

REDD-plus schemes in El Salvador: Low profile, friendly fancy dresses and commodification of ecosystems and territories

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Summary

The Durban Platform and the Cancun Agreement adopted REDD-plus as an option for climate change mitigation, which was designed to offset emissions from developed countries by reducing emissions from the forestry sector in developing countries, even though the mechanism has serious inherent problems that make it ineffective for climate change mitigation, such as leakage, lack of additionality, temporality and complexities related to measurability. El Salvador has been involved in the issue of REDD-plus through its incorporation into the Forest Carbon Partnership Facility (FCPF) of the World Bank (WB), which was created to purchase and trade carbon credits directly in the carbon markets or through brokerage funds, such as the Forest Carbon Fund (FCF) to offset emissions from developed countries. Such an approach fosters the commodification of nature through the trading of carbon stored in ecosystems and territories from which indigenous, rural and peasant communities depend for survival. The adoption of REDD-plus in El Salvador would occur in a fashion disconnected from the strategic policy framework on climate change, and without the best technical, scientific and methodological knowledge or the social legitimacy required to ensure its political viability and effective implementation. The lack of such a framework and an appropriate environmental policy for addressing climate change effectively in the country, has led to the implementation of improvised and scattered actions, dissociated from the legal mandates and commitments under the international climate change treaties, as evidenced by the preparation without consultation by the Ministry of Environment and Natural Resources (MARN) of the proposal (R-PP) submitted to the FCPF for an eventual REDD-plus strategy, without a previous ex ante analysis of the potential social, economic, political and environmental implications and impacts at local, national and global levels. The proposal has fundamental misconceptions and scientific and technical failings which are insurmountable even under the lax FCPF's criteria, and which could be summarized in four substantive issues: the "Mitigation based on Adaptation" approach which does not consider climate change and lacks a scientific and methodologically sound basis to properly address adaptation; the weaknesses and gaps in the national strategic policy framework on climate change; the direct link to international trade mechanisms for offsetting emissions from developed countries; and the failure to establish an information system to monitor and report on the approach and compliance with the seven REDD-plus safeguards. These concerns explain why the REDD-plus proposal for the country would generate increased vulnerability, impacts and maladaptation to climate change, posing serious threats to environmental governance. The disrespect of the safeguards adopted in the multilateral process and the weakening of global efforts to mitigate climate change effectively, which would result from the eventual implementation of the proposed National Strategy for REDD-plus in the country, as has been drawn up by the MARN, legitimize its rejection and the demand to adopt the national strategic framework for comprehensive and effective approach to climate change.

Introduction

Global climate change generated by rising greenhouse gases (GHGs) emissions, is already causing major effects and impacts on the various earth's ecosystems and human societies, particularly in regions and countries with higher economic and environmental vulnerability, such as the small island states, Africa, Southeast Asia and Latin America. Unfortunately, commitments by developed countries under the United Nations Framework Convention on Climate Change (UNFCCC) to adopt an ambitious quantified emission reduction target, aggregated at the global level, have not been met, but turned into promises while quantified emission reduction commitments have been imposed upon developing countries. Commitments to financing and capacity building have become diffuse and funding is drying up, and technology transfer has been systematically relegated to the markets.

The Durban Platform adopted in late 2011⁴ takes up the Cancun Agreement⁵ under which options to mitigate climate change, that for many years had been seriously questioned and rejected due to their ineffectiveness and in light of the serious socioeconomic and environmental-related threats, were adopted. Such is the case of nuclear energy, biofuels, carbon capture and storage in geological formations and REDD-plus schemes. The latter have been designed to offset emissions in developed countries, by reducing emissions from deforestation and degradation of tropical forests in developing countries, promoting sustainable forest management and the conservation of forest carbon stocks. Furthermore, under the Durban Platform it was agreed to negotiate a new

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⁴ FCCC/CP/2011/9/Add.1. Decision 1/CP.17

⁵ FCCC/CP/2010/7/Add.1. Decision 1/CP.16

agreement in 2015 under the UNFCCC, which would enter into force in 2020. While leaving the Kyoto Protocol in the darkness—it was extended post-2012 with no goals, no term or duration—and also creating uncertainty and slowdown in carbon markets. The recent 75% crash in carbon prices made the €150-million carbon fund unviable as a financing mechanism which was to be activated post-2012 by the International Finance Corporation⁶ (IFC), which as a result was forced to announce its settlement.

REDD-plus promoters have favored the financing of such compensation schemes either through direct participation in the markets through the sale of carbon credits, or through brokerage funds as the Forest Carbon Partnership Facility⁷ (FCPF) under the World Bank (WB), and UN-REDD⁸, which were designed to facilitate and expand trade and allocation of carbon offset credits for developed countries to enable them to continue increasing their emissions. The FCPF was officially launched by the WB in 2007 as the main mechanism for promoting REDD-plus, with the explicit aim of promoting markets for forest carbon.

