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03

Contributions of indigenous peoples to climate action in Latin America:

Experiences in the forests, biodiversity and ecosystems sector



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Acrónimos

ABA	Asociación Bartolomé Aripaylla (Perú)	CNAP	Confederación de Nacionalidades Amazónicas del Perú [Confederation of Amazonian Nationalities of Peru]
ABIK	Action Based on Indigenous Knowledge	COCOMOPOCA	Consejo Comunitario Mayor de la Organización Campesina del Alto Atrato [Greater Community Council of the Organization of Rural Producers of Alto Atrato] (Colombia)
ACCA	Asociación para la Conservación de la Cuenca Amazónica [Association for the Conservation of the Amazon Basin] (Peru)	COICA	Confederación de Organizaciones Indígenas de la Cuenca Amazónica [Confederation of Indigenous Organizations of the Amazon Basin]
ACEAA	Asociación Boliviana para la Investigación y Conservación de Ecosistemas Andino-Amazónicos [Bolivian Association for Research and Conservation of Andean-Amazon Ecosystems]	CONFENIAE	Confederación de Nacionalidades Indígenas de la Amazonía Ecuatoriana [Confederation of Indigenous Nationalities of the Ecuadorian Amazon]
ACOLCHI	Asociación comunitaria Lenca de Chilanga [Lenca Community Association of Chilanga] (El Salvador)	ECLAC	United Nations Economic Commission for Latin America and the Caribbean
ACOLGUA	Asociación comunitaria Lenca de Guatajiagua [Lenca Community Association of Guatajiagua] (El Salvador)	EF	Expertise France
ACOFOP	Asociación de Comunidades Forestales de Petén [Association of Forest Communities of Petén] (Guatemala)	EMBRAPA	Empresa Brasileira de Pesquisa Agropecuária [Brazilian Agricultural Research Corporation]
ADRDM	American Declaration of the Rights and Duties of Man	FBE	Forests, Biodiversity and Ecosystems
ADRIP	American Declaration on the Rights of Indigenous Peoples	FEPROAH	Federación de Productores Agroforestales de Honduras [Federation of Agroforestry Producers of Honduras]
AIDER	Asociación para la Investigación y el Desarrollo Integral [Association for Research and Integral Development] (Peru)	FNMCAINAP	Federación Nacional de Mujeres Campesinas, Artesanas, Indígenas, Nativas y Asalariadas del Perú [National Federation of Rural, Artisan, Indigenous, Native and Salaried Women of Peru]
AIDSESP	Asociación Interétnica de Desarrollo de la Selva Peruana [Interethnic Association for the Development of the Peruvian Selva]	FONAFIFO	Fondo Nacional de Financiamiento Forestal [National Forest Financing Fund] (Costa Rica)
APCOB	Apoyo para el Campesino indígena del Oriente Boliviano [Support for the Indigenous Rural Producers of Eastern Bolivia]	FPIC	Free, Prior and Informed Consent
APMT	Autoridad Plurinacional de la Madre Tierra [Plurinational Authority of Mother Earth] (Bolivia)	FSC	Forest Stewardship Council
C-169 ILO	Convention 169 of the International Labor Organization	GEF	Global Environment Facility
CBD	Convention on Biological Diversity	Geoversity	Fundación Geoversity [Geoversity Foundation] (Panama)
CCP	Confederación Campesina del Perú [Rural Producers Confederation of Peru]	GHG	Greenhouse gas
CIDOB	Confederación de Pueblos Indígenas de Bolivia [Confederation of Indigenous Peoples of Bolivia]		
CNA	Confederación Nacional Agraria [National Agrarian Confederation] (Peru)		

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GIZ	Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH	OBC	Organizacion de Base Campesina [Indigenous rural producer (“campesino”) organization]
HRBA	Human Rights-Based Approach	ONIC	Organización Nacional Indígena de Colombia [National Indigenous Organization of Colombia]
IACHR	Inter-American Commission on Human Rights	ONMIAAP	Organización Nacional de Mujeres Indígenas Andinas y Amazónicas del Perú [National Organization of Andean and Amazonian Indigenous Women of Peru]
IASHR	Inter-American System of Human Rights	PROCISUR	Programa Cooperativo para el Desarrollo Tecnológico Agroalimentario y Agroindustrial del Cono Sur [Cooperative Program for Agrofood and Agroindustrial Technological Development of the Southern Cone] (based in Uruguay)
ICCO	Interkerkelijk Coördinatie Commissie Ontwikkelingshulp [Interchurch Organisation for Development Cooperation]	SPDPM	Sub Commission on Prevention of Discrimination and Protection of Minorities
ILO	International Labour Organization	TCO	Tierra Comunitaria de Origen [Indigenous community land]
INDER	Instituto de Desarrollo Rural [Rural Development Institute] (Costa Rica)		
INTA	Instituto Nacional de Tecnología Agropecuaria [National Institute of Agricultural Technology] (Argentina)		
IOM	International Organization for Migration		
IPCC	Intergovernmental Panel on Climate Change		
IPO	Indigenous Peoples Organization		
IPTA	Instituto Paraguayo de Tecnología Agropecuaria [Paraguayan Institute of Agricultural Technology]		
LAC	Latin America and the Caribbean		
LCIPP	Local Communities and Indigenous Peoples Platform		
LULUCF	land use, land-use change and forestry		
MASTA	Moskitia Asla Takanka, Honduras		
MINAM	Ministerio del Ambiente [Ministry of Environment] (Peru)		
NATIVA	Naturaleza Tierra y Vida [Nature, Land and Life] (Bolivia)		
NCB	Non-carbon benefit		
NDC	Nationally Determined Contribution		
NGO	Non-governmental organization		

1. SUMMARY

Indigenous peoples are among the most vulnerable to the effects of climate change, but, at the same time, they possess knowledge that is extremely valuable for developing solutions for climate change mitigation and adaptation and ecosystem conservation.

The EUROCLIMA+ programme projects in the “Forests, Biodiversity and Ecosystems” (FBE) sector are implemented, in most cases, in regions with indigenous populations. Many of the implementing entities of these projects have extensive experience and knowledge of the problems of indigenous peoples and the promotion of their rights. Similarly, some of these entities have been working with indigenous peoples and local communities for a long time, collecting and systematizing their knowledge on vulnerability to climate change, in addition to identifying climate change mitigation and/or adaptation solutions that are currently being implemented, or finding new solutions together.

The variety of work methodologies and strategies employed to foster cooperation between local communities and regional and national structures is so extensive and dependent on the context that it is not possible to transfer work models or packages. However, sharing them is crucial for promoting mutual learning that, in turn, allows for the generation of new approaches and strategies to address climate change.

To this end, EUROCLIMA+ provides a platform to foster this shared learning in a manner that links a) local actions with national contributions and international commitments; b) the reality and needs of local communities and indigenous peoples with regional and national policies; and c) the experiences of various implementing entities in the region with the common goal of implementing actions to address the effects of climate change.

This publication provides a summary of the current situation of indigenous peoples and climate action in the Latin American and Caribbean (LAC) countries where the EUROCLIMA+ programme has implemented FBE sector projects. It also describes the work guidelines adopted by the implementing entities of FBE projects. The aim is to identify key elements for mutual learning at the regional level with respect to contributions to climate action from efforts carried out in conjunction with indigenous peoples¹

¹ This document was prepared before the COVID-19 health emergency. This has had impacts on indigenous populations that go beyond just health considerations. In addition to the lack of access to health services, and the existing pressures on their lands, we can add the damage to the economies of indigenous communities due to quarantines. Thus, it is imperative to include indigenous peoples in public policies for health, climate action and the post-COVID-19 economic recovery.



Photo: Diego Giacoman

2. Background

2.1 Introduction

In 2016, the European Commission approved a new regional programme, EUROCLIMA+, to support environmental sustainability and climate change mitigation and adaptation measures in Latin America and the Caribbean (LAC).

Specifically, EUROCLIMA+ supports Latin American countries in the implementation of their Nationally Determined Contributions (NDCs) under the Paris Agreement of the United Nations Framework Convention on Climate Change (UNFCCC). This support is provided in the areas of climate governance, financing and technical assistance for the execution of projects in 6 areas: (1) forests, biodiversity and ecosystems (FBE); (2) energy efficiency; (3) water management for urban resilience; (4) disaster risk reduction and management; (5) urban mobility; and (6) resilient food production.

This report was prepared within the framework of the EUROCLIMA+ programme FBE sector for Latin American countries with the goal of capitalizing on experiences and good practices to improve capacities (institutions, public policy, regulatory framework) in the management of forests, biodiversity and ecosystems in accordance with their sectoral commitments for the implementation of the NDCs. To do this, it finances the implementation of nine innovative projects in 12 LAC² countries. These FBE sector projects are implemented by Expertise France (EF) and Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH, with the former being responsible for the allocation of resources for implementing projects and the latter providing Technical Assistance (and other support) for work carried out in conjunction with indigenous peoples to implement policies, strategies and plans for the forests, biodiversity and ecosystems sector.

The aim of this report is to provide general guidance for organizations and institutions that implement climate projects, programmes and policies in the LAC region. The goal is to strengthen the work with indigenous peoples in decision making for

climate action and implement actions for the inclusion and application of traditional knowledge and perspectives based on the experience of EUROCLIMA+ programme projects in the FBE sector.

This report is based on an analytical framework that links the agreements and institutions for actions to combat climate change with the regulations and institutional framework for inclusion, respect and protection of the rights of indigenous peoples. The report assesses the contributions of the EUROCLIMA+ programme projects in the FBE sector, taking into account: a) work carried out with indigenous peoples in projects for the conservation and sustainable use of biodiversity and ecosystems; and b) the importance of traditional knowledge for climate action. The data is organized around the three identified working methodologies in five FBE sector projects. These will be analyzed in greater detail in this report.

² More information on EUROCLIMA+ programme projects implemented in the FBE sector can be found at: <http://euroclimaplus.org/proyectos-bosques>



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3. Methodology applied

3.1 Focus of analysis

The study is based on the premise that **the interests and needs of indigenous peoples should not only be addressed from the perspective of respect and the guarantee of their rights, but also for their contribution to climate action.** Indigenous peoples share knowledge, participate in collective actions to implement climate action measures and build capacities to implement these measures.

The study adopts an analytical approach based on the following considerations:

1. The projects implemented in the FBE sector under the framework of the EUROCLIMA+ programme are part of a cooperation system involving project partners and local and/or indigenous peoples' organizations. These, in turn, make up another broad cooperation system. This approach makes it possible to more clearly identify the necessary conditions and actions to be implemented to achieve a collaborative and coordinated effort.

Cooperation system refers to the group of organizations and institutions that work together to achieve a common objective and purpose. To this end, they generate a common language and agree on operating rules and contributions of the parties.

2. The inclusion of the interests and needs of an interest group or an indigenous group in the measures implemented by national stakeholders and through international cooperation should take into account, respect and protect the human rights of these groups. The rights-based approach to development (also called Human Rights-Based Approach, or HRBA) promotes the implementation of actions by public and international cooperation entities that promote human rights.

The European Union promotes a rights-based approach to development that includes support for indigenous peoples in the implementation of the 2030 Agenda for Sustainable Development (GSC, 2017). It assumes this commitment in compliance with the regulatory framework that promotes the protection of the rights of indigenous peoples, and emphasizes the importance of the participation of their representatives in decisions related to projects that concern them³. Bilateral and multilateral financial and technical cooperation entities use safeguards as an instrument to regulate their actions with respect to sensitive issues and the goal of "do no harm" to avoid problems that could contribute to the violation of the rights of any group in the countries where they work⁴.

³ For more information, see the Resolution of the European Parliament of July 3, 2018, on the violation of the rights of indigenous peoples in the world, including the acquisition of land ("land grabbing") (available at: https://www.europarl.europa.eu/doceo/document/TA-8-2018-0279_ES.html); Regulations 233 and 235/2014 of the European Parliament and the Council of the European Union of March 11, 2014.

⁴ Appendix 1 includes a list of links to learn more about the safeguards of some multilateral organizations.

3. Recognizing and valuing the knowledge of indigenous peoples⁵, contributes substantially to climate projects, programmes and policies, and effective work is achieved in conjunction. Since the challenges of climate change go beyond the local (or “locality”), only by bringing together local, sub-national and national knowledge, and the scientific knowledge system, can adequate solutions be implemented.
4. Cooperative work, respect for human rights and the use of local knowledge are complemented by the participation process in decisions related to climate action (climate governance).
5. Finally, the focus on building capacities provides tools so that partners of the FBE sector projects and actions implemented by the EUROCLIMA+ programme can share knowledge on climate action with other stakeholders and sectors in the region.

⁵ “The systems and practices of indigenous, local and traditional knowledge, including the holistic vision of the community and the environment of indigenous peoples, are important resources for adapting to climate change (...) The integration of such forms of knowledge in existing practices increases the effectiveness of adaptation” (IPCC, 2014 p. 26).

3.2 Compiling information⁶

The data in this study was collected in an exhaustive review of the literature, as well as from approximately 60 individual and group interviews with different informants, including: the people in charge of executing FBE sector projects; EUROCLIMA+ programme National Focal Points; representatives of indigenous organizations; implementing entity officials and other key informants.

Finally, with the objective of carrying out a deeper analysis of the experiences and work models of five of the projects implemented in the EUROCLIMA+ programme FBE sector, field visits were conducted in Guanacaste (Costa Rica), Tegucigalpa (Honduras), La Paz (Bolivia), Santa Cruz (Bolivia), Ayacucho (Peru), Lima (Peru) and Rivadavia (Argentina).

⁶ The data collected on the situation of indigenous peoples, as well as the implementation of the project in the countries, was carried out in accordance with the description in this section, and shared with the PFNs of the FBE projects in the implementing countries.

LAC countries are recognized for their high degree of multiculturalism and for the contributions of indigenous peoples to climate action in these countries that go beyond the experiences described in this report. However, it is important to mention that, given the scope of this document, the number of people, groups, organizations, associations and movements consulted was limited to those with a direct relationship or association with the EUROCLIMA+ programme and the projects implemented in the FBE sector.

