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19-8-19



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19 September 2019

The Indigenous Environmental Network (IEN) firmly opposes the Tropical Forest Standard. The Tropical Forest Standard (TFS) will be unable to protect tropical forests and reduce emissions. Therefore, the Indigenous Environmental Network recommends terminating the TFS and the Governors' Climate and Forest (GCF) Task Force.

Indigenous Peoples are frontline defenders against extractive development and climate change. Tropical forest offsets impact Indigenous peoples who have protected the living forests for thousands of years. Indigenous peoples have legally recognized rights to just ten percent of the world's land, yet safeguard eighty percent of the Earth's biodiversity, and control as much as sixty-five percent through customary, community-based tenure systems (World Bank 2019). The majority of the Earth's remaining forest and biodiversity is safeguarded by Indigenous peoples who have protected the forests and will continue to do so for thousands of years into the future, but only if colonialist programs, such as the TFS, do not interfere.

Empirical evidence demonstrates that since the World Bank and the United Nations Framework Convention on Climate Change (UNFCCC) launched its Reducing Emissions from Deforestation and forest Degradation (REDD+) program in 2007, communities have been negatively impacted (Cabello and Gilbertson 2012, Song 2019, Goldtooth 2020, Overbeek 2020). Some of the impacts include: loss of rights, loss of forest entry and use, deforestation, cultural degradation, land grabbing and armed dispossession.

Forest offset projects and programs sold on the voluntary carbon markets have exacerbated the problem by incentivising carbon brokers and third party land grabbers. The various land dispossession regimes are fueled by government led and imperial expropriation that represent predatory and feral capital (Harvey 2011). The TFS will increase land-grabbing and carbon brokering in often vulnerable communities. This is not a weak state argument that places the blame on governments in the global South for regulation failure. Rather, this is a fundamental flaw in the design of a forest offset plan like the Tropical Forest Standard that legitimates land grabbing and places the blame of deforestation on Indigenous and forest-dwelling communities. It is indeed global environmental racism.

The TFS will lay the groundwork to expand and link forest offset programs and projects

internationally. If the members of CARB were truly concerned with protecting forests, reducing emissions and ending white supremacy, the members would target the real drivers of deforestation such as logging corporations, agribusiness, oil, coal and gas corporations and other large-scale multinational corporations, many operating in California, responsible for both deforestation in the global South and historic pollution levels everywhere.

Therefore, to offer offset credits to California oil refineries and groups such as the *International Commercial Aviation Organization* is to favor, protect and uplift an industry that is responsible for climate change at the expense of Indigenous Peoples rights, their cultural and material livelihoods, and ecological health. It is quite the opposite of protecting tropical forests.

Further, forest offsets divide communities who are already living under incredible pressure from the industries that enact the root causes of climate change and are the drivers of deforestation. Community leaders continue to be persecuted at staggering rates when organizing to defend territories. Although, legally Indigenous Peoples and forest-dwelling communities must be fully informed and consulted on any proposed mechanisms that would impact their rights and territories. The California government was not able to uphold this in their own state, such as with the case of the Yurok. Yet, after years of following REDD at the international level, it is clear that no safeguard language can guarantee the rights of Indigenous Peoples or protect against the violations, intimidation, harassment and threats that Indigenous Peoples receive to sign-on to forest offset agreements.

Twenty-five percent of the murders of land and environment defenders recorded by Global Witness last year were Indigenous activists, though Indigenous peoples represent just five percent of the global population (Global Witness 2017). Some of our allies and friends in the global South are threatened because they oppose forest offsets and REDD. Perpetrators of violence are rarely brought to justice, and there is widespread impunity for those who commit violence against Indigenous peoples. In consultation with human rights attorneys, we do not believe that the state of California could stop these on-going human rights violations through Safeguard language or even recognizing consultation standards such as Free, Prior and Informed Consent (FPIC) because California does not have the power or authority to implement its will in another country, region or jurisdiction outside of the US.

With all due respect, we do not see that you as representatives of the state of California are prepared or have the capacity to deal with the level of backlash and violations that implementing a program like the Tropical Forest Standard will entail, especially given the fact that FPIC was not properly implemented in your own state.

Finally, there is strong evidence-based research demonstrating that the solution is to protect and recognize Indigenous rights because Indigenous and forest-dwelling communities continue to maintain intact forest ecosystems that curb climate change.

The Indigenous Environmental Network stands in solidarity with the people of color and poor communities living in California who are impacted by on-going emissions from its cap-and-trade program. We stand in solidarity with the communities living with increased asthma, a life-shortening illnesses because its government does not choose to take their health seriously.

As false solutions, forest carbon offsets implementation over the past decade and a half have proved to be ineffective in reducing pollution and addressing climate change. We must address the root causes of deforestation and the drivers of deforestation before it is too late. Climate justice demand it.

Therefore, I urge you to stand in opposition to the Tropical Forest Standard and dismantle the Governors' Climate and Forest Task Force.

Sincerely,
Tamra L Gilbertson
Indigenous Environmental Network

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