The context of multilateral negotiations and the current status of REDD-plus after Rio+20

The carbon offset schemes, which operate through payments for reducing emissions from deforestation and forest degradation and other activities such as sustainable forest management and the increase and conservation of forest carbon stocks, have faced widespread rejection from the dawn of the UNFCCC and the Kyoto Protocol. This rejection reflects four basic scientific-methodological problems that make these actions ineffective at mitigating climate change: displacement of emissions or leakage, lack of additionality, temporality or impermanence, and measurability-related problems. In addition there are socio-political, cultural, economic and environmental local impacts generated by the REDD-plus schemes, and a lack of sufficient institutional and technical capacity in developing countries to adopt the *best practices* that assure meaningful compliance with scientific standards and safeguards to prevent negative global and local impacts. A formal process was triggered seven years ago under the UNFCCC Subsidiary Body for Scientific and Technological Advice (SBSTA), to generate methodological guidance that would eventually allow countries to overcome such problems, which still remain for they are inherent in the concept of REDD-plus, to the extent that the SBSTA would continue its ongoing work at least until the end of 2013 and most likely until 2015⁹.

Developed countries have expressed a preference for compensation schemes for REDD-plus to fulfill their emissions reduction commitments, to be eventually negotiated by 2015. To this end, they have driven mechanisms that encourage developing countries to support these options, as in the case of the FCPF and UN-REDD, through the disbursement of funds aimed at an early stage to support the planning and development of national strategies for REDD-plus, which includes, inter alia, institutional capacity building for developing forest carbon inventories, design and implementation of monitoring, reporting and verification (MRV) systems and the establishment of reference emissions levels¹⁰. In a second phase it includes policy reforms and demonstration investments, and the third one includes performance-based carbon payments under different modalities (eg. contracts of direct carbon sales or through intermediaries funds) to compensate for developed country emissions. At the same time, these mechanisms have functioned somewhat coercively as platforms for policy leverage, inducing developing countries to exert pressure within the multilateral process to adopt the loose and flexible criteria proposed by the FCPF for REDD-plus, in exchange for the provision of financial resources for the initial phases. Such is the case of the seven safeguards for the design and implementation of REDD-plus strategies, which were adopted in Cancun but are not required of governments by the FCPF; as well as the mandatory “national approach” to these strategies as per the Cancun Agreement, which had to be finally adopted by the FCPF after its systematic refusal.

Most members of the Central American Integration System (SICA) have joined the FCPF and have submitted proposals (R-PP¹¹) to grant them funds for the design of their national strategies for REDD-plus. Such actions have been premature, since the REDD-plus schemes have been under negotiation directly connected with other issues on an integrated agenda which articulates, in a coherent manner, all issues relating to mitigation and adaptation to

⁶ A relevant World Bank partner that finances forest carbon credits

⁷ www.forestcarbonpartnership.org

⁸ www.onuredd.org

⁹ FCCC/SBSTA/2012/L.9/Rev.1, May 24, 2012

¹⁰ See 7 y 8

¹¹ Readiness Preparation Proposal is the project document for the readiness phase of the national strategy for REDD-plus under the FCPF

climate change. Despite differences in emphasis within the multilateral negotiation process, SICA governments converge in the essence of REDD-plus and endorsed its inclusion in the Cancun Agreement. Beyond the political declarations of principles¹² and despite the commitments adopted in Cancun and Durban, all Central American governments have rallied to the FCPF approaches, criteria and methodologies; and have adopted the utilitarian approach to climate change under different clothing to cover up the commodification of nature, as they are negotiating carbon, land and national and indigenous territories in exchange for offers of precarious and uncertain resources via carbon markets and intermediary forest carbon funds, such as the FCPF and the carbon fund recently settled by the IFC.

In Cancun, governments adopted the obligation for all developing countries to develop and implement nationally appropriate mitigation actions (NAMAs), which include, among others, the "land use, land use change and forestry" (LULUCF) sector, in which the eligible REDD-plus activities shall be accounted and reported, and therefore, these activities must undergo a process of International Assessment and Consultation and should be reported as part of the NAMAs in an International Register and accounted in the National GHG Inventories so that they can undergo an independent biannual international monitoring, reporting and verification (MRV), in order to mobilize external resources for implementation¹³. However, government's promoters and sponsors of REDD-plus continue, in an unsubstantiated manner, to press within the multilateral negotiations to exempt REDD-plus from the international monitoring system applicable for any mitigation action. In spite of the multiple governments and agencies involved this promotes laxity and maximum flexibility for REDD-plus activities. Moreover, it was established in Cancun that such activities shall be implemented within the framework of national strategies for REDD-plus, provided with robust national forest monitoring systems through an MRV system, to support public accountability on the observance of the seven mandatory safeguards, one of which seeks to ensure consistency with international agreements, other to look after an effective and transparent national forest governance under the rule of law and national sovereignty, other relates to the prevention of leakage and other to assure permanence, and three call for respect for indigenous rights as per international law, addressing biodiversity and natural forests.

Currently the REDD-plus mechanism has stagnated and it is weakening under the UNFCCC multilateral process, both as a result of methodological shortcomings and the lack of funding for implementation. The latter, has been exacerbated by the collapse of carbon prices and the reduction of trading volume in carbon markets, due to the absence of ambitious emission reduction targets. In the case of low prices of emission permits in the European carbon market for the first semester 2012, due to oversupply of such permits caused by economic slowdown¹⁴.