3.3 Selection of projects for field visits

The selection of the five FBE projects to analyze in greater detail was based on the following criteria:

- (i) The alignment of the project objectives and activities with the recognition, systematization, mutual learning and exchange of indigenous knowledge;
- (ii) The inclusion of indigenous organizations or communities as counterparts or direct beneficiaries in projects;
- (iii) The project represents the diversity of LAC ecosystems.

The selected projects are shown in the table below.

Central America Region	Andean Region	Chaco Region
1. Communities, Forests and Biodiversity: promoting dialogue, exchange and forest value chains to adapt to and mitigate climate change (El Salvador, Honduras, Guatemala and Colombia)	4. Non-timber resource management in the Amazon forest: a climate change adaptation and mitigation strategy from the Bolivian and Peruvian experience (Bolivia and Peru)	
2. Institutionalizing the local non-carbon benefits in climate change mitigation and adaptation strategies (Bolivia and Panama)		
3. Water sowing and harvesting, water service fees and acknowledgement of Environmental Service Payment in the South-South Cooperation Framework (Costa Rica and Peru)		
	5. Forest Management and Restoration in Productive Environments (Argentina, Bolivia, Paraguay and Brazil)	

It should be noted that it was not feasible to apply the same fieldwork methodology in all countries. This is because, in some cases, it was possible to visit indigenous communities or organizations (three projects in Bolivia, Argentina, Costa Rica and Peru), and in other countries it was only possible to interview the organizations implementing the projects (two projects in Bolivia and Honduras)⁷.

3.4 Analysis of the selected projects

The goal of the analysis of the selected projects was to understand how the projects include the collaboration and participation of indigenous peoples in the implementation process.

The analysis was guided by questions focused on understanding the mechanisms to promote collaboration and participation, the sharing of information and consultation with Indigenous Peoples Organizations (IPOs), and what learning and knowledge sharing processes with indigenous communities were planned and carried out:

How do the projects work with indigenous peoples?

How do the projects foster participation, information and consultation with indigenous peoples?

How do the projects gather/ learn from/ share indigenous knowledge?

⁷ The limited time for this research and the difficulty to reach some indigenous communities or the headquarters of their organizations did not allow for the application of a common methodology. For example, the Tacana communities in Bolivia and the Miskito in Honduras required at least one week to visit each one. The trip involves a journey by plane, then by road and, finally, by boat.



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4. Analytical framework

4.1 Nationally Determined Contributions (NDCs)

The NDCs are a central element of the Paris Agreement, established under the United Nations Framework Convention on Climate Change (UNFCCC). With these commitments, limited to national contexts and circumstances, countries undertake concrete and progressive measures to strengthen the global response to the threats of climate change (UNFCCC, 2015). Specifically, the measures are aimed at limiting the increase in the global average temperature to less than 2°C above pre-industrial levels, and with a goal to limiting it to 1.5°C, according to the best available science⁸.

The knowledge of indigenous peoples and the subsidiary bodies of the UNFCCC

To achieve climate action targets, the Paris Agreement recognizes that the knowledge of indigenous peoples and local knowledge systems should be taken into account. To achieve this, the 24th Conference of the Parties (CoP), held in 2018 in Katowice (Poland), established the Facilitative Working Group of the Local Communities and Indigenous Peoples Platform (LCIPP) to share experiences and best practices for climate change mitigation and adaptation in a holistic manner (UNFCCC, 2016).

The LCIPP Working Group operates under the Subsidiary Body for Scientific and Technological Advice (SBSTA) and is made up of 14 representatives that equitably represent Member States and indigenous peoples. The seven representatives of the Member States are: the five regional groups of the United Nations, a small island nation Member State and a least developed country Member State. The other seven are representatives of indigenous peoples organizations (IPOs) representing the seven indigenous socio-cultural regions of the United Nations: [i] North America; [ii] the Arctic; [iii] Central and South America and the Caribbean; [iv] Africa; [v] Asia; [vi] the Pacific and [vii] Central and Eastern Europe, the Russian Federation, Central Asia and Transcaucasia.

The LCIPP work plan focuses on the recovery, recognition and application of indigenous knowledge for climate action on local and national levels. For this reason, it also proposes to include solutions based on traditional knowledge in the NDCs and foster the full and effective participation of indigenous peoples to both determine climate policies as well as define indicators (the basis for monitoring climate actions) (UNFCCC, 2019).

⁸ For more details, see the IPCC report at: <https://www.ipcc.ch/sr15/>

The NDCs in LAC countries are not only diverse due to the national contexts they address, but also because of the way they were formulated. The NDCs are aligned with national plans and translate into different kinds and degrees of action⁹. This situation makes comparisons, measurements and regional monitoring difficult, but, from another perspective, it opens up a very important opportunity for exchange and mutual learning between countries¹⁰.

The formulation of NDCs in some countries was the result of a participatory process between State and non-State actors. These participatory processes were intended to achieve support and acceptance among productive actors and society in general, and thus improve the conditions to implement these measures¹¹.

For the NDCs to have the desired results, a number of challenges must be overcome, which differ among countries. One of them- perhaps the most important- is reviewing the targets proposed by the countries to achieve the global goal of reducing greenhouse gas (GHG) emissions to limit the increase in the average global temperature using data generated in the

9 For more information on the NDCs of the countries where FBE sector projects are implemented, see the publication "Advances in Climate Action in Latin America" of the European Commission (2019).

10 For more information, see the regional NDC LAC platform at: <https://ndclac.org/>

11 For example, to ratify its Intended Nationally Determined Contributions (INDCs) and to establish its first NDC, Ecuador carried out a comprehensive participatory process which involved 93 institutions from the public and private sectors, academia, civil society and international organizations and a total of 891 people (European Commission, 2019).

region. This requires great effort¹². Other important areas to focus actions on are: governance for climate action in these countries, including greater cooperation between government entities and the private sector, civil society and academia; the monitoring, reporting and verification of data; and greater involvement of the financial system, among others (European Commission, 2019).

94% of LAC countries have included adaptation actions related to agriculture, and 91% have included climate mitigation actions related to land use, land-use change and forestry (LULUCF) (FAO, 2017; IPCC, 2019). This data is relevant because, even though LAC countries account for less than 10% of total global GHG emissions¹³, land use change is the largest source of GHG emissions in the region and one of the largest contributors globally¹⁴.

12 The goal is to reduce the average of seven metric tons of carbon dioxide equivalent (tCO₂eq) per capita in the region to two metric tons. For countries like Paraguay and Bolivia, with 17.2 and 14.5 tCO₂eq, respectively, the challenge is greater, compared to countries like Costa Rica with per capita emissions of 1.5 tCO₂eq (European Commission, 2019).

13 Emissions from Latin America and the Caribbean account for 9% of global emissions (4.2 GtCO₂ eq), with an average annual growth rate of 0.6% (ECLAC, 2018).

14 "Agriculture, forestry and other land use activities accounted for around 13% of CO₂, 44% of methane (CH₄) and 82% of nitrous oxide (N₂O) emissions from human activities globally from 2007-2016, which represents 23% (12.0 +/- 3.0 GtCO₂e yr⁻¹) of total net anthropogenic GHG emissions. The earth's natural response to human-induced environmental change resulted in a net sink of approximately 11.2 GtCO₂ yr⁻¹ from 2007-2016 (equivalent to 29% of total CO₂ emissions)" (IPCC 2019: 7). In 2010, tropical South America emitted 51.2% of total emissions from land use change, and Central America and Mexico 5.2%, according to Houghton et al. (2012), cited in Global Carbon Atlas (Available at: <http://www.globalcarbonatlas.org/es/CO2-emissions>).

Similarly, agriculture and land use change activities directly affect local producers and indigenous peoples organizations. In addition to the effects of LULUCF on climate change¹⁵, there are also conflicts over land use and the problem of food insecurity.

The role of producer organizations and local populations, especially indigenous peoples, is central when elaborating climate measures¹⁶.

15 According to ECLAC, climate change will provoke changes in national and regional patterns of agricultural production and, most likely, have a greater impact on subsistence crops and increases in food prices, with subsequent effects on nutrition and increased poverty (ECLAC, 2018).

16 The report by the special rapporteur on indigenous peoples warns that "climate change mitigation and adaptation programmes, if designed without consulting indigenous peoples and applied without their participation, can negatively affect the rights of indigenous peoples and undermine their traditional rights to land and natural resources" (UNGA, 2017: § 12, p. 6).

Indigenous peoples and climate change

“Indigenous peoples are among those who have contributed the least to the problem of climate change, yet they are the ones who suffer the worst consequences and are disproportionately vulnerable (...) because many of them depend on ecosystems that are particularly exposed to the effects of climate change (...) Climate change poses a serious threat not only to the natural resources and livelihoods of indigenous peoples, but also to their cultural identity and survival. (...) The correlation between the security of indigenous land tenure and the achievement of good conservation results is well known, as is the related consequence that a reduction in deforestation leads to a reduction in global carbon dioxide emissions. For example, in the Amazon region of Brazil, in the areas where the state recognizes the forest rights of indigenous peoples, the deforestation rate is 11 times lower than in forests where their rights are not recognized. A recent study of 80 forested areas in 10 countries in South Asia, East Africa and Latin America demonstrates that community-owned and managed forests provide better community services and increased carbon storage, and concludes that the strengthening of indigenous peoples’ rights to their forests was an effective way for governments to achieve climate-related goals” (UNGA, 2017).



Key messages

- In the NDC decision making, monitoring and evaluation processes, it is crucial to promote the greater participation of indigenous peoples and to address the link between national policy and local problems.
- Although the LAC region is not the largest CO₂ emissions producer globally, the highest emissions in the region come from forestry activities and agriculture (land use and land-use change), which underscores the importance of actions and projects in the FBE sector.

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5. Indigenous peoples in Latin America and the Caribbean

5.1 Definition

According to the United Nations Permanent Forum on Indigenous Issues, *“worldwide, there are approximately 370 million indigenous people who occupy 20% of the earth’s surface (...) representing some 5,000 different indigenous cultures”* (UNPFII, 2010). In Latin America and the Caribbean, there is a total of 522 peoples, with 420 indigenous languages in use, of which 103- a quarter- are spoken in two or more countries (Quechua being an exceptional case as it is spoken in seven countries) (UNICEF and FUNPROEIB, 2009). Thus, defining or characterizing such a diverse population, as is the case of indigenous peoples, is not an easy task¹⁷. The conventions and instruments of international law provide a basis for determining who, or which group, may be referred to with the term *indigenous person* or *indigenous people*.

¹⁷ In the region, there are a number of designations used by people who identify themselves as indigenous or tribal peoples and populations. For example, in Bolivia the designations indigenous and native were used, later replaced with *indígena originario campesino* (native indigenous rural peasant). In Argentina, the regulations use the term *aboriginal peoples*, in Ecuador *indigenous peoples and nationalities* and in Brazil *Indian peoples*, among other designations. In this document, the designation *indigenous people* is used and is intended to represent all the terms mentioned above.

Definition of indigenous peoples

According to the International Labor Organization (ILO) Convention No. 169 on indigenous and tribal peoples, indigenous peoples are those who live in independent countries, considered indigenous by virtue of the fact they descend from populations that lived in the country or in a geographical region to which the country belonged at the time of the conquest or colonization or the establishment of current state borders and that, whatever their legal situation, preserves all their social, economic, cultural and political institutions, or part of them.

Martínez Cobo, in his “Estudio del problema de la discriminación contra las poblaciones indígenas” [Study of the problem of discrimination against indigenous populations], a core document for Convention No. 169 of the International Labor Organization, establishes the importance of awareness of one’s indigenous identity.

“(...) on an individual basis, an indigenous person is one who belongs to these indigenous populations through self-identification as indigenous (group conscience) and is recognized and accepted by these populations as one of their members (acceptance by the group). This preserves for these communities the power and sovereign right to decide who belongs to them without external interference” (SPDPM, 1986).

In addition to this “subjective” criterion, there are other “objective” criteria:

- Historical continuity with the pre-invasion or pre-colonial societies that developed in the region;
- Uniqueness;
- Non-dominant character; and
- Determination to preserve, develop and transmit to future generations their ancestral lands and ethnic identity in accordance with their own cultural patterns, social institutions and legal systems.

The United Nations Permanent Forum on Indigenous Issues adds the following criteria:

- A strong bond with the local land and natural resources;
- Unique social, economic or political systems; and
- Unique languages, cultures and beliefs.

Among the international instruments for the protection of indigenous rights, the following are worth mentioning: (i) Convention 169 of the International Labor Organization (ILO) of 1989, ratified by 22 countries (15 from LAC); (ii) the 2007 United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP); and (iii) the American Declaration on the Rights of Indigenous Peoples (ADRIP). These instruments are among the most important ones that specifically refer to indigenous peoples. Moreover, like all other people and communities, indigenous peoples enjoy the protection of all the other human rights instruments.

These instruments are an important reference for positive normative change for indigenous peoples in these countries. Unlike ILO Convention 169, which is binding and obliges the countries that ratified it to report on compliance, the declarations are guidelines for respecting the rights of indigenous peoples.

With respect to the governing bodies in the region, the role of the Inter-American System of Human Rights (IASHR) is fundamental. The IASHR has developed

consistent jurisprudence for the protection of the rights of indigenous peoples. It is composed of the Inter-American Commission on Human Rights (IACHR), headquartered in Washington D.C., USA, and the Inter-American Court of Human Rights, based in San José, Costa Rica.

IASHR decisions are based on the human rights instruments of the inter-American system: the American Declaration of the Rights and Duties of Man (ADRDM) and the American Convention on Human Rights (ACHR), and its decisions carry a legal obligation, under international law, in LAC countries that belong to the inter-American system.

5.2 Land rights of indigenous peoples

Indigenous and tribal peoples have human rights, both individually and collectively, and by virtue of this recognition, the IASHR *“has paid special attention to the right of these peoples to collective ownership of their lands and natural resources, as a right in itself, and as a guarantee of the effective enjoyment of other basic rights”* (IACHR, 2019).

This interpretation of the right to collective ownership of indigenous lands implies for States (governments of the countries) that they must relinquish the right to issue resource extraction or investment concessions that restrict indigenous peoples from the use and benefit of natural resources or affect their lands (IACHR, 2009 and 2016).

