



400 Corporate Pointe Culver City, CA 90230 | 800.726.8462 | www.antiochla.edu

July 27, 2011

Mary Nichols, Chairperson
James Goldstene, Executive Officer
California Air Resources Board
1001 "I" Street
P.O. Box 2815
Sacramento, CA 95812

Via email: mnichols@arb.ca.gov, jgoldstene@arb.ca.gov

Re: Diana Pei Wu, PhD, comments on 2011 Scoping Plan Functional Equivalent Document – REDD causes human rights abuses and exacerbates deforestation and greenhouse gas emissions in toxic hot spots in the U.S. and internationally.

Dear Chairperson Nichols, and Mr. Goldstene,

I offer the following comments on the alternatives in the AB32 Scoping Plan, in the hope of reaching a new accord on this opportunity to stop disastrous climate change and eliminate California's fossil-fueled smog and toxic emissions.

My name is Diana Pei Wu, and I am a Professor of Urban Communities and Environment at Antioch University Los Angeles. I received my PhD from the University of California, Berkeley in Environmental Science, Policy & Management in 2006. During that time period, I worked and studied themes as diverse as environmental racism, international community development and conservation, human rights, and forestry. I also have an M.A. in Ecology and Evolutionary Biology from Princeton University and, before becoming a social scientist, had worked as a tropical ecosystem field ecologist for nearly a decade in places as diverse as Hawaii, Costa Rica, Panama, Cameroon, Malaysia, Kosrae, Brasil, Western Samoa and Kenya.

Below I outline the great and continuing failures of market-based pollution programs, in particular, the program being proposed as REDD – Reducing Emissions from Deforestation and forest Degradation. Although all governments and most mainstream conservation groups claim that no official REDD projects exist yet, there are dozens, if not hundreds, of so-call "REDD readiness" programs already in existence, and the already existing findings should prove to you that the observed problems with these programs are indeed structural by nature, and unable to be remediated or "safeguarded" without great cost to human and ecological well-being.

In particular, there cannot be any substitute for cleaning up our own state's pollution right here, which is foremost a severe burden on communities of color, and which threatens all Californians and the planet with climate change, health and economic impacts. Attempting to "fix" Cap and Trade cannot work, causes delays we cannot afford, and fails to take responsibility for our own pollution. Virtually all of industrial reductions are left to cap and trade.

Since ARB certified the FED in 2009, new information has become available that should be considered in evaluating alternatives to Cap and Trade for the AB32 Scoping Plan, the road map to meeting our GHG reduction goal of 1990 levels by 2020 and achieving other goals in AB 32, and other crucial information was never evaluated. Among other things, this information further demonstrates that Cap and Trade fails to meet pollution reductions and can cause significant environmental harm to communities (inside and outside California). We urge CARB to take a serious look at alternatives, including direct regulations that can achieve big greenhouse gas and co-pollutant reductions and avoid significant negative impacts of Cap and Trade. So far the regulatory process has clearly ignored real alternatives to Cap and Trade. These issues are summarized below, and detailed in this letter.

REDD Basics

REDD stands for “Reducing Emissions from Deforestation and forest Degradation” and is currently being negotiated within the United Nations Framework Convention on Climate Change. Although no final agreements have yet been reached on REDD, there are dozens of so-called “REDD Readiness” projects already on the ground, which provide illustrative examples of the potential successes and structural problems of the program.

According to its backers, REDD and REDD+ hold out the enticing prospect of mitigating climate change, conserving threatened biodiversity, and bringing much-needed development finance to poor Indigenous Peoples and local forest-dwelling communities – while simultaneously offering significant profits to investors.

According to the Global Canopy Program,¹ “The idea behind REDD is simple: Countries that are willing and able to reduce emissions from deforestation should be financially compensated for doing so.”

However, Australian scientist Peter Wood argues “there are a number of fundamental issues that remain unresolved that hang in the balance, including environmental, social and governance safeguards, monitoring reporting and verification of safeguards, and the inclusion of logging in natural forests.”²

Likewise, civil society groups, particularly those representing constituencies of climate justice, indigenous peoples, youth and women, warn that REDD and REDD+ will benefit timber, oil and gas companies, create perverse incentives to increase deforestation, and exacerbate already-existing toxic hotspots in the Global North.

In addition, they argue that even before it formally exists, just the idea and promise of REDD has already created the conditions for a global land grab, and that REDD-readiness projects have already displaced indigenous and forest-dependent communities from their ancestral lands or severely curtailed their abilities to practice traditional customs on those lands, failed to meet minimal requirements for Free, Prior and Informed Consent, and has in some cases failed to reduce overall deforestation.

The UNFCCC differentiates between REDD and REDD+ by saying that Reducing Emissions from Deforestation and Forest Degradation (REDD) is an effort to create a financial value for the carbon stored

¹ Global Canopy Foundation. 2008. *The Little REDD Book: A guide to governmental and non-governmental proposals for reducing emissions from deforestation and degradation*. Oxford, UK: Global Canopy Programme.