The Rio+20 Conference¹⁵ was to present the opportunity expected by the promoters and supporters of REDD-plus schemes to accelerate its implementation, to the extent that the United Nations Environment Programme (UNEP) executive director released a report prior to Rio+20 positioning REDD-plus as a catalyst for the green economy¹⁶, and the UNFCCC executive secretary stated that REDD-plus was to be the spiritual core of the global carbon business plan for the planet¹⁷. However, in the section on climate change of the official final document adopted at the Rio+20 Conference¹⁸, the issue of REDD-plus was not included, although the NAMAs-related obligations were highlighted, as well as financing through the Green Climate Fund (GCF); and the pending negotiation issues concerning differentiated commitments both in reducing emissions and financing, were referred to the UNFCCC and Kyoto Protocol multilateral process framework, safeguarding these processes and slowing the intended drive into bilateral or plurilateral processes to address this.

Early experiences of REDD-plus that have been implemented at multiple levels in different regions of the planet, through pilot projects, national and subnational programs under the framework of bilateral and plurilateral agreements, such as the FCPF and UN-REDD, have caused many negative impacts¹⁹, facilitating logging

¹² Aguilar, Y. Soto, F. 2010. Reducción de las emisiones por deforestación y degradación de bosques (REDD) y sus implicaciones para Mesoamérica. CABAL S.A. 28p

¹³ Aguilar, Y. Soto, F. 2011. Análisis crítico del Acuerdo de Cancún: resultados y retos para las sociedades humanas. Observatorio de la Sostenibilidad. Red Latinoamérica. 28p

¹⁴ Connie Hedegaard, Climate Commissioner for the European Union, meeting of the bloc's environment ministers, Luxemburg, June 11th 2012

¹⁵ Took place late June 2012 in Rio de Janeiro, in remembrance of the 20 years of the Conference on Environment and Development in 1994

¹⁶ REDD-plus and a Green Economy: Opportunities for a mutually supportive relationship. UN-REDD Policy Programme Brief, issue No 01, p.1

¹⁷ Statement during the Forest Day, December 4th 2011, under the 17th Conference of the Parties (CP.17) of the UNFCCC in Durban

¹⁸ A/CONF.216/L.1. The Future we want, Action and Monitoring Framework. June 19 2012. Pps. 40-41

¹⁹ REDD-Monitor: <http://www.redd-monitor.org/redd-in-the-news/>

operations in primary forests and displacement of local populations and indigenous peoples, on behalf of conservation and the increase of forest plantations. These initiatives are generating a growing discontent in different social actors and organizations, because of the prevalence of non-transparent and rigged consultation processes, as well as disrespect of international indigenous law and the non-observance of the seven safeguards adopted to implement REDD plus.

National and international legal framework for addressing REDD-plus in El Salvador

By adopting the Durban Platform and the Cancun Agreement, the Government of El Salvador has committed to develop and implement NAMAs and a National Adaptation Plan to Climate Change (NAP) under the criteria, mechanisms and methodological procedures arising from the UNFCCC through the SBSTA and the Ad-Hoc Working Group for Long-term Cooperative Action (AWG-LCA). The effective implementation of these commitments requires a robust national policy framework on climate change and the respective tools for its implementation (strategies, policies, plans, programs and projects), supported by the best available scientific, technical and methodological knowledge and socially legitimized to ensure their political viability and effective implementation. Only under a well defined policy framework on climate change and provided of a strategic framework and effective tools for implementation, such as the Strategy and the National Climate Change Plan, including NAMAs and the NAP, the Salvadoran society could evaluate appropriately the relevance of REDD-plus schemes as a measure to mitigate climate change. Although the government of El Salvador has said that the issue of climate change has a fundamental impact on the country's economic boost, because it is undermined by the adverse impacts of climate change on human settlements, agriculture, coastal and marines zones, social and economic infrastructure and diverse natural ecosystems, to date there is no a National Climate Change Plan, supported by a National Strategy to guide and define the most appropriate and effective measures for mitigation and adaptation to current and future climate change, and ensure mitigation is synergistically subordinated to adaptation to prevent increased vulnerability and climate maladaptation.

The Salvadoran government should prepare the National Climate Change Plan as per the UNFCCC commitments, the Cancun Agreement and the Durban Platform, on the basis of the principles and criteria established and negotiated for this purpose. Also, the Environment Law²⁰ provides that the MARN should develop and coordinate the National Climate Change Plan to facilitate compliance with international commitments ratified by El Salvador. Although in 2007 the funding was obtained²¹ for the development of any consultation processes, including planning and interagency and intersectorial coordination, as well as the preparation of studies and proposals of measures for the formulation of the National Climate Change Plan: after five years the MARN has failed to comply with this legal mandate. In this regard, the current highest official of MARN has publicly²² stated that the National Climate Change Plan would be gradually articulated by endogenous institutional processes to tackle climate change without deadlines and at the speed and applying methodological approach of their convenience, thus avoiding compliance with international commitments and legal mandates emanating from the rule of law.

The new National Environment Policy (NEP)²³ recently developed by the MARN and approved by the Council of Ministers²⁴, does not incorporate the legal mandate nor the international commitments of having a National Climate Change Plan that integrates the NAMAs synergistically subordinated to the NAP, and articulates those instruments through research, development and transfer of technology, capacity building, education, awareness raising, social participation and funding. The NEP does not raise in an exhaustive manner the evidence of climate change in El Salvador, and attributes climate threat and impacts to “climate variability”.