Moreover, it underscores the importance of the right of indigenous peoples to free, prior and informed consent (FPIC) –and when applicable, the quest for consent– and the right to fair participation in the benefits resulting from the use of natural resources on indigenous lands¹⁸.

¹⁸ According to the Inter-American Court, these requirements are applicable in different circumstances. First, when the “natural resource has been traditionally used by members of the [respective] population in a way intrinsically related to the subsistence of the population” and, second, when the project may affect other natural resources critical to their physical and cultural survival (Inter-American Court, 2007: § 144 and § 155, respectively).

Traditional use of forests for subsistence and survival

The Inter-American Court of Human Rights establishes the criteria that States should apply to determine whether the granting of concessions, plans or projects will affect the natural resources associated with indigenous cultures or ways of life; and it establishes the obligation to comply with the requirement for consultation and consent, social and environmental impact studies, and benefit sharing (Inter-American Court, 2010).

These criteria seek to determine if the forest resources have traditionally been used by the people in question and if they are vital to their subsistence as a people. To this end, they address four aspects:

1. Knowledge of the forest by members of the indigenous people;
2. The use of certain types of trees for different purposes, from construction (canoes, roofs etc.) to food and other subsistence uses;
3. The way in which members of the indigenous people respect and care for the forest;
4. Whether members of the indigenous people also depend on the extraction of resources from the forest as part of their economic activities and for subsistence.

The Inter-American Court affirms that sustainable forest management and environmental conservation are practices that guarantee not only the subsistence of indigenous peoples, but also their survival as a people.

The IACHR identifies standards with respect to the rights of indigenous peoples, establishing the minimum standards for the respect and protection of the rights of indigenous peoples (IACHR, 2019). For more information, see Appendix 2 of this document.

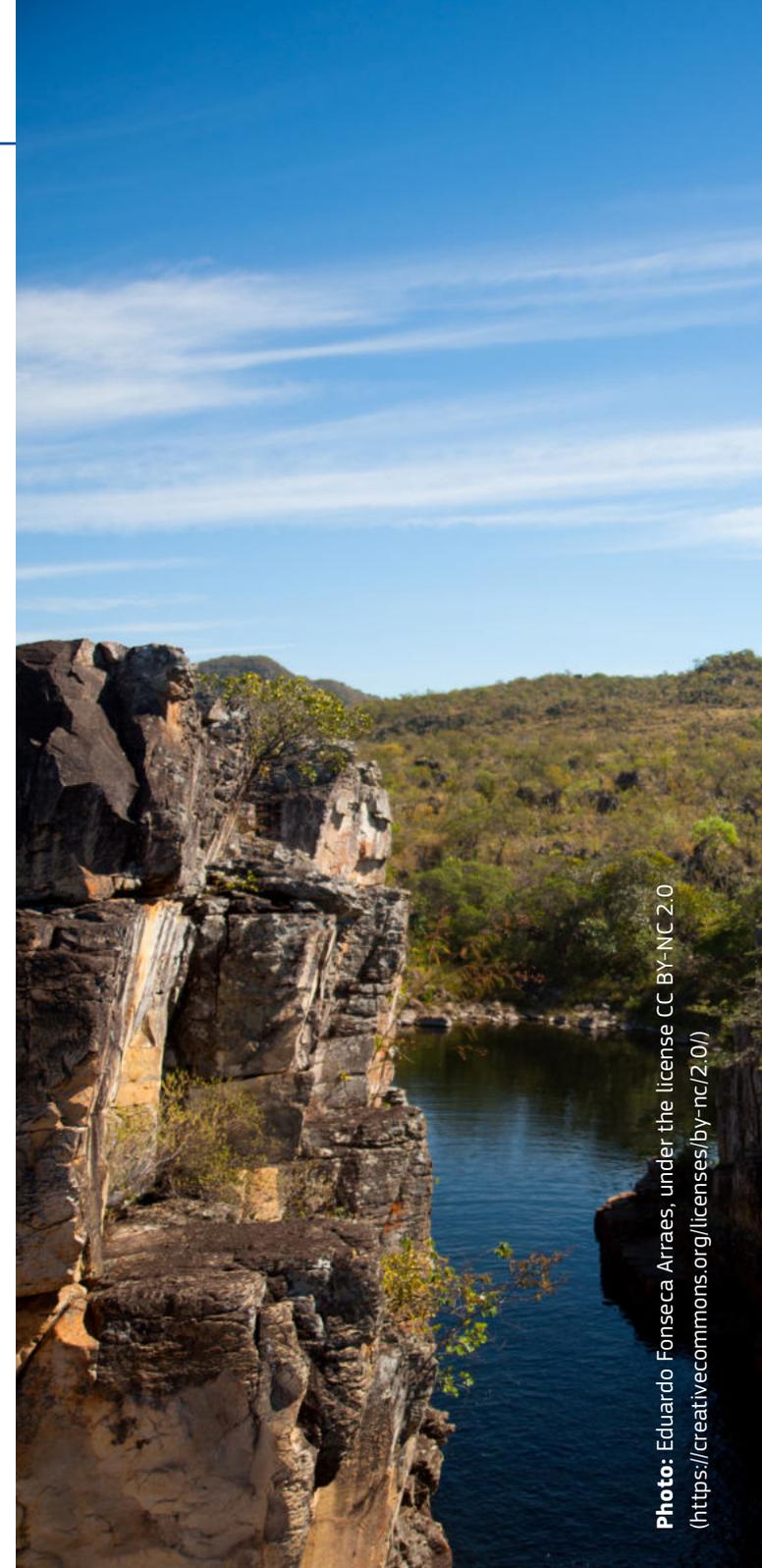


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5.3 The situation of indigenous peoples in Latin America and the Caribbean

There are many studies from different perspectives and disciplines that analyze the situation of indigenous peoples in LAC¹⁹. In the following section, we address two perspectives: the economic perspective and the jurisdictional protection (jurisprudence of international law) of indigenous peoples to provide a regional view of the context, demonstrate common patterns and describe the situation of indigenous peoples with respect to the rest of the population.

(i) The persistence of poverty in a context of economic growth

The first years of this millennium were characterized by sustained economic growth and poverty reduction in LAC countries. Similarly, the situation of indigenous peoples improved in some aspects, such as in education²⁰. Although there was extensive regulatory development in the LAC region, especially in FPIC and the increase in indigenous political participation, mainly in Ecuador and Bolivia²¹, there are still a number of major challenges to overcome.

The 25-year boom in the commodities market (minerals, hydrocarbons and agricultural products), which resulted in significant economic growth, only helped to reduce the gap between rural poverty and urban poverty. One of the effects of this gap has been de-ruralization²² and ongoing pressure from new economic interests in indigenous territories, where many of these commodities are concentrated. This, coupled with the threats of climate change, makes it likely that the problem of migration will only worsen and present new challenges²³.

¹⁹ Appendix 3 includes summary sheets on the situation of indigenous peoples in the countries where the EUROCLIMA+ programme implements FBE sector projects (except Costa Rica and Mexico).

²⁰ For example, in Peru and Bolivia, a third of the indigenous populations left monetary poverty and basic sanitation increased 60%; and in Mexico, Nicaragua and Ecuador, the gap in primary school attendance was practically eliminated (WB, 2015: 58).

²¹ In the last decade, Ecuador and Bolivia carried out constituent processes and approved new state constitutions, with broader recognition of the rights of indigenous peoples.

²² In 2002, the rural population represented 23% of the total LAC population. By 2016, the percentage had decreased to 18% (FAO, 2018).

²³ In 1990, the Intergovernmental Panel on Climate Change warned that one of the most serious consequences of climate change could be human migration (IOM, 2019 [a]: 3). In this context, the term climate migration emerged, understood as the movement, within States or across international borders, of a person or groups of people who are obliged to leave their home or habitual residence, or choose to do so, temporarily or permanently, predominantly for reasons of sudden or progressive changes in the environment due to climate change (IOM 2019 [b]: 1).

Situation of indigenous peoples compared to the rest of the population in the LAC region (WB, 2015)

- In 2010, there were around 42 million indigenous people in the LAC region. Mexico, Guatemala, Peru and Bolivia have the largest indigenous populations in absolute and proportional terms (80% of the total).
- Poverty affects 43% of indigenous households in the region (more than double that of the non-indigenous population) and 24% of indigenous households are considered to be in extreme poverty. This is 2.7 times greater than the percentage of non-indigenous households in extreme poverty.
- Being born to indigenous parents significantly increases the likelihood of growing up in a poor household, impeding the full development of indigenous children and anchoring them in poverty. In Ecuador, the likelihood that a household is poor increases by 13%; and in Bolivia and Mexico, the likelihood increases by 11% and 9%, respectively.
- 49% of the indigenous people in the LAC region currently live in urban areas. Compared to their peers living in rural areas, for indigenous people in urban areas access to electricity is 1.5 times greater; access to water is 1.7 times greater; the likelihood of completing primary education is 1.6 times greater and completing secondary education is 3.6 times greater. Even so, urban indigenous people are the poorest, since the percentage of indigenous people living in poor neighborhoods, or in precarious urban settlements, is almost double that of people who do not self-identify as indigenous.
- One fifth of indigenous peoples have lost their native language in recent decades (44 indigenous peoples speak only Spanish and 55 speak only Portuguese)²⁴.

(ii) The loss of indigenous lands and territories

This is reflected in the delay or paralysis of the demarcation processes of indigenous lands and territories; in the adoption of normative measures that weaken the guarantees of collective land ownership; in the appropriation and partial recognition of land, or conditioning it to possession requirements; in the persistent pressure of economic sectors linked to extractive industries and the establishment of agrarian regulations that are unfavorable to indigenous peoples (IACHR, 2019).

²⁴ "It is very revealing that the greatest linguistic loss is occurring in the areas of first contact with colonizers (northeast coast of Brazil and the Andes north of Colombia) and the earliest relations between indigenous peoples and states. On the other hand, the existence of "peoples without an indigenous language" is also the result of a socio-political process by which populations are rediscovered as indigenous (re-ethnicization) after centuries of being unstructured, or establish a new identity (ontogenesis) that is not necessarily based on historical memory, but arises from internal divisions or from cultural transformation" (UNICEF and FUNPROEIB, 2009: p. 27).

Some cases analyzed by the IACHR (2019) that exemplify this situation include the paralysis of demarcation processes in Brazil, putting nearly 100 million hectares of land at risk of appropriation by other parties; the overlap of indigenous lands with areas licensed for extractive activities in Colombia; the pressure on indigenous peoples in Ecuador to adopt production and exploitation models; and the obstacles in processes to recognize indigenous lands in Peru.

(iii) Obstacles to the use of traditional lands linked to extractive or infrastructure projects and the contamination of rivers and water sources

The significant increase in monocultures for export and extractive activities in the LAC region have particularly impacted indigenous lands. Among the four extractive industries of greatest concern to the IACHR are (IACHR, 2019):

1. **Mining**, due to conflicts of interest in land use planning with an interest in extractive activities, or the occurrence of projects on indigenous or conservation lands. For example, in Brazil, out of a total of 44,911 mining projects in 2016, 17,509 had full or partial impacts on indigenous lands or conservation units.

For indigenous peoples, mining also implies new forms of social organization based on a sedentary lifestyle and social and economic stratification. For example, the transition from livelihoods based on hunting and gathering

in the Amazon, or agriculture and grazing in the vertical ecological floors in the Andean region, to economies based on salaried labor results in significant changes in indigenous communities and, in the worst cases, it can end with their expulsion from their ancestral lands ancestrales²⁵.

2. **Hydrocarbon** projects, due to their importance to the region. This is reflected in the large number of concessions granted, with some overlapping on indigenous lands. For example, the oil blocks allocated in Ecuador overlap with 76% of the area of seven indigenous territories. There is also the problem of contamination and concessions granted without the FPIC process. Extractive activities also affect food production and access, hindering fishing and hunting, activities that provide food for a large number of indigenous peoples.
3. The execution of **infrastructure** projects, due to the socio-environmental conflicts among different groups, including indigenous peoples. Specifically, hydroelectric projects can make it impossible for indigenous peoples to return to their ancestral lands. This is the case of the Mositén, Leco, Tsiman and Tacana peoples in Bolivia, with the Bala-Chepete projects; or the Minduruku people in Brazil, with the Belo Monte project.

4. **Agribusiness**, due to the expansion of the agricultural frontier into the Amazon with the subsequent increase in the use of pesticides that are contaminating rivers, water tables and underground aquifers. In Brazil, for example, the Açaizal indigenous peoples (Pará) and the Xavante (Mato Grosso) suffer from illnesses associated with rivers contaminated by pesticides.



²⁵ The mining areas are characterized by the implementation of camps for miners—usually single men—, who spend months isolated from their families. This results in another impact from mining: human trafficking and smuggling, prostitution and teen suicide (UNICEF, 2012).

5.4 Indigenous peoples and climate change

The agricultural and extractive activities mentioned above result in high rates of deforestation. This is one of the main causes of climate change, due to the decreased capacity of ecosystems to store carbon and changes in water cycles²⁶.

On the other hand, there is a strong correlation between legal security in indigenous land tenure and forest preservation, which has been proven in numerous studies²⁷. Today, more than ever, protecting indigenous land rights is related to climate action. It is essential to consider indigenous peoples not only as protectors, or guardians, of the forest, but as historical agents with the capacity for action and with knowledge that can contribute greatly to regional and global solutions²⁸.

The International Union for Conservation of Nature (IUCN) studied the potential impacts of climate change on vulnerable communities and cultures

²⁶ Among the countries at the top of the list with respect to loss of Amazonian forest are: Brazil, in first place, with 4,519,833 ha, followed by Bolivia, with 463,194 ha and Colombia, with 424,870 ha. Bolivia has a deforestation rate of 320 square meters per person per year, which is 20 times higher than the global average (IACHR, 2019).

²⁷ In the areas of the Brazilian Amazon where the State recognizes the forest rights of indigenous peoples, the deforestation rate is 11 times lower than areas where these rights are not recognized. Another study of 80 forested areas in 10 countries in South Asia, East Africa and Latin America demonstrated that community owned and managed forests provided communities with superior services and carbon storage. The study concluded that strengthening the rights of indigenous peoples with respect to forests is an effective way for governments to achieve climate goals (WRI and RRI, 2014, in UNGA, 2017).