² Wood, Peter. 2010. “REDD+: Reducing the Risk.” *Outreach: a multi-stakeholder magazine on climate change and sustainable development*. Day 6. <http://www.stakeholderforum.org/sf/outreach/index.php/day6-item1> (Accessed July 10, 2011).

in forests, while “REDD+” goes beyond deforestation and forest degradation, and includes the role of conservation, sustainable management of forests and enhancement of forest carbon stocks. The UN-REDD program claims that REDD+ will fulfill the requirements of full engagement and respect for the rights of Indigenous Peoples and other forest-dependent communities.³

REDD became a major flashpoint of civil society actions and debate inside and outside the UNFCCC 16th Conference of the Parties (COP16) in 2011, in Cancún, Mexico. It is anticipated that this will happen again as the 2012 17th Conference of the Parties (COP17) approaches, to be held in Durban, South Africa.

Key Programs and Players

REDD projects are being piloted in many countries under the auspices of the United Nations REDD Program, the World Bank Forest Carbon Partnership Facility, the U.S. Agency for International Development, and other global bodies.⁴ There are also bilateral pilot programs⁵ such as the Kalimantan Forests and Climate Project, between Indonesia and Australia, and some voluntary market programs that involve some conservation NGOs such as World Wildlife Fund and Conservation International.⁶ Norway is the largest funder of the UN-REDD program.⁷

In addition, journalist Jeff Conant reports in *Z Magazine* (July/August 2011) that at least one subnational governmental level REDD readiness initiative was unveiled at COP16 in 2010 between the state of California in the United States, and the state of Chiapas in Mexico.

Critiques of REDD and REDD+ projects and policies

According to Friends of the Earth International, Carbon Trade Watch,⁸ REDD-Monitor, the Indigenous Environmental Network, the Global Justice Ecology Project⁹ and hundreds of other civil society organizations representing environmental, indigenous peoples, women^{10,11,12} and youth constituencies, although REDD may benefit some communities and biodiversity in certain specific areas, overall it is emerging as a mechanism that has the potential to exacerbate inequality, reaping profits for corporate and other large investors while bringing considerably fewer benefits - or even serious disadvantages - to Indigenous Peoples and other forest-dependent communities. In addition, if governments focus on REDD

³ UN-REDD Program. Homepage. <http://www.un-redd.org/> (Accessed July 8, 2011)

⁴ UNFCCC. “REDD Web Platform.” http://unfccc.int/methods_science/redd/items/4531.php (Accessed July 1, 2011)

⁵ UNFCCC. “Demonstration Activities.” http://unfccc.int/methods_science/redd/demonstration_activities/items/4536.php (Accessed July 1, 2011)

⁶ Carbon Trade Watch, 2011. *Some Key REDD+ Players*. July 2011. 6 pp.

⁷ Angelsen, Arild, Sandra Brown, Cyril Loisel, Leo Peskett, Charlotte Streck and Daniel Zarin. 2009. *Reducing Emissions from Deforestation and forest Degradation (REDD): An Options Assessment Report*. Prepared for the Government of Norway. Norway: Meridian Institute and REDD-OAR.

⁸ Carbon Trade Watch and Indigenous Environmental Network. 2010. *No REDD!: A Reader*. (Released Monday, December 6, 2010).

⁹ Carbon Trade Watch, Global Justice Ecology Project and Indigenous Environmental Network. 2011. *Key Arguments Against Reducing Emissions from Deforestation and Degradation (REDD+)*. June 2011. 3pp.

¹⁰ GenderCC Women for Climate Justice. 2010. “Gender in the Climate Money Grail.” *Outreach: a multi-stakeholder magazine on climate change and sustainable development*. Day 6.

<http://www.stakeholderforum.org/sf/outreach/index.php/day6-item3> (Accessed July 10, 2011).

¹¹ World Rainforest Movement. *REDD and Gender Impacts*. November 2010.

¹² Wu, Diana P., Aurora Conley and Ana Filippini. 2010. “Women and REDD.” *Outreach: a multi-stakeholder magazine on climate change and sustainable development*. Day 6. <http://www.stakeholderforum.org/sf/outreach/index.php/day6-item8> (Accessed July 10, 2011)

in isolation, it could become a dangerous and ineffective distraction from the business of implementing real and effective policies for climate change mitigation and adaptation.

An emerging literature in political science, sociology and international development studies also shows the emergence of a global land grab¹³ in relationship to global land governance questions, with REDD and other market based initiatives such as payment for ecosystem services (PES) as some of the key drivers of this global land grab, and uncertainty in indigenous people or other national minority groups' land tenure and traditional rights a major factor in vulnerability to displacement.¹⁴

Civil society organizations such as Friends of the Earth International¹⁵ conclude that “large transnational corporations, especially those involved in the energy sector or energy-intensive industries, are rapidly honing in on REDD because it offers them – perhaps more than any other participant – a true ‘win-win’ opportunity. Through REDD these corporations recast themselves as climate change champions even as they continue, or even expand, operations to extract fossil fuels and other pollution-intensive activities. At the same time they stand to profit from REDD, at the level of hundreds of millions of dollars.”