It should be noted that the NEP includes an outline of the components and actions that would be included in the NAP, which has not been framed or linked to national and international legal mandates, or criteria and scientific-technical and methodological guidance officially adopted by the Salvadoran government, which have been issued

²⁰ Article 47 (c) of the Environmental Law, published on Official Journal No. 79, May 4th, 1998.

²¹ In 2007, the GEF approved a donation in the amount of U.S. \$ 405,000 to prepare the Second National Communication on Climate Change, which included the development of the National Climate Change Plan

²² During the Dialogue "Dialogue on the prospects for Rio+20" organized by the Friedrich Ebert Foundation and the CESTA in June 12th and during the Forum "Climate Change and its effects on the environment in El Salvador" organized by the University General Assembly of El Salvador in June 27th

²³ <http://www.marn.gob.sv>

²⁴ On May 30th 2012

by the Nairobi Work Programme on Vulnerability, Impacts and Adaptation, by the Adaptation Work Programme, which together with the Adaptation Framework and the Adaptation Committee were adopted in Cancun, and by the Intergovernmental Panel on Climate Change's (IPCC) Fourth Assessment Report (AR4) accepted by governments under the UNFCCC multilateral process in 2007²⁵. The NEP does not define the strategic objectives towards which the NAP is guided nor the conceptual framework and scientific-technical criteria supporting their components, which have been identified without the assessments on the manifestations and current and future impacts of change climate in the various human and natural systems of El Salvador. The lack of support of the NAP does not ensure the required coherence and consistency between such components and the strategic objectives of a National Strategy and Plan on Climate Change, which should have been previously defined and supported by the best available scientific knowledge emanating from the multilateral process.

These components are a miscellanea of unconnected aspects related to different categories and levels of planning, such as policy implementation tools, components, themes and sectors. The preliminary nature of the NAP does not justify the absence of scientific-technical support or non-adoption of the best practices for planning, as have been agreed in the UNFCCC multilateral process; which is a serious shortcoming for the country, as compliance with the conceptual and methodological guidelines officially adopted for adaptation are essential to ensure proper adaptation and country eligibility in the mobilization of financial and technical resources for adaptation to climate change.

It should be noted that the NEP refers to the MARN's Landscape and Ecosystem Restoration Program (PREP) as a key tool for the design and implementation of the NAP, and omitted to refer to and highlight that the PREP had been prematurely raised by the MARN as a core tool for the eventual implementation of the proposed National Strategy on REDD-plus. Efforts and institutional resources have been focused by that MARN on the REDD-plus schemes, reflecting the priority given to policy instruments of far lower hierarchy versus the urgent need for development of the National Environmental Strategy (NES) and its Action Plan, the National Strategy and Plan on Climate Change, the NAP and the NAMAs. The MARN has focused on the management of the National Strategy for REDD-plus, which is nothing more than an instrument to reduce GHG emissions at the subsectoral level and should be addressed in the context of the NAMAs; and it would be detrimental to the policy instruments that define the national strategic framework on climate change. In this regard, the most outstanding examples are the expansion of the biofuels' production and the REDD-plus schemes, which could lead to increased vulnerability and maladaptation when implemented outside the NAP and the NAMAs framework.

The lack of an enabling policy environment appropriate for addressing climate change in the country, coupled with the lack of a specific strategic framework on climate change, have enabled the MARN take political positions and implement improvised, scattered and isolated actions without social legitimacy and unrelated to the legal mandates and commitments under international treaties on climate change. As evidenced by the unconsulted incorporation of the country to the FCPF's REDD-plus mechanism by the MARN, without prior in-depth analysis on the possible implications and social, economic, political and environmental impacts, locally as well as nationally and globally.

In the NEP, the MARN states that it is necessary to mobilize financial resources for the NAP implementation, without referring to the grant funding already available in the Adaptation Fund, the GEF²⁶ and the Special Climate Change Fund (SCCF), or the resources offered in the Cancun Agreement under the Green Climate Fund (GCF), and raises in a clearly visible way the premise "to prevent loans." This contrasts with the ratification by the legislative assembly during the first half of 2012, the International Development Bank (IDB) loan entitled "Comprehensive Programme on Fiscal Sustainability and Adaptation to Climate Change in El Salvador" for US\$ 200 million²⁷; despite the MARN not using the available grant funds allocated for El Salvador in the GEF²⁸, which have been frozen, immobilized or made available to implementing agencies since 2009²⁹, and despite the actual financial needs for the NAP design and implementation. At the same time, the MARN has missed the "direct access" modality to obtain resources from the Adaptation Fund, reducing the availability of funds for the State with

²⁵ The decision 5/CP.13, p. 30 of the 13th Conference of the Parties to the UNFCCC in Bali, Indonesia: FCCC/CP/2007/6/Add.1

²⁶ The Global Environment Facility is the financial mechanism of the UNFCCC

²⁷ IDB loan, ES-L1071

²⁸ STAR-5: http://www.thegef.org/gef/STAR/country_allocations

²⁹ Project entitled "Adaptation to climate change to reduce land degradation in fragile micro-watersheds locate in Textistepeque and Candelaria de la Frontera municipalities", submitted by the FAO bureau in El Salvador to the GEF through the Multi-focal Area for US \$1.7 million

the payment of fees of at least 10% of the amount awarded, as is the case with the US\$ 5.4 million project approval to an implementing agency³⁰.