²⁸ In a study published in the journal Nature, Mastrángelo et al. (2019) argue that the knowledge gap on ecosystems and biodiversity cannot be narrowed without overcoming the limited understanding we have of indigenous peoples' knowledge of their ecosystems.

and their associated ecosystems (IUCN, 2008). It concluded that, among other things, "climate change already has severe implications on the livelihoods and cultures of traditional and indigenous peoples. Although these people have developed important strategies to adapt to these changes, the speed of change and the magnitude of future risks could limit their ability to adapt (...) The loss of indigenous and traditional cultures and their traditional knowledge would be very regrettable for humanity and very detrimental to the conservation of biodiversity" (IUCN, 2008).

In 2017, the ILO identified six characteristics of indigenous peoples with respect to policies and the effects of climate change, which constitute a unique combination of vulnerabilities not shared by other groups. The six characteristics are: poverty and inequality, erosion of livelihoods based on natural resources, homes vulnerable to climate change in their geographic areas, migration and forced displacement, gender inequality and lack of recognition, rights, institutional support, and inclusion in public policies.

However, at the same time, the ILO identified two unique characteristics of indigenous peoples and that make them key agents of change in climate action: an economic model based on a complex cultural relationship with their ecosystems, fostering a sustainable green economy; and traditional knowledge of great value for adapting to climate change (ILO, 2017).

In this sense, aware of the great challenges ahead of us, there is a great opportunity to generate synergies with indigenous peoples to create and implement climate change strategies²⁹.

The EUROCLIMA+ programme FBE sector projects seek to strengthen joint efforts with indigenous peoples and promote mutual learning to improve the resilience of ecosystems and local communities to face climate change.

²⁹ From the first manifestos of indigenous peoples concerning the challenges of climate change, they recognized that the problem goes beyond the local scale, underscoring the importance of bringing together local and global knowledge. See: <https://ipccresponse.org/espanol>.



Key messages

- By respecting and protecting their rights, indigenous peoples are not only guaranteed a dignified life, but also survival as a people with their own culture.
- The exercise of territorial rights, participation and FPIC of indigenous peoples is crucial to combat deforestation arising from changes in land use and the degradation of vital resources, such as water. Thus, it is fundamental for climate action.



6. Working with indigenous peoples for climate action

6.1 FBE sector projects and working with indigenous peoples

Framework conditions: state institutions

Public institutions are governed by mandates and powers. In some LAC countries, the governing authorities for environmental issues and the NDCs have neither mandates nor direct powers to work with indigenous peoples. An exception is Bolivia, where, after revising the National Political Constitution in 2009, almost all ministries, including the Ministry of the Environment and Water, have mandates to work in coordination with indigenous peoples. However, there are other authorities responsible for implementing public policies related to indigenous peoples, or policies that must guarantee their participation.

In many LAC countries, there are cooperation mechanisms between the different levels of government and indigenous peoples (working groups, councils, committees etc.). Although some of them are not stable or permanent, they allow for coordination between environmental authorities and indigenous peoples.

State environmental institutions and indigenous peoples

In Panama, the Ministry of the Environment (MiAmbiente) has a Climate Change Directorate, but the entity responsible for indigenous affairs is part of the Government Ministry, through the Vice Ministry of Indigenous Affairs. However, MiAmbiente, in compliance with its mandate, coordinates with indigenous peoples on forestry matters and approves deeds for indigenous lands, among other powers.

In Honduras, the National Directorate of Climate Change, also part of the Ministry of the Environment, has the task of addressing climate action. However, the Presidential Office for Climate Change (Clima+) coordinates climate policies among the different sectors and levels of government. Clima+ also cooperates with indigenous organizations and secures financing for climate projects.

In Peru, for example, the Ministry of the Environment (MINAM) initiated a participatory process with civil society and consultation with indigenous peoples for the elaboration of the Regulation of the Framework Law on Climate Change (*Reglamento de la Ley Marco de Cambio Climático*)³⁰.

Colombia provides a unique example of the structuring of climate institutions. The emblematic 2018 judgment of the Colombian Supreme Court (4360) determines the “Colombian Amazon as an entity, ‘subject of rights,’ entitled to protection, conservation, maintenance and restoration by the State and the territorial entities that are part of it” and “ordered the Presidency of the Republic and the other national, regional and municipal authorities with this responsibility, to adopt a short, medium and long-term plan of action to protect the Colombian Amazon,” among others measures, with the elaboration of the “Intergenerational Pact for the Life of the Colombian Amazon” (*Pacto Intergeneracional por la Vida del Amazonas Colombiano*) to reduce deforestation and greenhouse gases to zero (Supreme Court of Justice of the Republic of Colombia, 2018). The monitoring of compliance with this ruling is carried out by indigenous organizations, among others.

FBE sector projects as a cooperation system

One of the most important findings from the visits to the sites where the EUROCLIMA+ programme FBE sector projects are implemented was that most of the entities that implement the projects not only have extensive experience and knowledge of working with indigenous peoples’ organizations, but they also have, in most cases, the trust of these organizations and peoples³¹. This respect for the knowledge and rights of indigenous peoples is one of the most important pillars of the EUROCLIMA+ programme for promoting climate action.

The projects work with, and involve, different institutions and interest groups (see appendix 4). Most of the projects are identified as part of the cooperation system of at least one indigenous people or IPO.

³⁰ The process of consulting indigenous peoples was monitored and supported by the EUROCLIMA+ programme through the International and Ibero-American Foundation for Administration and Public Policies (FIIAP) and the German development agency GIZ. One of the most important commitments assumed in this process was the creation of the Plataforma de los Pueblos Indígenas para enfrentar el Cambio Climático, or PPICC (the Indigenous Peoples’ Platform to Address Climate Change). The implementation of this Platform was a process supported by the EUROCLIMA+ programme, through FIIAP. For more information, access: <https://euroclimaplus.org/6/consulta-indigena-sobre-el-reglamento-de-la-ley-de-cambio-climatico-del-peru>; and <https://euroclimaplus.org/apoyo-a-la-constitucion-de-la-plataforma-de-los-pueblos-indigenas-para-enfrentar-el-cambio-climatico-ppicc>.

³¹ In some cases, these support entities are considered technical advisers in their political decision-making spaces (for example, APCOB and ACEAA in Bolivia).

The information provided by the implementing agencies of FBE sector projects shows that different tools are applied when working with communities and IPOs, based on the experience and degree of trust of these organizations. These tools range from participatory planning in focus groups, demonstration agricultural units/plots, exchanges, monitoring and committees, among others.

Indigenous Peoples Organizations – IPOs

Despite the great diversity of IPOs in the LAC region, they face common challenges with respect to internal governance, relations with their local peers (agrarian producers, “criollos” etc.) and links to the larger context (regions, municipalities, provinces, ejidal jurisdictions etc.).

As we saw in the previous chapter, there is a great diversity of cultures and local contexts among indigenous peoples. They are also not static; they change and adapt with the modern world, maintaining their cultural parameters. However, there are some common patterns.

In the LAC region, national IPOs have gradually turned into supranational organizations. For example, the oldest, the *Confederación de Organizaciones Indígenas de la Cuenca Amazónica* (COICA) (Confederation of Indigenous Organizations of the Amazon Basin) was founded in the 1980s³². In the

32 COICA was founded in 1984 in Lima, Peru, during the First Congress of Indigenous Organizations of the Amazon Basin. Other organizations that participated include: AIDSESP (Peru); the Confederation of Indigenous Nationalities of the Ecuadorian

last two decades, other supranational organizations have emerged such as the *Coordinadora Andina de Organizaciones Indígenas* (CAOI), the coordinating body of the indigenous Andean organisations of Bolivia, Ecuador, Peru and Colombia, and various platforms for addressing issues and for indigenous women, among them, the *Enlace Continental de Mujeres Indígenas de las Américas* (the Continental Network of Indigenous Women), an organization that operates in the 3 Americas.

These organizations have been very active and have participated in the discussion processes of some of the most important human rights instruments in the United Nations system through the Permanent Forum on Indigenous Issues³³ and the Inter-American Human Rights System. They also participated in the decade-long debate on intellectual property rights of indigenous peoples under the Convention on Biological Diversity (CBD)³⁴.

Amazon (CONFENIAE); the Confederation of Indigenous Peoples of Bolivia (CIDOB); the National Indigenous Organization of Colombia (ONIC); and the Union of Indigenous Nations (UNI, Brazil).

33 This mechanism for the participation of indigenous peoples has submitted approximately 1,500 recommendations to the United Nations System, of which 10% address environmental or climate issues. See: <https://www.un.org/development/desa/indigenous-peoples-es/sesiones-del-foro-permanente.html>.

34 Under the CBD, the Nagoya Protocol on “access to genetic resources and the fair and equitable sharing of the benefits derived from their use” was determined. The negotiation process began in 1993, when the CBD entered into force, and culminated in 2010 with the protocol.

The role of indigenous peoples and IPOs in global climate policy

In recent years, IPOs have intensified their advocacy efforts in the area of climate change, especially after the Conference on Indigenous Peoples and Climate Change in Copenhagen in 2008. Different mechanisms were created at the conference to ensure the effective participation of indigenous peoples in UNFCCC processes, culminating in the Conferences of Parties decision at CoP23 (2017) to create the Local Communities and Indigenous Peoples Platform (LCIPP). The LCIPP seeks to strengthen local and indigenous peoples’ knowledge on mitigation and adaptation to foster the exchange and use of this knowledge and encourage their participation in UNFCCC processes.

Different manifestos and proposals underscore that indigenous peoples, agencies and mechanisms created under the UNFCCC are aligned with the same goal: jointly implementing actions to reduce the effects of climate change. The greatest challenge to achieving this goal is implementing similar processes in countries and improving the sharing of knowledge and information among IPOs and the communities in the regions about the climate crisis and related national policies, especially the NDCs.

Challenges for IPOs in the LAC region

- **Division among organizations or conflicts in representation**

Indigenous organizations, from their basic structure at the local or community level, are exposed to different pressures to accommodate or make decisions in favor of their interests. Looking at the vertical structure of representation, from the local to sub-national and national representation, we see organizations divided by these pressures.

- **Limited knowledge of environmental policy in general and climate change in particular**

Indigenous communities note with concern the changes that are occurring in the climate (shorter rainy seasons and longer heat waves), based on their short-term knowledge of these changes³⁵. However, there is a very large information gap with respect to climate data produced by environmental authorities and indigenous communities and IPOs. Furthermore, there is also a lack of knowledge on the part of these authorities with respect to the problem on a local level and in indigenous territories.

- **Reliance on technical assistance from external institutions (in most cases, non-governmental)**

The alliance of IPOs with non-governmental organizations (NGOs) and international cooperation organizations has been fundamental for promoting the recognition of their rights. Many IPOs have been unable to find stable and sustainable financing mechanisms to ensure their operation and activities. This dependence on NGOs and international cooperation projects represents an ongoing risk to their effective participation and the defense of their rights.

- **Limited cooperation between IPOs and sub-national and national levels of government**

Consultation and participation of indigenous peoples in climate actions

Free, Prior and Informed Consent (FPIC) represents an approach for private and cooperation entities or institutions that want to work in indigenous peoples' territories³⁶. For this reason, the international jurisdiction for the protection of human rights, the IASHR and the control mechanisms developed under United Nations Conventions have resulted in manuals, declarations and very consistent jurisdiction aimed at clarifying the procedures for their application³⁷.

³⁶ The Indigenous Rights and Resource Governance Research Group defines Free, Prior and Informed Consent (FPIC) as "the inherent right of Indigenous communities to decide "yes" or "no" to external activities that affect their territories, lands and/or natural resources, such as mining, forestry, oil and gas extraction and/or water projects." (See: <https://www.fpic.info/es/>). For more information on FPIC, see: Martínez Cobo (2009), Arévalo (2014), FDP (2015), Ameller et al. (2012) and Morris et al. (2009).

³⁷ Some examples include: ILO (2013); ILO (2009); FDP (2015); DeJusticia/CDP-HRC / DPLF (2016); Alva A. (2014).

³⁵ For more information on the perceptions of climate change in indigenous communities, see the publication entitled "Cambio climático y pueblos indígenas: Estudio de caso entre los Tsimane', de la Amazonía boliviana" [Climate change and indigenous peoples: Case study among the Tsimane', in the Bolivian Amazon] by Fernández-Llamazares, A. et. al., 2014.

Consultation and Free, Prior and Informed Consent in Costa Rica

In the 1970s, Costa Rica created a regulatory framework on indigenous peoples: the National Commission for Indigenous Affairs (1973), the Indigenous Law (Law 6172 of 1977) and its regulations (Decree 8489 of 1978). In this way, this Central American country was able to regulate indigenous communal and territorial organization; ensure the rights of indigenous communities; and create an institutional framework to develop government policies for these populations.

In the Presidential House, indigenous issues are addressed by the Vice Ministry of Political Affairs and Citizen Dialogue (not a commissioner). Since August of 2018, with a presidential directive, there has been a Public Policy for Indigenous Peoples with the participation of indigenous peoples and different governmental bodies at the national and sub-national level.

Since 2018, Costa Rica has employed a standard for consultation with indigenous peoples called the Consultation Mechanism (Executive Decree No. 40932-MP-MJP), which was delegated for implementation by the Ministry of Justice and Peace through the Indigenous Consultation Technical Unit.

Most cooperation organizations have special procedures to ensure that their actions take into account the human rights of indigenous peoples or that, at least, they do not negatively affect them. These special procedures, or safeguards, are defined as “measures to anticipate, minimize, mitigate or otherwise address the adverse impacts associated with a given activity” (REDD+ Costa Rica, n.d.). Some entities, like the Global Environment Facility (GEF), even establish requirements for monitoring and reporting the application of safeguards. Another way of establishing parameters for respecting the rights of indigenous peoples are the declarations, concepts and principles of cooperation.