In many countries there is also ongoing uncertainty about land tenure and carbon rights, and in some it seems that REDD is muddying these particular waters even further. Case studies from Ecuador¹⁶ and Chiapas¹⁷ also demonstrate that areas with conflict or uncertainty over indigenous peoples' land tenure, in conjunction with government or state-sponsored interests in income-generation, provide ample opportunity for these projects to exacerbate human rights abuses. Conant¹⁸ documented that the community of Amador Hernandez in the Lacandon region of Chiapas had their health services cut off in early 2011, most likely in preparation for “REDD Readiness.” REDD is being championed as a source of revenue both by the Chiapas state government and the Mexican national government.

Previous studies demonstrated the eviction of Ogiek peoples from their lands in Kenya in anticipation of a REDD-readiness project and research conducted or reported by Rebecca Sommer and Chris Lang have demonstrated conservation NGOs or individual “carbon cowboys” attempting to convince or coerce indigenous communities to sign over traditional lands and rights without meeting the substantive standards of Free, Prior and Informed Consent in Brazil and Papua New Guinea.

There is also an emerging debate about whether REDD can really work at the project level. A 2011 consultation process with Southeast Asian groups¹⁹ demonstrated that in at least one pilot project, community members have yet to receive any revenues, although the project has been ongoing for about 5 years. A similar experience was expressed by members of a Tanzanian NGO at a US-government sponsored side event at COP 16. Also, most studies demonstrate that in and near pilot projects,

¹³ Zoomers, A. 2010. “Globalisation and the foreignisation of space: seven processes driving the current global land grab.” *Journal of Peasant Studies* 37(2):429-447.

¹⁴ Sutherland, W. et al. 2010. “A horizon scan of global conservation issues for 2010.” *Trends in Ecology and Evolution* 25(1): 1-7.

¹⁵ Friends of the Earth International. 2010. *redd: the realities in black and white*. The Netherlands: Friends of the Earth International. 28pp.

¹⁶ Carbon Trade Watch and Indigenous Environmental Network. 2010. *No REDD!: A Reader*. (Released Monday, December 6, 2010).

¹⁷ Conant, Jeff, with photographs by Orin Langelle. 2011. “Turning the Lacandon Jungle to the Carbon Market.” *Z Magazine* July/August 2011: 76-80.

¹⁸ Conant, Jeff, with photographs by Orin Langelle. 2011. “Turning the Lacandon Jungle to the Carbon Market.” *Z Magazine* July/August 2011: 76-80.

¹⁹ Thai Climate Justice, Philippine Movement for Climate Justice, Towards Ecological Recovery and Regional Alliance and Focus on the Global South. 2011. *REDD in South East Asia: a Political Economy Perspective*. Bangkok: Focus on the Global South. 22 pp.

deforestation has not actually decreased – for instance, in the case of the Kuna and Emberá territories in the Darién region of Panamá.

Current research on carbon markets demonstrate that the current trading price of carbon is below that of potential profits from deforestation or replacement by monocrop forest plantations of Eucalyptus, acacia or oil palm. That is to say, given that the largest culprits of global deforestation are larger timber and forestry companies, plantation forestry, industrial agro or biofuels and exploration for fossil fuel extraction, the existing market prices are insufficient to prevent deforestation by market-driven and profit-seeking actors. This reality, if it continues, would undermine the market feasibility of any carbon trading or offset mechanism, including REDD, to avoid deforestation.

Civil society organizations offer the following alternative vision to a market-based solution to deforestation:

“If governments are to succeed in mitigating climate change by addressing deforestation, they must agree to an equitable mechanism that actually aims to stop deforestation. This will require reducing demand for agricultural and timber products, and addressing other underlying causes of deforestation. Such a mechanism should reward those that have already conserved their forests. It should build on the experiences of Indigenous Peoples and communities around the world, who already know how to manage and benefit from forests sustainably.”

I strongly urge you to explore real alternatives to cap-and-trade and come to the reasonable conclusion that these mechanisms harm communities and livelihoods for Californians, and our families and communities in other parts of the world. California must not take on the position of exacerbating or causing human rights abuses in other parts of the world. The ecological, ethical and economic fallout of those violations reverberate deeply throughout the global world system. Please feel free to contact me if you have any further questions of concerns. I can be reached via email at dwu@antioch.edu, or by cell phone at 510-333-3889.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Diana Wu', with a stylized flourish at the end.

Diana Pei Wu, Ph.D.

Assistant Professor (Core Faculty), Antioch University Los Angeles