The irruption of REDD-plus schemes in El Salvador: institutional chaos and misguided policies

The MARN has ventured into REDD-plus adopting a two-track policy, with a low profile at the national level and a high profile within the institution, the latter with an upward trend since June 2011. Within the institutional agenda, the issue of REDD-plus has been taking a central role to the extent that institutional financial and technical resources and human efforts have been diverted and focused to advance to the rapid incorporation of the country into the REDD-plus mechanism via the FCPF. The rationale behind this dual handling is explained by the discontent and rejection that REDD-plus has had since its first appearance in 2005 in the multilateral process and throughout the multilateral negotiations, particularly by indigenous peoples and forest-dependent communities, but also by groups of experts, research centers, social, academic and environmental organizations and networks, governments and confessional institutions. Surprisingly, the MARN submitted the proposal (R-PP) to the FCPF as an undisclosed document and without consultation in April this year, in order to avoid any opposition or obstacle to the process. The proposal and its management were known publicly only after its publication on the FCPF website³¹.

Meanwhile, in the eagerness of hiding the true nature of REDD-plus and of qualifying and diluting an eventual opposition to the proposed R-PP once it was known, the MARN has been readjusting the programmatic and organizational framework, functional roles, priorities, institutional commitments and methodologies of work, and reallocating human and financial resources within the institution. Such is the case of the PREP³² and the NEP, among others, addressed in the previous section. The R-PP states: "... the approach is conceived as mitigation based on adaptation, and incorporated as central issue in the formulation of the Ecosystem and Landscape Restoration National Programme (PREP), understood as PREP-REDD-plus". The "adaptation based on mitigation" (AbM) approach is only a new guise raised by MARN to qualify REDD-plus and make it friendly to the public, and at the same time, justify an approach restricted to a mere GHG emissions subsector, de-contextualized and disconnected from one of the commitments of the State that is to incorporate the eligible activities under REDD-plus as part of the LULUCF sector within the NAMAs, which must be synergistically subordinated to the NAP as part of a National Strategy and Plan on Climate Change. Therefore, the MARN has not implemented the best practices for planning a policy framework on climate change, and rather it has been creating disorder and institutional chaos, which would result in serious inconsistencies and incongruities between policy instruments and measures, at the expense of forest and environmental governance, adaptation to climate change and the sustainability of the Salvadoran economy and society and its territory.

In the same line of action, the MARN has been lobbying other governmental agencies since 2010, to refocus and move their plans, programs and resources towards REDD-plus, in order to provide REDD-plus an institutional framework and tools that would help to justify and implement REDD-plus according to the R-PP submitted to the FCPF. This has been the case of the Ministry of Agriculture and Livestock (MAG), the Ministry of Works, Transport, Housing and Urban Development (MOP), the America's Initiative Facility of El Salvador (FIAES) and the Central American Commission for Environment and Development (CCAD). The Environmental Strategy for Adaptation and Mitigation to Climate Change for the Agriculture, Forestry and Aquaculture Sectors 2012³³, takes up the approach of the R-PP and expresses "... El Salvador has adopted its adaptation approach to climate change internationally, known as mitigation based on adaptation, which is promoted under the proposed Ecosystem and Landscape Restoration National Program (PREP)." The MOP would participate by integrating technical criteria and finding out green infrastructure solutions for mitigation and adaptation³⁴. FIAES, early 2012, called for non governmental entities to submit projects aiming at the restoration of wetland ecosystems in the country³⁵, under the MARN Plan for Wetlands Improvement, which is one of the PREP components. In this regard, the R-PP states: "...

³⁰ Project entitled "Promoting resilient development infrastructure to climate change in the Metropolitan Area of San Salvador", AFB/PPRC. 3/6, December 2010, submitted by the UNDP bureau in El Salvador to the Adaptation Fund under the Kyoto Protocol

³¹ www.forestcarbonpartnership.org/fcp/node/203

³² Launched by the MARN in May 2012

³³ Launched by the MAG in June 14th 2012

³⁴ Ibid 31

³⁵ Launched by the MARN in April 2012

To ensure proper management of wetlands of international relevance, the MARN implements the Comprehensive Plan for Wetlands Improvement which would benefit 479.800 inhabitants. The Plan includes the management of influence zones and associated watersheds that will allow eligible activities under the National REDD-plus Strategy". Regarding the CCAD, it developed the Regional Strategy on Climate Change in 2010, which incorporated the promotion of biofuels and REDD-plus activities in its six programmatic areas.

Institutional and inter-agency deployments made by MARN aiming at focusing on REDD-plus, have handled this issue with low profile. Some remarkable examples of this are the design and taking steps of the proposed R-PP to the FCPF and the intentional non reference to REDD-plus in the NEP. However, human and institutional efforts and financial and material resources invested in this approach have been considerable and diverted from the national priorities arising from international commitments under the UNFCCC and the legal mandates as per the Environmental Law. The Salvadoran government, through the MARN, is required to develop national strategic and operational framework to tackle climate change properly, which means developing a National Strategy to underpin the National Plan on Climate Change, which in turn shall mainstream the NAP and the NAMAs coherently and consistently with the overriding objectives of the National Strategy on Climate Change. These objectives seek first, that adaptation is possible for the Salvadoran population, socio-economic sectors and diverse ecosystems of the country, and secondly, that international advocacy is effective for real mitigation of climate change so that adaptation could still be viable.