Photo: Diego Giacomani

Safeguards and cooperation

GEF recently updated its environmental and social safeguards, which entered into force on July 1, 2019. The most significant of these safeguards is that agencies awarded projects must prove that they have “policies, procedures of the systems and capacities necessary to ensure that the free, prior and informed consent of the affected indigenous peoples is obtained whenever a project or programme may cause: impacts on land and natural resources, relocation, or significant impacts on the cultural heritage of indigenous peoples” (GEF, 2018)³⁸.

The German Federal Ministry for Economic Cooperation and Development (BMZ) has established a model for cooperation with indigenous peoples in LAC. The model provides the parameters to be used to include the needs of indigenous peoples in the projects implemented (mainstreaming) and direct support for indigenous organizations. One of the principles is respecting the FPIC of indigenous peoples and their organizations (BMZ, 2006).

Development cooperation organizations, especially those working in the area of climate action, are strengthening the process to rationalize and harmonize political commitments and operational guidance with the most generally applicable standard, which, in this case, is the United Nations Declaration on the Rights of Indigenous Peoples (Feiring B., 2013). This process is reflected in different agreements related to FPIC processes with indigenous peoples. If this trend continues, it is foreseeable that all climate projects will follow this path in the short or medium term.

This also applies to projects implemented under the EUROCLIMA+ programme, where “the application of FPIC not only respects a right, but also guarantees the adoption and sustainability of measures in indigenous territories.”³⁹.

³⁸ The Green Climate Fund (GCF) has a similar approach, but with more precision with respect to the obligation to minimize, repair and/or compensate these impacts in a culturally appropriate way, in accordance with nature and the scale of the impacts that the project may generate.

³⁹ The Climate-Smart Agriculture Project, at the subregional meeting of of FBE sector and Resilient Food Production (RFP) projects of the EUROCLIMA+ programme in Bogotá, Colombia, in October of 2019.

6.2 Indigenous Knowledge and Action Based on Indigenous Knowledge (ABIK)

Indigenous knowledge is used in different spheres and recognized as one of the most important contributions of indigenous peoples to climate action.⁴⁰ Moreover, a number of processes have been initiated to recover and learn from this knowledge (Nakashima D., et al. 2012; UNESCO, 2017).

Indigenous knowledge

In this document, indigenous knowledge is understood as any knowledge that (Sillitoe P. et al. 2002; Dei et al., 2000):

- provides an **understanding of the world**;
- is rooted in and conditioned by **local traditions**;
- is acquired **from birth**;
- is **not locally homogeneous** (no one knows it in its entirety and it is distributed across gender, age etc.);
- is associated with the **long-term occupation of a place**; and
- guides, organizes and regulates a **way of life**.

This knowledge also has as its source: selective **traditional education** (not everyone has access to the same knowledge); **empirical observation**; and **revelations** in dreams, visions and intuition. It is collectively validated by community consensus, which distinguishes wisdom from personal perception, considering its use as a basis for common actions. It does not claim to be universal (Brant M. in Dei et al., 2000).



Photo: Diego Giacomani

⁴⁰ See UNFCCC, 2016; UNGA, 2017; ILO, 2017; WB, 2015, among others.

In addition to the term indigenous knowledge, this document employs the term *Action Based on Indigenous Knowledge* (ABIK). *Indigenous knowledge* is susceptible to recovery, (re)valuation, systematization, dissemination etc. On the other hand, ABIK refers to the **use of indigenous knowledge**, in any context, combined with external knowledge, which may even be the knowledge of another indigenous population.

In the framework of this report, the term ABIK is used to highlight the use of indigenous knowledge in actions in conjunction with EUROCLIMA+ programme FBE sector projects. Indeed, these projects interact with different stakeholders, some indigenous, who employ their own knowledge, but also knowledge acquired in interactions with cooperation systems. Both types of knowledge are put into practice in joint efforts for climate action. This document seeks to identify examples to learn from them to apply this knowledge in other contexts.



Key messages

- Most of the FBE sector projects involve indigenous peoples, or are implemented in areas with indigenous populations. Indigenous peoples are crucial stakeholders in eight of the nine projects.
- Some institutions implementing FBE sector projects have extensive experience working with indigenous peoples and even participate in their decision-making institutions as technical advisors.
- Despite the fact that some IPOs are institutionally weak, the implementing institutions have found strategies to remain neutral stakeholders.

6.3 The results of FBE sector projects in working with indigenous peoples

This section describes the results of the detailed analysis of five FBE sector projects in terms of the potential of the mechanisms implemented to promote cooperation, participation, information and consultation of indigenous peoples as well as learning and knowledge sharing processes.

To this end, the analysis identifies three work approaches applied in the projects:

- **Action Based on Indigenous Knowledge**
- **Systematization and sharing of indigenous knowledge to transform local actions into climate actions**
- **Capacity building for the implementation of stable approaches for working with indigenous peoples**

In the following section, we analyze each of the five projects, grouped according to the three work approaches mentioned above. It is important to mention that, given the nature of this report, it is not possible to provide an exhaustive presentation of each project. However, general information on each project provides sufficient clarity in the analysis of their work approaches. More information on each of the five FBE sector projects analyzed in this report can be found on the EUROCLIMA+ site⁴¹.

⁴¹ See: <http://euroclimaplus.org/proyectos-bosques>

Action Based on Indigenous Knowledge

Project: “Water sowing and harvesting, water service fees and acknowledgement of environmental services payments in the South-South Cooperation framework”⁴²

The project *Water sowing and harvesting, water service fees and acknowledgement of environmental services payments in the South-South Cooperation framework* was implemented in Costa Rica and Peru between 2019 and 2021 by the Association for Research and Integral Development (AIDER, Peru) and the National Forest Financing Fund (FONAFIFO, Costa Rica).

⁴² It is important to mention that, in the case of the project *Water sowing and harvesting, water service fees and acknowledgement of environmental services payments in the South-South Cooperation framework* (Peru - Costa Rica), the analysis method is different, since it describes the factors for success. Although this project was in execution at the time of writing this report, it already presented important results for analysis. The other four projects were in the early stages of implementation at the time of this study.

Project characteristics “Water sowing and harvesting”	
Objective	The improvement of the water supply in semi-arid zones in tropical dry forest areas in Costa Rica; and the protection, improvement and restoration of basins with a payment for ecosystem services and water fees system in Peru.
Expected results	<ul style="list-style-type: none"> » Improved resilience to the effects of climate change among the populations in Peru and Costa Rica. » Development of a water fee and payment for ecosystem services mechanism for the conservation and management of water resources associated with the forests in the Chira - Piura basins.
Ongoing actions	<ul style="list-style-type: none"> » The <i>Asociación Bartolomé Aripaylla</i> (ABA), a project partner, builds the capacities of the indigenous organization <i>Asociación Coordinadora Indígena y Campesina de Agroforestería Comunitaria de Centroamérica</i> (ACICAFOC) for water harvesting. » FONAFIFO (National Forestry Financing Fund) builds capacities for payment for ecosystem services for the Forest and Wildlife Service (SERFOR) for the Piura and Cachis basins. » Implementation of pilot water harvesting projects: 4 in Costa Rica; 1 in Piura. » Training and dissemination of the payment for ecosystem services programme. » Proposal for a law on water fees in Peru.
Pilot sites	<ul style="list-style-type: none"> » The Río Naranjo, Nueva Guatemala and Agua Caliente communities in the province of Guanacaste, Costa Rica. » The Palo Blanco de Matalacas community in the region of Piura, Peru.
Ecosystems	<ul style="list-style-type: none"> » Montane and premontane ecosystems in Costa Rica. » Andean pasture and páramo ecosystems in Peru.

Source: Project application form

Aimed at achieving the goals and expected results, one of the project activities focused on replicating ABIK from Peru in Costa Rica. The ABIK involves technology developed in the Ayacucho region of Peru for creating, maintaining and restoring lagoons that act as regulators of the water supply by restoring the landscape and feeding the water springs of the areas at lower altitudes.

The knowledge of these reservoirs, known as *Q'ochas* ("lagoon" in Quechua), was revived by Peruvian indigenous people who also have academic training in agricultural engineering. This ABIK, called *siembra y cosecha de agua*⁴³, (water sowing and harvesting), is particularly relevant for this study as it was the result of a long process in which indigenous knowledge complemented academic/technical knowledge.

Crianza de Agua: beliefs, rituals and regrets

"We learned that we must believe in order to see", one of the founders of the Asociación Bartolomé Aripaylla (ABA) declared. It took more than 8 years to realize and see the results of their *"Q'ochas"* in the Ayacucho region. There were many obstacles, but the biggest one was the disbelief of the people.

The founders, given their training as engineers, were asked by their community to find alternatives to supply water during droughts. They believed in the wisdom of the elders, who told them that, in the past, they knew exactly where the *Q'ochas* should be tended and maintained. Applying engineering knowledge and talking to the elders, the founders were able to successfully carry out the task. However, the results of this discovery would not only change the landscape of their region and restore water sources, but it would also change the perception and commitment of people in the community, the department and the country. Since 2017, the Ministry of Agriculture and Irrigation of Peru has administered a programme to finance Public Investment Projects for sowing and harvesting water at the national level⁴⁴.

Thousands of kilometers to the North, in Guanacaste (Costa Rica), a project beneficiary looked at their *Q'ocha* and noted how quickly the area around the *Q'ocha* had become covered with vegetation, and also the return of birds, frogs, turtles and even the tapir. With her gaze fixed on the surface of the water, she explained that her family had owned this land (adjacent to the Tenorio National Park) for more than 50 years, but that they never thought how much damage they could cause by neglecting the wetlands.

A kilometer away, at his home, another beneficiary stated that they did not believe that these *Q'ochas* could produce springs: "I have lived here for more than 30 years and there have never been springs in the places where the Peruvian women said they would appear, when they came and stayed at my house." His enthusiasm, pointing at the springs in his fields, was contagious: *"I have water all year round. See how much flows out? And this is not the rainy season. (...) We had to "unlearn" to apply this technique."*

He said that Peruvian women always perform a ritual for the land and water before taking any measures or visiting the field. *"For them, water is a living being. We respect them, but we do not follow the rituals of the Peruvian women. Instead, we hold a mass or we thank God. For us, that is our ritual, but we also always do it before beginning work, like the Peruvian women."*

⁴³ The initial process of reviving and implementing the ABIK was called *crianza de agua* ("creation, or nurturing, of water").

⁴⁴ For more information, see the Institución Sierra Azul de Perú website at: <https://www.sierraazul.gob.pe/index.php/es/>

ABA members are also part of the traditional indigenous organizations in Ayacucho. The fact that the association's founders played a dual role, as both community members and technical advisors, created very favorable conditions for the success of the ABIK.

Looking at the implementation of the project, we can highlight three important characteristics of the management of the ABIK:

1. One of the important aspects was “advising-showing.” In practice, with the project *Water sowing and harvesting, water service fees and acknowledgement of environmental services payments in the South-South Cooperation framework*, the exchange included a phase of “advising by showing” in the field. ABA visited the farmers of Guanacaste, Costa Rica on two occasions⁴⁵. During the first visit, the normal cooperation actions were carried out (site visit, feasibility study and recommendations). During the second visit, ABA worked with Costa Rican farmers to build the Q'ochas and implement the technology, adapting it to the local conditions of Guanacaste.
2. The farmers of Guanacaste and ABA learned something important: **local history should be the basis to sustain any action**. The conditions of the ecosystem shape social behavior and define the limits of action. The use of different materials, for example, was not immediately accepted by ABA, but lacking the material used

in the mountains of Ayacucho (stone), they found that zacate grass (the name of the pasture found in Guanacaste) was very useful for building the dykes⁴⁶.

3. The successful relationship between the people of the “locality,” Guanacaste farmers and indigenous engineers from the Andes was based on respect for different worldviews. The usual language problems, due to localisms and *Quechuismos*⁴⁷, were resolved through the mediation of the articulators (the people responsible for the project).

With respect to scaling-up actions, it is important to note that, despite the short implementation time of the project, the Rural Development Institute (INDER) of Costa Rica, in its institutional planning, has already earmarked resources for the construction of 5 reservoirs (*Q'ochas*) in the Guanacaste region⁴⁸. This means that the results of the project can be quickly replicated⁴⁹.

46 The abundant high-quality clay soil in the mountains of Guanacaste greatly facilitated the construction of the Q'ocha reservoirs. Furthermore, the tropical climate of Guanacaste made it possible for what would normally take months (or years) in the Andes to produce results in just a few months in the mountains of Costa Rica.

47 In this document, Quechuismo refers to the mixing of Spanish and Quechua (common in the Andes).

48 For more information, consult the Plan de Desarrollo Rural del Territorio Abangares-Cañas-Bagaces-Tilarán de 2016-2021, available at: <https://www.inder.go.cr/acbt/PDRT-Abangares-Cañas-Bagaces-Tilarán.pdf>.

49 This is also due to the extensive press coverage that provided visibility and an important boost for scaling up the project.

45 Each visit to Guanacaste lasted approximately 20 days.

Five factors for success in the implementation of ABIKs

1. **Identify the problem as clearly as possible.** Know what you want to change or fix with an ABIK process. For example, with the *Water Sowing and harvesting project*, we learned that solutions from the Peruvian Andes could also serve Guanacaste after identifying the problem of water scarcity and characterizing and zoning the basin (upper, middle and lower zones).
2. **Know the history of the place (cultural, social and ecosystemic) where the ABIK will be implemented.** This makes it possible to identify and ensure important aspects such as respect for the worldview from where the ABIK originates and that of the region where it will be implemented; the social cooperation capacity of those involved, especially on a larger scale (other local organizations and sub-national governments); and the availability and proximity of the resources that will be used. For example, in the *Water Sowing and Harvesting project*, we learned that it is important to have committed people, but more is needed. It is just as important to create a social system in the project, since individual work limits the results. The implementation of the ABIK with local materials, such as clay and grass, was essential for its execution and sustainability. Similarly, it was very important to find ways to replicate the Andean ritualism in the ABIK with the people of Guanacaste.
3. **Have clear information on the expected results, the capacities to be developed to apply the ABIK and continuous communication of the progress.** The *Water Sowing and Harvesting project* involved the implementation of a new and innovative process, and we discovered that there are obstacles to openness in local communities (status quo bias). Hence, we posed two questions: who teaches what? And who learns what? In this project, both parties taught something and both parties learned something, but in different processes. Visibility actions were implemented from the beginning of the project and the construction of the first reservoir was accelerated so the community could have a sample of what they intended to achieve⁵⁰. In addition, special emphasis was placed on the aesthetics of the infrastructure to draw attention.
4. **Establish ties with issues and projects promoted by municipal governments to receive institutional support and lay the foundations for sustainability.** The *Water Sowing and Harvesting project* linked the Q'ochas with municipal projects for production under the framework of the Municipal Government's production promotion scheme. As a result, it received support during the construction process.
5. **Have a coordinated group to ensure the implementation of the ABIK.** The binational team of the Water sowing and Harvesting project was very active and always worked in coordination with all the stakeholders. This was one of the keys to success. At the beginning of the project, there were doubts about the potential project results in the region among some members of the rural producers association. This perception changed, little by little, after the results were demonstrated. To achieve this, it is essential to have people who can assume the role of coordinating this long-term process.

