peoples' Research and Development, Nepal
21. Alliance of Community Cooperatives of Ethnic Groups in Northern Vietnam (ACCEV), Vietnam
22. The Heritage of Ogiek and Mother Earth, Kenya
23. Centre of Research & Development in Upland Area (CERDA), Vietnam
24. Nga Tirairaka o Ngati Hine, Aotearoa, New Zealand
25. Timuay Justice and Governance (TJG), Philippines
26. Center for Indigenist Development - Philippines (CIDev-Phil), Philippines
27. Teduray, Lambangian Youth and Student Association (TLYSA), Philippines
28. Forest Peoples' Programme, UK
29. Institut Dayakologi, Indonesia
30. Vladislav Tannagashev, Shor Society of Kazas Revival, Russia
31. Youth Federation of Indigenous Nationalities Nepal (YFIN), Nepal
32. Centro para la Autonomía y Desarrollo de los Pueblos Indígenas (CADPI), Nicaragua
33. Indigenous Environmental Network (IEN), US
34. Saami Council and Sapmi, Norway
35. Indigenous Film Archive (IFA), Nepal
36. Aleli B. Bawgan, University of the Philippines
37. National Indigenous Women Forum (NIWF), Nepal
38. International Working Group on Indigenous Affairs (IWGIA), Denmark
39. Asia Indigenous Peoples' Pact (AIPP), Thailand
40. Peoples' Development Institute (PDI), Philippines