With regard to the specific REDD-plus proposal, the MARN submitted two consecutive R-PP versions to the FCPF in April and June 2012, considering the latter as the official version³⁶. The critical analysis³⁷ that supported the rejection of both R-PP versions by several Salvadoran and international social organizations, demonstrates that the R-PP has serious conceptual, technical and methodological shortcomings and lack of social legitimacy. On that basis, social organizations demanded the MARN to withdraw the R-PP from the FCPF process, and the FCPF to reject it prior to the 12th Meeting of the Participants Committee³⁸ (PC-12). In that meeting, the MARN was intended to present the June R-PP version looking for its eventual adoption³⁹. Although the substance of the criticisms and objections of social organizations were dismissed and ignored by the FCPF and the MARN, the latter was forced to backward by restating officially the status of the R-PP as if it was in a "drafting initial phase"⁴⁰, quality in which it was presented and discussed in the segment of "informal presentation" during the PC-12.

The assessments of the R-PP made by the FCPF through the Technical Advisory Panel (TAP) and the PC, are made considering the five components that make up the structure of the official R-PP form: (1) organization and consultation, (2) development of the National Strategy for REDD-plus, (3) development of reference emission levels, (4) REDD-plus MRV, and (5) calendar and budget. In the case of the R-PP submitted by the MARN, the PC-12 partially approved the June R-PP version on the basis of the TAP assessment, qualifying only component (5) with the status of "standard met" and the rest, with "partially met standards." According to the FCPF criteria, the R-PP submitted by the MARN could achieve the standards required for each of the components, based on the recommendations of CP-12 and the TAP. To this end, the MARN already has a roadmap for the forthcoming TAP assessment in order to achieve an eventual approval by the PC-13 in October this year⁴¹.

The promotion of REDD-plus in El Salvador: an imposed and unsuccessful policy instrument

The critical analysis elaborated on the R-PP was developed in-depth as a technical paper published in various websites widely⁴². The serious misconceptions and scientific, methodological and technical shortcomings identified

³⁶ All documents related to the R-PP, its critical analysis and the demand from social organizations to the MARN and the FCPF, as well as the observations done by the FCPF, that have been referred in this section, are available in the FCPF website: <http://www.forestcarbonpartnership.org/fcp/Node/169>

³⁷ Idem

³⁸ It took place from 26 to 30 June 2012 in Santa Marta, Colombia

³⁹ FMT Note 2012-3. Strategic Direction of the FCPF: Status of REDD+ Country Participants and possible inclusion of Additional REDD+ Countries in the FCPF, March 14th 2012

⁴⁰ Ibid 36

⁴¹ It would take place in Brazzaville, Republic of Congo

⁴² FCPF: <http://www.forestcarbonpartnership.org/fcp/Node/169>, REDD-Monitor: <http://www.redd-monitor.org/category/countries/el-salvador/>, World Rainforest Movement: <http://www.wrm.org.uy/inicio.html>, UNES: <http://unes.org.sv/es/documentos/2012/05/pueblos-indigenas-de-el-salvador-rechazan-proyecto-redd>

in this analysis were not taken up by the MARN, much less overcome in the R-PP second version of June. The TAP and the CP-12 assessments have ignored this analysis, since their criteria are very lax and permissive, in line with the criteria and practices of the FCPF and the WB concerning REDD-plus. This was done to implement REDD-plus at the international level as a business-based mechanism, without any regard for the pursuit of the environmental integrity raised by the UNFCCC and the Kyoto Protocol nor for the negative socio-cultural, environmental, economic and political impacts of such mechanism in developing countries territories, especially in indigenous, peasant and those forest-dependent communities.

Although the critical analysis of social organizations explains irrefutably the rejection and demand for withdrawal of the R-PP from the FCPF process, the project cycle is progressing towards its eventual approval; despite its serious failings, some of which have even missed the basic criteria of the WB, such as the free, prior and informed consultation and consent of the actors directly and indirectly affected by REDD-plus, especially forest-dependent, indigenous and rural communities. The R-PP was designed and developed without consultation, prejudging the criteria of different national actors on the relevance and desirability of developing a National Strategy for REDD-plus in El Salvador. This is a serious precedent that should not be allowed by the FCPF, however, in an increasingly adverse international context for forest carbon trading, the WB is more interested to continue bringing together the group of government participants to the FCPF in order to exert international pressure to maintain active the REDD-plus mechanism by 2015 and achieve its eventual entry into force as of 2020.

Beyond the formal process of the FCPC, under which the R-PP would be following the path laid out within the flexible and permissive WB guidelines, even to the detriment of the commitments under the UNFCCC, the Cancun Agreement and the Durban Platform; the REDD-plus proposal by MARN represents a serious threat to the environmental governance of the country, as many of its shortcomings would be insurmountable. They would create institutional chaos in all areas of public and private sectors, and unsuccessful policies due the wrong approach and treatment of the climate change problem by the current MARN highest officials. The R-PP has four substantive issues that are not surmountable even under the lax guidelines and criteria of the FCPF, and that support the need to reject this proposal and withdraw it from the FCPF mechanism: (1) the focus on the MbA, (2) weaknesses and gaps in the national strategic framework on climate change, (3) the direct link to international trade mechanisms for offsetting emissions from developed countries, and (4) the establishment of an information system for monitoring and reporting on the approach and accomplishment compliance with the seven REDD-plus safeguards.