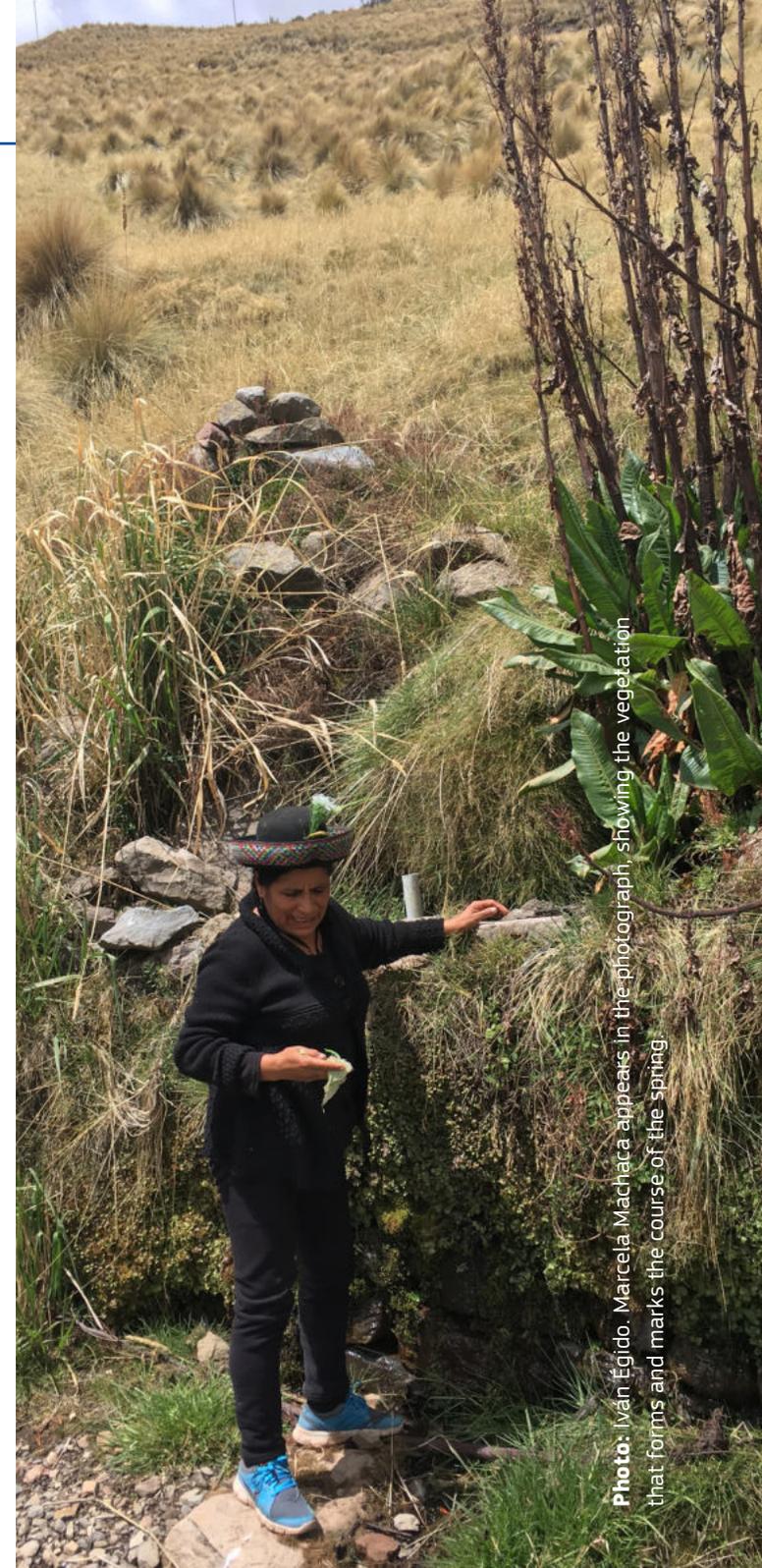


Photo: Iván Égido. Marcela Machaca appears in the photograph, showing the vegetation that forms and marks the course of the spring

⁵⁰ This process to accelerate the construction of the Q'ochas was not easy as Costa Rica has very strict construction regulations, especially on land adjacent to protected areas. Nonetheless, progress was made in the administrative processes and AIDER was able to construct the first Q'ocha in record time.

Project “Communities, Forests and Biodiversity: promoting dialogue, exchange and forest value chains to adapt and mitigate climate change”⁵¹

The project *Communities, Forests and Biodiversity: promoting dialogue, exchange and forest value chains to adapt and mitigate climate change* was implemented in Colombia, El Salvador, Guatemala⁵² and Honduras between 2019 and 2021 by the Interchurch Organization for Development Cooperation (ICCO), the Association of Forest Communities of Petén (ACOFOP, Guatemala), the Federation of Agroforestry Producers of Honduras (FEPROAH, Honduras), the Moskitia Asla Takanka (MASTA, Honduras) and the Greater Community Council of the Organization of Rural Producers of Alto Atrato (COCOMOPOCA, Colombia).

⁵¹ During a visit to Honduras, interviews were conducted with representatives of organizations involved in the project and other key informants.

⁵² At the date of publication of this document, Guatemala had begun the process of revising their NDCs to include a cross-sectoral component for climate adaptation that takes into account the approach of indigenous peoples.

Project characteristics “Communities, Forests and Biodiversity: promoting dialogue, exchange and forest value chains to adapt and mitigate climate change”	
Objective	Strengthen integrated forest management models with a land management approach as a mechanism for climate change adaptation and mitigation.
Expected results	<ul style="list-style-type: none"> » Increase collaborative actions, regional cooperation and political dialogue among platforms for the integration of indigenous peoples, local communities and government institutions. » Implement successful forestry company models for integrated forest management aimed at reducing deforestation, degradation and loss of biodiversity. » Strengthen capacities for generating knowledge and learning related to climate change mitigation and adaptation.
Ongoing actions	<ul style="list-style-type: none"> » Regional collaboration/cooperation and political dialogue among IPOs and rural producer organizations, or OBCs (<i>Organizaciones de Base Campesina</i>), and state authorities, as well as strengthening IPO/OBC governance platforms. » Systematization of successful forest management models and their dissemination in different languages: community forestry and <i>guatecarbón</i> (ACOFOP) and the indigenous worldview in REDD+ (MASTA). » Capacity building and training of forestry leaders for the generation of knowledge and learning in REDD+ and land management, as well as for establishing alliances and advocacy. » Studies with a citizen science approach on the economic value of forests managed by IPOs.
Pilot sites	<ul style="list-style-type: none"> » Upper basin of the Atrato river in Colombia. » Maya Biosphere Reserve in Guatemala. » Moskitia, Olancho, Comayagua, Choluteca and Gracias a Dios in Honduras. » Cinquera forests and the Lenca territories of Chilanca and Guatajiagua in El Salvador.
Ecosystems	Tropical forests.

Source: Project application form

This FBE project works on indigenous inclusion through participation in national and international decision-making mechanisms for climate action and access to financing. The project calls this process “political dialogue.” Furthermore, the project aims to build capacities in indigenous and local organizations for land management.

The project works with two indigenous groups (Miskitus and Lencas) and one of African descent through the associated IPOs: Moskitia Asla Takanka (MASTA) in Honduras; the Lenca Community Association of Chilanga (ACOLCHI) and the Lenca Community Association of Guatajiagua (ACOLGUA) in El Salvador; and the Greater Community Council of the Organization of Rural Producers of Alto Atrato (COCOMOPOCA) in Colombia. In addition, it works with rural producer organizations (OBCs) dedicated to community forestry.

The ICCO has a long-standing relationship with IPOs, built on trust, since they have worked as partners in other projects. This has allowed for the development of a positive experience on indigenous issues, especially with respect to land management and protection.

The promotion of regional political dialogue based on the effective participation of IPOs together with state authorities to agree on issues such as financing mechanisms and property rights demonstrates the capacity of implementers in the region to cooperate⁵³. This political dialogue involves sharing experiences (successful and unsuccessful) of the application of multilevel governance systems in the countries.

Participation and consultation

The inclusion of IPOs in project management is based on trust, transparency and equal treatment; as well as respect for self-government and autonomous decision making. The inclusion of IPOs is intended to occur throughout the entire project management process. Since the implementers consider the IPOs as project partners and co-applicants, the IPOs become executors and are directly responsible for resources, activities and community governance. Consultations are carried out in assemblies, adhering to FPIC criteria.

Another sphere where indigenous inclusion is promoted through *political dialogue* is national and international environmental public policy. To this end, it promotes the participation of IPOs in cooperation networks to facilitate dialogue with decision makers and for advocacy. There are also actions aimed at improving visibility and the empowerment of IPOs, including advocacy at national meetings and improving and strengthening alliances, among other actions.

⁵³ Within the framework of the project, the IPOs in El Salvador have designed a roadmap to defend and consolidate land rights. This is part of the National Action Plan for Indigenous Peoples and the FPIC process, and has been validated by local, national and regional authorities. In Guatemala, IPOs have received support and technical and legal advice to extend forest concessions in the Maya Biosphere Reserve. In Honduras, efforts have been made to strengthen IPOs in forest nursery and harvesting operations as well as training for climate change mitigation and adaptation. Finally, in the department of Chocó, in Colombia, IPOs have received support for agroforestry activities through studies and business plans.

Indigenous knowledge is a central theme in the project and is addressed in the following actions: the systematization and dissemination of community and indigenous forest management models; cooperation between IPOs and OBCs (rural organizations) aimed at building capacities; and studies aimed at describing and disseminating the rich biodiversity of the forests on Miskitu lands.

Thus, the project involves actions to promote, disseminate and share local/indigenous knowledge related to climate action in community forestry (both timber and non-timber resources), as well as generating new knowledge.

The regional perspective, the focus on the interests of IPOs and OBCs, and the emphasis on advocacy for subnational and national climate policy have resulted in highly relevant learning in this project.



Project: “Institutionalizing the non-carbon benefits in climate change mitigation and adaptation strategies”⁵⁴

The project *Institutionalizing the non-carbon benefits in climate change mitigation and adaptation strategies* was implemented in Bolivia and Panama between 2019 and 2021 by Forests of the World (Denmark), the Geoversity Foundation (Panama), Support for the Indigenous rural producers of Eastern Bolivia (APCOB, Bolivia) and the Forest Stewardship Council (FSC).

Project characteristics “Institutionalizing the non-carbon benefits in climate change mitigation and adaptation strategies”	
Objective	Institutionalizing Non-Carbon Benefits (NCBs) ⁵⁵ in strategies for climate change mitigation and adaptation in forests.
Expected results	<ul style="list-style-type: none"> » The compilation and qualification of the values of the prioritized NCBs by local groups in two pilot areas in Panama and Bolivia. » Testing and validating a monitoring, reporting and verification (MRV) tool for the prioritized NCBs and its importance for reducing deforestation at the local level in three areas in Panama and Bolivia. » Agreements with key national and international stakeholders to establish a commitment to encourage NCBs by applying MRV systems.
Ongoing actions	<ul style="list-style-type: none"> » Training for communities on how to identify, supervise and protect NCBs. » Development and approval of a tool for the MRV of NCBs. » Implementation and dissemination of climate change adaptation initiatives based on the experience of MVR of NCBs. » Supporting organizations in the areas of rights, gender equity, communication, negotiation, leadership, alliances, organization, representation and resilience to climate change. » Development of a study on NCB experiences and best practices in Latin America. » Promotion of alliances between stakeholders to encourage NCBs. » Advocacy (national and international) to encourage NCBs as described in the Paris Agreement.
Pilot sites	<ul style="list-style-type: none"> » Monteverde Indigenous Territory and Lomerío Indigenous Territory, both located in Santa Cruz, Chiquitanía, Bolivia. » Four communities in the Mamoní River Valley and seven Emberá communities associated with the Chagres National Park and the Emberá Ējuä So Territory in Panama.
Ecosystems	<ul style="list-style-type: none"> » Tropical forests in the Mamoní Valley and the Chagres and San Juan de Pequení river basins in Panama. » The Chiquitano dry forest in Bolivia.

Source: Project Application Form

⁵⁴ Results of the workshop with the team of the project Institutionalizing the non-carbon benefits in climate change mitigation and adaptation strategies (APCOB, Forests of the World and Geoversity).

⁵⁵ According to the project Institutionalizing the non-carbon benefits in climate change mitigation and adaptation strategies, Non-Carbon Benefits (NCBs) are defined as “the positive socioeconomic, environmental or biocultural effects of well-governed activities, which also contribute to climate change mitigation or adaptation, without necessarily being related to carbon sequestration.”

The project involves the Chiquitano indigenous people in Bolivia and the Emberá indigenous people in Panama. The IPOs of these towns are the Territorial Governments of Monte Verde and Lomerío in Bolivia and the Noko Council of the Emberá Ējuä So Territory in Panama, associated with the Regional Council of the Panama Canal Hydrographic Basin.