The MbA approach of the R-PP is decoupled from climate change, as it involves a misconception focusing only on climate variability and ignoring the conceptual framework agreed by the international scientific community, which is based on the best knowledge emerged from the science of climate change and adaptation. This knowledge has been generated within the multilateral process framework, such as the IPCC, the Work Programme on Vulnerability, Impacts and Adaptation, and the Policy Framework for Adaptation⁴³. The MbA approach omits the need to develop climate change scenarios that characterize spatially and temporally current and future climate change, and which constitute the basis for vulnerability and impacts assessment as well as of adaptation strategies, plans and actions to address climate change and related variability. The referred failings allow us raising that the MbA approach is incongruous and inconsistent and it does not contribute to accomplish the goals of adaptation to climate change: it would leave out adaptation activities that do not contribute to mitigation, while mitigation objectives, in terms of which REDD-plus activities were primarily conceived, would be depleted since the activities with high mitigation potential that do not contribute to adaptation would not be prioritized and may be discarded.

The proposed National Strategy for REDD-plus, as it has been conceived under the MbA approach, has not been based on climate change scenarios or on climate change impact assessments, despite the fact that forest ecosystems and LULUCF activities eligible under REDD-plus will be negatively impacted by climate change, due to increased pests, diseases, fire, wilting and degradation as a result of a more accelerated carbon cycle and climate change manifestations and related variability. Forest ecosystems may quit acting as carbon sinks and become net carbon emitters. Thus, the REDD-plus strategy is not based on a comprehensive future projection of the state of forest ecosystems thereby it will overestimate the potential of forest carbon sequestration and will underestimate the risks of non compliance with carbon forest purchase and sale trade agreements. Thus, making invisible and hiding the

⁴³ UNDP, 2005. Policy Framework for Climate Change Adaptation. Lin, B., Spanger-Sieghed, E. (ed). Cambridge University Press. New York. 258p

negative and perverse consequences that would affect actors directly or indirectly involved in or affected by REDD-plus activities.

The weaknesses and gaps in the national strategic framework on climate change, highlighted in the previous section, particularly with respect to the NEP, makes an eventual National Strategy for REDD-plus under the MbA approach, more difficult to contribute to climate change adaptation, as the PAN proposed in the NEP lacks a conceptual framework and strategic objectives to support its prioritized components. They are mere general topics which did not arise from climate change, socio-economic and environmental scenarios or from current and future impacts of climate change assessments in El Salvador. The sudden formal approval of the NEP on the night of May 30th, was coincident with the hasty submission on May 31st of the June version of the R-PP by the MARN, may explain but not justify the improvisation that characterizes the NEP, and specifically the preliminary proposal for the PAN, in order to overcome some of the observations raised by social organizations and the TAP itself. This fact undermines the NEP in terms of quality and supposes subsequent implications on the effectiveness of a regulatory framework and environmental governance in the country. With the absence of a National Strategy and Plan on Climate Change that should include the PAN and the NAMAs, the adaptation measures that REDD-plus would lead under the MbA approach would stay subordinated to mitigation, with the possibility of implementing measures that would increase vulnerability in the territories, such as biofuels, forest plantations, exotic and transgenic crops, large hydroelectric dams, mega structures, sugar cane and metal mining referred to respectively as "green infrastructure", "green harvest" and "green mining" very much in keeping with the slogan "green economy", whose boost and credibility have suffered an irreversible setback since the Rio+20 Conference.

The direct link to international trade mechanisms for offsetting GHG emissions from developed countries is the main objective of the REDD-plus mechanism, which is concealed in the R-PP, speeches and public events of the MARN. The R-PP budget that has been already approved by the FCPF is limited to the development of the referred components which are focused on creating national conditions for the further implementation of an eventual National Strategy for REDD-plus, and does not include other items related to the establishment and implementation of a good environmental governance in accordance with legal mandates and international commitments, aimed at achieving environmental sustainability of the society. The R-PP does not explain either financing modalities for REDD-plus for the later stage of implementation, deliberately hiding the central role that carbon markets would play and in a lesser extent the Forest Carbon Fund⁴⁴ (FCF) of the FCPF under which beneficiaries (not yet identified whether they were government entities, municipalities, NGOs, rural and indigenous communities or financial institutions) would receive monetary compensation for the sale of GHG emission reductions resulting from REDD-plus, either through direct transactions in the carbon markets or via brokerage funds as the FCPF, provided they demonstrate they have complied with contractual commitments. It should be noted that these contracts would be signed under the aegis of free trade agreements (FTA) and association agreements (AA) signed by the country, which include provisions that refer to international arbitration to enforce sanctions for noncompliance, including administrative and penal measures (eg fines, discounts and loss of lands and territories) against public and private owners of carbon sinks, and public entities, NGOs, indigenous and rural communities, cooperatives, farmers, cane or coffee growers.