The project seeks to recover, develop and promote new mitigation and adaptation practices that generate biocultural, environmental, social, economic and governance benefits. To this end, it seeks to build the capacities of indigenous peoples and structures so that they can identify and manage activities that generate the prioritized local NCBs with a positive impact on climate change. In the case of Bolivia, the project focuses on existing production activities (and exploring other potential ones) that are also important for the cultural survival of communities, as well as for forest and biodiversity conservation. Similarly, both countries seek to support the ministries in charge of integrating the NCB concept and mechanisms in their strategies aimed at fulfilling their NDCs.

The use of indigenous knowledge in NCBs

The project promotes the participation and decision making of indigenous communities in the processes of identification and promotion of actions associated with NCBs. The project promotes the concept of NCBs among indigenous peoples in Panama through workshops, and among indigenous Chiquitano youth in Bolivia through capacity building to ensure they are the ones who collect and analyze the data on NCBs using the knowledge of their people.

Research and dissemination of the concept of NCBs has been carried out through different means in the Chiquitano and Emberá communities. Panama promotes the inclusion of NCBs in its NDCs and at the conference of the parties (CoP 25 and CoP 26). To this end, the Geoversity Foundation worked on the first steps before requesting complementary support from EUROCLIMA+ to ensure that indigenous peoples participate in the FPIC process and give their consent for a national NCB policy. This process includes the participating and beneficiary territories and indigenous peoples and is promoted by the Gunayala authorities, involving the National Coordinator of Indigenous Peoples of Panama (COONAPIP), the National Focal Point of Panama for EUROCLIMA+ and the Vice Ministry of Indigenous Affairs.

With respect to knowledge, the project seeks to recover and recreate (or co-create) knowledge. From this perspective, the economic activities for NCBs can be considered an ABIK. These ABIKs are based on knowledge and “experience in managing environmental functions (ecosystems, erosion prevention and biodiversity); management and conservation of forests,” among others.

With respect to participation and consultation mechanisms, the project undertakes FPIC processes in all the project stages in Panama. Similarly, there will be permanent consultation with the technical council of the territorial governments in Bolivia. The project also seeks to link IPOs with national and international platforms.



Fotografía: Wsilver, under the license CC BY 2.0
(<https://creativecommons.org/licenses/by/2.0/>)

“When an indigenous person picks up a chainsaw, he forgets the Chaco⁵⁶”⁵⁷

The project *Institutionalizing the non-carbon benefits in climate change mitigation and adaptation strategies* is very important in the current context of Chiquitano indigenous communities. This is because the focus of economic activities around extracting wood has displaced other productive activities that could be developed in the region.

Since its establishment in 1995, the roughly one-million-hectare indigenous territory of Monte Verde has developed forestry initiatives. Currently, the indigenous territory is almost entirely devoted to timber forestry, with organizations and a large part of the population depending heavily on this economic activity. The most worrying consequence of this is that young people have developed a different (and limited) view of the land. The representatives of the land management organization cite, as an example, that young people think that “manually working the land (“carpir”)⁵⁸ is old-fashioned.”

The Indigenous rural producers of Eastern Bolivia (APCOB) have been monitoring the communities of Monte Verde for over 30 years and currently encourage, with financing, non-timber production activities such as the extraction of oils (from cusi palm seeds and copaiba tree sap) and organic coffee production.

The development of economic activities focused on NCBs not only involves providing more options for generating income and adapting to the effects of climate change for the Chiquitano people of Monte Verde, but it also provides a strategy to protect their culture.

⁵⁶ Chaco is the name given to the family plot of land, which is usually used for production.

⁵⁷ Chiquitano community member of San Antonio de Lomerío (09-10-2019, Bolivia).

⁵⁸ In the region, “carpir” means working the land with only hand tools.

Opportunities and challenges for Actions Based on Indigenous Knowledge

Opportunities for mutual learning about ABIK in the FBE sector	
<ul style="list-style-type: none"> » Sharing successful ABIK experiences and good practices in the <i>Water sowing and harvesting, fees for water services and acknowledgement of environmental services payments under the South-South Cooperation framework</i> project to strengthen capacities in other projects, programmes and policies (for example, procedures for sharing an ABIK). » Sharing experiences in the process of political dialogue and use of the networksredes⁵⁹ of the project <i>Communities, forests and biodiversity: promoting dialogue, exchange and forest value chains for climate change mitigation and adaptation</i> so that it can be used as an input in similar processes in other projects, programmes and policies. 	
Challenges to promoting ABIKs	Recommendations to overcome these challenges
<ul style="list-style-type: none"> » Addressing threats and land defense with IPOs. 	<ul style="list-style-type: none"> » Promote cooperation between projects and implementing organizations to strengthen capacities. For example, some entities are more experienced in political lobbying, while others may be experienced in legal defense or dissemination.
<ul style="list-style-type: none"> » Developing projects, programmes and policies for employment in non-timber resource industries. 	<ul style="list-style-type: none"> » Create groups or networks of similar projects and promote mutual learning (community practice, consulting etc.).

⁵⁹ In general, the establishment of national and international networks takes many years of work by an institution. After working with different stakeholders in a region, and having earned a positive reputation, an institution can be considered a network articulator.

Systematization and sharing of indigenous knowledge to guide local climate actions

Project: “Non-timber resource management in the Amazon rainforest: a climate change adaptation and mitigation strategy from the Bolivian and Peruvian experience.”

The project *Non-timber resource management in the Amazon rainforest: a climate change adaptation and mitigation strategy from the Bolivian and Peruvian experience* was implemented in Bolivia and Peru between 2019 and 2021 by the Bolivian Association for Research and Conservation of Andean-Amazon Ecosystems (ACEAA, Bolivia), the Association for the Conservation of the Amazon Basin (ACCA, Peru) and the Amazonian University of Pando (UAP, Bolivia).

Project characteristics “Non-timber resource management in the Amazon rainforest: a climate change adaptation and mitigation strategy from the Bolivian and Peruvian experience”	
Objective	Promote the sustainable management of non-timber forest resources as a strategy for the comprehensive and sustainable management of forests. With this, it seeks to contribute to the development of models of sustainable management of the Amazon forest that promote climate change mitigation and adaptation among the Amazonian communities of Bolivia and Peru.
Expected results	<ul style="list-style-type: none"> » Capitalize on lessons learned about the contribution of non-timber resource management in the management of various land units and in climate change adaptation and mitigation. » Create conditions that foster resilience to climate change among local communities based on pilot projects for the management of non-timber resources. » Strengthen capacities of local stakeholders for the sustainable management of forests, biodiversity and ecosystems and their role in climate change adaptation and mitigation.
Ongoing actions	<ul style="list-style-type: none"> » Systematization of good practices in the management of non-timber resources in 12 initiatives in La Paz and Pando (Bolivia) and Madre de Dios (Peru). » Dissemination of results among beneficiaries and authorities in both countries. » Implementation of four experiments and/or pilot initiatives to improve conditions for the comprehensive and sustainable management of forests (adaptation measures). » Building capacities of local stakeholders: training, exchange and dissemination.
Pilot sites	<ul style="list-style-type: none"> » Tacana indigenous communities in the municipality of Ixiamas in La Paz, Bolivia. » Native communities in Tambopata, in Madre de Dios, Peru.
Ecosystems	Amazon tropical forest (areas with Brazil nut and rubber trees).

Source: Project Application Form

The project involves two indigenous peoples: the Tacanas in Bolivia and the Esse Ejja in Peru, as well as the IPO *Central Indígena de Comunidades Tacana II del Río Madre de Dios* (CITRMD) in Bolivia, and the local Esse Ejja native community organizations of Palma Real and Infierno in Peru.

In Bolivia, project activities reinforce the progress made by the Tacana indigenous people in natural resource management in the Tacana II TCO (*Tierra Comunitaria de Origen*). The systematization of good practices, exchange and the implementation of pilot actions are part of the Life Plan of the Tacana II TCO (CITRMD, 2016).

Between forest conservation and the pressures of extractive activities

The Tacana II TCO is almost 350,000 hectares in area and preserves extensive forest ecosystems with large concentrations of Brazil nut trees. For this reason, the ACEAA has identified and georeferenced approximately 53,000 Brazil nut trees in the TCO.

The families of the four communities that make up the Tacana indigenous people depend almost exclusively on this resource for income (CITRMD, 2016). For this reason, the conservation of Brazil nut forests is essential and “constitutes an effective safeguard against deforestation” (Colque et al., 2019).

However, there are challenges to preserving these forests, such as:

- Limited technical instruments to implement public policy for forests and climate change in the field;
- Tension between conservation regulations and those that promote the extraction of natural resources considered by the State as strategic;
- Limited budget resources for forests; even more so for measures that contribute to adaptation and mitigation.

Positive enabling conditions have been identified to address these challenges. For example, the regulations that promote forest management and climate change actions are increasingly intersectoral; working groups have been set up between government entities and civil society (especially NGOs) to promote participation; and the representatives of local and indigenous organizations that promote the comprehensive management of forest resources have become protagonists and play an important leadership role.

ACEAA has been present in the region for many years, and its support of the CITRMD has ensured a solid relationship with the IPO based on trust. This has favored a focus on different issues related to land management and biodiversity in the region. Over the years, the ACEAA has collected, analyzed and codified a significant amount of data (publications, videos etc.) on the region and made it available to the CITRMD. This association considers the sharing of information a fundamental working principle.

The ACEAA participates in the Consultative Assembly, which is the highest decision-making body in the Tacana II indigenous community⁶⁰. Thus, it reports on activities in the territory and requests authorization to carry out new ones. The IPO participates in the management of the project through decision-making, monitoring and the evaluation of yearly results.

This close relationship of coordination between the ACEAA and the CITRMD makes it possible to better address the enormous challenges in working with indigenous communities in the Amazon, and to take advantage of opportunities and favorable conditions.

Among the opportunities and favorable conditions, we can highlight the good state of conservation of the forest and the knowledge of indigenous

communities of this ecosystem. Other favorable conditions are the willingness of IPOs to work in coordination with other local organizations and the incentive that young people have to improve their income, strengthening and developing new capacities in forest management.

Some of the challenges the project faces are common throughout the Amazon region: the complicated logistics to reach communities (not only in terms of costs, but also time); and linking the communities with the larger context (they know little about national politics and the municipal administration is often unaware of the needs of indigenous communities and is tired of providing information and not seeing concrete results).

⁶⁰ The Consultative Assembly is the highest decision-making forum of the Tacana II indigenous community and the CITRMD is the body that represents them. The CITRMD, grassroots representatives and community leaders participate in the Consultative Assembly.



Photo: ACEAA

Safe harvesting practices: innovation to meet the needs of users

The production of açai palm (*Euterpe oleracea*) is a recent activity in the Bolivian Amazon, with more growth in rural areas in the departments of Pando and Beni. One of the project activities involves improving the production and commercialization chain.

“Unlike Brazil nuts, the açai palm fruit, harvested between April and July, grows in clusters and does not fall to the ground when ripe. Thus, one has to climb the palm trees to cut the clusters to harvest the fruit. These palm trees can grow to a height of 25 meters (the height of a 6 or 7-story building) and the clusters can weigh between 5 and 15 kg each. Climbing techniques vary from the use of slings (polypropylene bags tied to the feet) to the use of ropes (called a “stobo”), among others. A fall from a tree can result in fractured ankles, arms or legs- a risk for many açai harvesters.”⁶¹

The ACEAA also works on the innovation of safety systems with the design of harnesses adapted for climbing açai trees to harvest the fruit. In this process, the ACEAA took the following steps: it began with monitoring the use of the harness, followed by the design of a harness more suitable for use in the Amazon, and concluded with the implementation and modification of the harness⁶². This technique, developed in Santa Rosa de Abuná, in Pando, combines a traditional practice with the new harness, designed in conjunction with the açai harvesters. It completely changed açai harvesting and improved the safety of workers.

The good practices developed by the ACEAA demonstrate that it is possible to innovate using local knowledge, and that these innovations can be disseminated to influence other institutions and public policy.

Both the *Water Sowing and Harvesting* project and the *Non-Timber Resource Management in the Amazon Rainforest* project show that climate action at the local level should not only respond to and reflect national climate policy, but it can also improve it and make it more effective by incorporating local practices and knowledge that address challenges that are national (water insecurity) and international (forest conservation) and that are part of the climate agenda.

⁶¹ Larrea D. 2018. Cosecha Segura. Columnists. In: La razón.

⁶² See the ACEAA publication available at: https://issuu.com/jdeuer/docs/asai__en_el_ami_santa_rosa_del_abun.



Photo: ACEAA



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Opportunities and challenges in the systematization and sharing of indigenous knowledge

Mutual learning opportunities for the systematization and exchange of indigenous knowledge to guide local actions and climate actions in the FBE sector	
<ul style="list-style-type: none"> » Systematize the experiences of monitoring land management in the project <i>Non-Timber Resource Management in the Amazon Rainforest: a Climate Change Adaptation and Mitigation Strategy from the Bolivian and Peruvian Experience</i> and make them available for other projects, programmes and policies. 	
Challenges to promote the systematization and sharing of indigenous knowledge in the FBE sector	Recommendations to overcome these challenges
<ul style="list-style-type: none"> » Reduce the gap between climate regulations and the interests of industries based on the extraction of natural resources. 	<ul style="list-style-type: none"> » Organize public dialogue events to discuss and promote local strategies based on non-timber products as an alternative for income generation.
<ul style="list-style-type: none"> » The distance and remoteness of Amazon communities demands special logistics and planning of activities. 	<ul style="list-style-type: none"> » Agree on and elaborate administrative and technical procedures to work in Amazonian communities. This should include the necessary resources (time, budget, logistics and personnel) and communication with the communities.

Capacity building for the implementation of stable approaches for working with indigenous peoples

Project: “Forest Management and Restoration in Productive Environments”

The project *Forest Management and Restoration in Productive Environments* was implemented in Argentina, Bolivia, Paraguay and Brazil between 2019 and 2021 by the National Institute of Agricultural Technology (INTA, Argentina), the Paraguayan Institute of Agricultural Technology (IPTA), the Brazilian Agricultural Research Corporation (EMPRAPA) and the NATIVA Foundation (Naturaleza, Tierra y Vida) in Bolivia.