The establishment of a national information system of safeguards (SIS) should be a subsystem of national MRV system, to monitor and report on the approach and enforcement of the seven safeguards of REDD-plus, which must include information on the barriers for compliance and the measures taken to overcome them. Such reporting shall be transparent, consistent, exhaustive, effective and accessible to those involved or affected, according to the guidelines issued by the SBSTA⁴⁵ and the frequency to be agreed under the multilateral process. On that basis, the SIS must report on: (a) the measures taken by the Salvadoran government to ensure consistency between an eventual National Strategy for REDD-plus and the international agreements, which are not being respected from its conception, as the R-PP and the NEP do not recognize those agreements; (b) the implementation of a good forest and environmental governance at the national level, as part of transparent and effective public policies while respecting the rule of law and national sovereignty, and the fight against corruption and violence, which is not being pursued with the weakening of the legal framework, the political disorder and the institutional

⁴⁴ The FCPF only has considered that a limited number of countries would be benefited from the FCF. The main selection criterion relies on the adoption and effective implementation of the best practices for REDD-plus viability, including the good forest and environmental governance.

⁴⁵ FCCC/SBSTA/2011/5, 1st March 2012; FCCC/SBSTA/2012/2, July 6th 2012

chaos triggered by the MARN, (c) leakage and temporality, as inherent attributes of REDD-plus activities, are not problems that could be ever overcome; and their effects would contribute to a planet with higher carbon levels, increasing the rate and magnitude of climate change and its impacts, and not solving deforestation and forest degradation problems, and (d) respect for indigenous rights under international law requires the observance of the principle of free, prior and informed consent⁴⁶, which is not required by the FCPF and is being disrespected by the MARN. The pertinence of an eventual REDD-plus strategy for El Salvador was not consulted prior to the involvement with the FCPF on the basis of the analysis of all the information related to the range of threats associated with REDD-plus, such as the plundering of indigenous and rural communities of their livelihoods as they are intimately linked to terrestrial, freshwater and marine ecosystems. The Salvadoran State has not ratified ILO⁴⁷ Convention No. 169 on Indigenous and Tribal Peoples in Independent Countries⁴⁸, which is the international instrument on human rights most relevant to the rights of indigenous peoples.

Key messages

- The Salvadoran government and society must deeply analyze and become aware, on the basis of all available information and in the light of the legal mandates and international commitments, that the eventual adoption of a National Strategy for REDD-plus in the country is not convenient or relevant, especially under the R-PP proposal submitted by the MARN to the FCPF of the WB, and considering the serious local and global threats attributed to REDD-plus schemes, as well as the current and projected adverse environment for forest carbon trading.
- The need for financial resources for addressing adaptation to climate change and environmental management is not a supported or acceptable justification for pushing the country's participation in the REDD-plus mechanisms, as was the case with the integration in the FCPF of the WB. As the country has had and continues to grant allocated resources available or to be mobilized through arrangements or direct access to the various mechanisms established under the UNFCCC and the Kyoto Protocol multilateral process, which have not been mobilized adequately or implemented in a timely fashion by the MARN.
- The proposed R-PP submitted to the FCPF by the MARN lacks scientific, technical and methodological support and ethical and political basis, and social legitimacy to assure that an eventual National Strategy for REDD-plus in the country does not create increased vulnerabilities, impacts and maladaptation to climate change, and to assure that REDD-plus activities comply with the seven safeguards adopted in Cancun and may not result in the foreseeable impacts that would undermine global efforts for effective mitigation of climate change, which must be real additional, permanent and measurable.
- The laxity and permissiveness of the criteria used by the FCPF indicate that the proposed R-PP could eventually be approved, being fully aware of the serious conceptual problems, failings and implications identified in the referred critical analysis and in the previous sections. Despite the baseless and inconsistent content of R-PP, its current status shows that at the discretion of the FCPF many of the problems have already been overcome, no matter there have only been incorporated forcefully superficial references and good intentions statements on what could be improved; or that the environmental policy framework has been broken outlining a National Environmental Policy that constitutes a weakening of the Environment Law currently in force, as it restricts and relaxes the nature and scope of current environmental management.
- The Salvadoran government is a signatory to human rights treaties, multilateral environmental conventions and treaties on international indigenous rights, and at the same time, a signatory to FTA and AA, which application has generated serious inconsistencies between the different policy instruments in force in the country. If policy instruments that could lead to increased vulnerability and maladaptation of society and its territories prevail, the impacts of climate change could lead to the collapse of the economy and ecosystems in the country. The promotion of mega-projects referred to as "green investments" such as "green harvest", "biofuels", "REDD-plus", "genetically modified cotton" and "green infrastructure" related to logistics, agribusiness and tourism,

⁴⁶ United Nations Declaration on the Rights of Indigenous Peoples, 2007

⁴⁷ International Labor Organization

⁴⁸ Adopted in the 76th Meeting of the ILO General Conference, 1989

would generate major vulnerabilities and impacts on indigenous and rural communities, which are affected or threatened with eviction from their lands and territories where they have lived and worked, and plundering their assets and livelihoods, which is already exacerbating their precarious economic conditions and increasing their social marginalization.

- Different social actors directly or indirectly related to or affected by the implementation of REDD-plus activities in the country, such as indigenous peoples and forest-dependent communities, research centers, associations, organizations and social networks, academics and environmentalists, confessional entities and entrepreneurs, have the professional responsibility and ethical commitment to monitor, analyze and advocate in a timely manner on the public function, and to demand open access to public information and accountability on the management, outcomes and impacts related to the environmental and climate change policies promoted by the MARN to the Council of Ministers, and on the relevance of the adopted instruments for its implementation, as in the case of "green investments" that would worsen the socio-environmental and economic unsustainability of the Salvadoran society.