Project characteristics: “Forest Management and Restoration in Productive Environments”	
Objective	Improve the socio-ecological resilience of local populations by strengthening forest management and land governance in the Gran Chaco region.
Expected results	<ul style="list-style-type: none"> » Greater knowledge and skills for local stakeholders in the management of innovative systems for the multiple use of forests and socioeconomic and environmental benefits. » Greater appreciation and awareness among local stakeholders and political decision makers for collective land management. » Improved national monitoring systems, increasing their capacities for land use planning and the preparation of reports for international organizations on the state of forests.
Ongoing actions	<ul style="list-style-type: none"> » Pilot projects at the farm level for sustainable and resilient forest management. » At the landscape level, promotion of collective forest management with landscape zoning methods, selection of a pilot sustainable landscape and land analysis based on Social-Ecological System (SSE) key variables. » At the regional level, the transfer of knowledge to strengthen national land use monitoring and planning systems with the sharing of experiences between countries and the implementation of semi-automatic remote sensing systems in the “cloud.” » At the cross-sectoral level, improved land governance and social awareness of forest management with knowledge exchange workshops, dissemination and awareness campaigns and specialized studies (regulatory, socioeconomic etc.).
Pilot sites	<p>The La Puntana and La Curvita indigenous communities and the Real Frontera Producers Association in the Department of Santa Victoria (Province of Salta); the San Francisco and Santo Domingo areas in the Figueroa Department (Province of Santiago del Estero); El Algarrobal in the Río Hondo Department (Santiago del Estero); the Chancaní Commune in the Pocho Department (Province of Córdoba) and the Champaquí Consortium in the Department of San Javier (Province of Córdoba), Argentina.</p> <p>Villa Montes in the Department of Tarija, Bolivia.</p> <p>Irala Fernández in the Department of Presidente Hayes, Paraguay.</p>
Ecosystems	Dry tropical forest, including ecosystems such as Médanos, Pantanal and the humid and dry Chaco (Great American Chaco).

Source: Project Application Form

The *Forest Management and Restoration in Productive Environments* project covers a vast geographical area in the Gran Chaco. Among the project activities, there are pilot projects with two indigenous peoples: in Argentina, the Wichí (in Santa Victoria Este) and their organization Lhaka Honhat (Our Land); and in Paraguay, the Enxet Sur (Aldea Karandá, Haytes) and the El Estribo organization and community. This project focuses on building the capacities of local stakeholders, rather than reviving their knowledge, which is why potential ABIK processes were not identified. This document discusses the situation in the Santa Victoria Este region⁶³.

Created in 1956, INTA is a decentralized and autonomous body of the Argentine State (INTA, 2016). With over fifty years of experience and more than 7,000 employees, it is one of the most important agricultural research and extension institutions in the Americas. As a public institution, it respects the powers of the institution in charge of indigenous issues in Argentina: the National Institute of Indigenous Affairs.

One of INTA's tasks is participatory planning, for which it has a lot of experience, methodologies and tools to employ in this process. This is one potential tool of the institution for working with indigenous communities.

⁶³ The case of the El Estribo community (Paraguay) had not been concluded at the time of elaborating this study and there was not enough information.

Community rights: the case of Lhaka Honhat

Since February of 2018, the Inter-American Court has been hearing a case to determine the title of the ancestral land of the indigenous communities of the Wichí people, organized under the Lhaka Honhat association⁶⁴. The case began in August of 1998, when the Inter-American Commission on Human Rights (IACHR) received a claim from the Lhaka Honhat association for a property title and for granting concessions to explore hydrocarbons in their territory without using the FPIC process

The case is emblematic in Argentina because it is the first case addressing community rights. In July of 2019, the Inter-American Court stipulated a period of two months for the Argentine State to respond to the request for reparations⁶⁵.

As the case progressed, the Argentine government increased public spending and the provision of services in the region where the Lhaka Honhat territory is located. As part of the measures, INTA provides technical assistance on different issues related to land management for the Lhaka Honhat association communities and plans to expand the Santa Victoria office to better serve the needs of the region.

The scheduled actions in the project *Forest Management and Restoration in Productive Environments* give continuity to a programme previously initiated by INTA called "Forest and Community." Through great commitment and understanding, the technical team that was created to work with the indigenous peoples has developed a high degree of closeness and trust with the Wichí people. There is even a self-identified Wichí person on the project team⁶⁶.

For the INTA technical team in Santa Victoria, the ongoing challenge is intercultural dialogue, where not only the use of the Wichí language plays an important role, but also their belief system.

⁶⁴ For more information, see: http://www.corteidh.or.cr/docs/tramite/comunidades_indigenas_miembros_de_la_asociacion_lhaka_honhat.pdf

⁶⁵ For more information, see the note from the Center for Legal and Social Studies (CELS), available at: <https://www.cels.org.ar/web/opiniones/argentina-una-luz-para-los-pueblos-indigenas-por-un-fallo-sin-precedente-de-la-corte-idh/>.

⁶⁶ There is also a person on the team who speaks the language and lives in a Wichí community.

The project is being implemented during a moment of profound reflection on the part of the INTA team with regard to how to work more effectively with the Wichí indigenous peoples in Santa Victoria. For example, to strengthen capacities for institutional intervention, it is developing a Training Scheme and Manual for people working with indigenous and tribal peoples for technicians and officials of the institution, which is part of the framework of the ILO agreement in force. This is an opportunity to develop a more stable approach to extension work with indigenous peoples.

Opportunities and challenges for capacity building for the implementation of stable approaches for working with indigenous peoples

Mutual learning opportunities for capacity building for the implementation of stable approaches for working with indigenous peoples in the FBE sector	
<ul style="list-style-type: none"> » Use and management of indigenous knowledge: Although the project does not directly work with indigenous knowledge, INTA has extensive research experience with extension projects and its operating structure allows for new topics to be quickly included. » Participation of indigenous representatives: The extension technicians have a highly participatory approach to planning for the provision of advisory services for local organizations, including indigenous peoples. » In general: INTA's experience and organization offers important lessons learned on two issues: (i) information gaps on climate action between national and local levels; and (ii) the combination of research and extension to address climate change. 	
Challenges to promote capacity building for the implementation of stable approaches for working with indigenous peoples in the FBE sector	Recommendations to overcome these challenges
<ul style="list-style-type: none"> » Improving the approach for working with indigenous people, as this has been addressed in a timely manner, but without a stable institutional approach. 	<ul style="list-style-type: none"> » Promote exchange among institutions with cross-sectoral approaches to working with indigenous peoples (for example, institutional development in the Andean region in countries like Colombia, which has implemented special approaches for working with indigenous peoples in some of its institutions).⁶⁷
<ul style="list-style-type: none"> » Reducing the information gap on climate action between national and local levels. 	<ul style="list-style-type: none"> » Work on knowledge products that seek to bring together basic climate action concepts among different institutions at the local and national level and that allow for the sharing of "hard" data on the effects of climate change in the region.

⁶⁷ The "differential approach" that Colombia has developed in the areas of social services could be considered a good practice, especially as it applies only to cases of working in regions with indigenous peoples.



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7. Conclusions

- EUROCLIMA+ programme's contributions to climate action in the countries where it works have greater impacts when they involve various stakeholders (multi-stakeholder coordination) at different levels of government (multi-level coordination). For this reason, it is important to highlight the progress that EUROCLIMA+ has achieved with its partners in different projects by involving local communities and indigenous peoples in its actions. This is not only because they are often the most affected by climate change, but also because they contribute to climate action and address the challenges of implementing adaptation strategies every day.
 - There are **project implementing entities** (such as those that implement EUROCLIMA+ programme projects in the FBE sector) that have gained the trust of local organizations and governments, and that are able to **cooperate** with subnational and national governments, IPOs and local communities in public climate management. In general, these are part of cooperation systems that can be used to:
 - » Disseminate the problem of climate change, good practices and lessons learned in climate action;
 - » Contribute to reducing the knowledge gap between climate policy at the national level and local communities by developing or disseminating methodologies to generate climate communication material and techniques suitable for local and indigenous communities; and
 - » Learn from experiences between governments and local organizations, and between local communities and national governments.
- Moreover, these **entities** have important **experience** working with **indigenous peoples**. However, this is not always uniform, so we recommend systematizing and sharing this experience with other projects, programmes and policies within the framework of climate action. We propose prioritizing three areas of action:
1. Methodologies and tools for monitoring and strengthening indigenous peoples organizations (IPOs).
 2. Strategies for addressing the challenges for establishing the property rights of indigenous territories and their protection and management.
 3. The creation of local, national and international networks to promote the effective participation of indigenous peoples.

- Consultation and participation mechanisms are essential for incorporating the viewpoints and needs of local communities and indigenous peoples in the national climate agenda. To this end, we recommend the following actions:
 - » **Develop consultation and participation processes** to involve different stakeholders for creating the climate agenda, including local communities and indigenous peoples,⁶⁸ and implement means and mechanisms for validating data. For this, the frameworks for indigenous participation under international and national law can be used, as well as strategic instruments and participation mechanisms.
 - » **Make use of the local and regional skills and knowledge of IPOs, local communities and implementing entities** (such as those that implement EUROCLIMA+ programme projects in the FBE sector) and **advise** them on climate action issues.
 - » **Build capacities and expertise** on climate action at the local level (public officials, indigenous organizations and local communities) to generate proposals for actions to ensure greater inclusion, and identify and support leaders of local communities and IPOs.

» **Facilitate the participation of indigenous peoples** in climate action at different levels (for example, facilitating transportation to/from indigenous communities, translation of relevant information into indigenous languages etc.).

- Similarly, it is recommended to **identify mitigation and adaptation measures at the local level** and, whenever appropriate, promote their inclusion in **local climate action plans** in a participatory manner and in **cooperation with regional and national climate planning**.
- When local projects contribute to the national NDCs (such as EUROCLIMA+ programme projects in the FBE sector), we recommend developing methodologies to facilitate the planning, monitoring and reporting of these contributions.
- Promoting **FPIC** in the sphere of local communities and indigenous peoples **ensures** better conditions for the **acceptance and sustainability** of projects, programmes and policies. This is why it is important to **document, systematize and share** FPIC processes in the region to serve as a basis for analysis of the impacts of good practices on the implementation and results of projects, as well as to identify key elements that can be replicated and/or modified in other FPIC processes.

- Some project **implementing entities** (such as those that implement EUROCLIMA+ programme

projects in the FBE sector) provide guidance for climate actions among indigenous peoples in different ways and, thus, the way they address indigenous knowledge is also different. However, their different experiences with ABIK can be very useful when developing other projects and programmes. For this reason, it is important to systematize and disseminate these experiences.

- The **implementation of climate projects** in indigenous territories and local communities is **enriched** by the participation of **people from IPOs** on project teams. Not only are there positive results from the multidisciplinary and multicultural relations, but a critical mass of technicians is created in indigenous communities that can influence climate actions, and that will contribute to the community in the long term⁶⁹. This is why it is important to include indigenous people from communities on the **teams of projects and/or programmes** implemented in indigenous territories and local communities. They are often young leaders (women and men), producers or people with training and the intention of continuing in the community.

⁶⁸ For example, a review of the indigenous consultation process on the regulations of the Climate Change Law of Peru is supported by EUROCLIMA. Available at: <http://euroclimaplus.org/6/consulta-indigena-sobre-el-reglamento-de-la-ley-de-cambio-climatico-del-peru>

⁶⁹ For example, in the case of the project Institutionalizing the Non-Carbon Benefits in Climate Change Mitigation and Adaptation Strategies, the project manager and the two regional coordinators in Panama are Emberá. Similarly, the main (and permanent) project consultant is Guna.

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- .2016. Indigenous and Local Knowledge(s) and Science(s) for Sustainable Development Policy Brief by the Scientific Advisory Board of the UN Secretary General. Available at: [https://unesdoc.unesco.org/ark:/48223/pf0000246104;revisado 2.07.2019](https://unesdoc.unesco.org/ark:/48223/pf0000246104;revisado%202.07.2019)
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- .2016. Decisión 1/CP.21, § 135. Available at: <https://unfccc.int/sites/default/files/resource/10a1s.pdf>
- .2019. Primera reunión del Grupo de Trabajo de Facilitación de la Plataforma de las Comunidades Locales y los Pueblos Indígenas (versión preliminar). Available at: https://unfccc.int/sites/default/files/resource/SBSTA2019_04S.pdf

UNGA - United Nations General Assembly. 2017. Report of the Special Rapporteur on the rights of indigenous peoples. 36th session. Available at: <https://undocs.org/A/HRC/36/46>

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- y FUNPROEIB. 2009. Atlas sociolingüístico de pueblos indígenas en América Latina (Tomos I y II). ISBN: 978-92-806-4491-3. Cochabamba.
- 2012. Suicidio Adolescente en Pueblos Indígenas. Tres Estudios de Caso. UNICEF: Panamá.

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- .2010. La situación de los pueblos indígenas del mundo. Departamento de Asuntos Económicos y Sociales. United Nations: New York.
- .2012. Foro Permanente para las Cuestiones indígenas (2012), Combatir la violencia contra las mujeres y las niñas indígenas: artículo 22 de la declaración de las naciones unidas sobre los derechos de los pueblos indígenas: report of the international expert group meeting, 11th session. New York.

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Appendices

Appendix 1. Safeguards of some multilateral organizations

Below is a list of some of the safeguards of multilateral organizations. It is important to note that these represent only a few of the many safeguards. This selection is the exclusive responsibility of the EUROCLIMA+ programme and does not necessarily reflect the views of the European Union.

- Banco de Desarrollo de América Latina. 2016. Environmental and social safeguards. Available in Spanish at: <https://www.caf.com/media/30035/salvaguardas-ambientales-y-sociales.pdf>
- Conservation International. 2017. Environmental and social management framework. Available at: [https://www.conservation.org/docs/default-source/gef-documents/ci-gef-environmental-and-social-management-framework-\(esmf\)-version-06.pdf?sfvrsn=6e521414_2](https://www.conservation.org/docs/default-source/gef-documents/ci-gef-environmental-and-social-management-framework-(esmf)-version-06.pdf?sfvrsn=6e521414_2)
- Conservation International. 2003. Indigenous Peoples and Conservation International: principles for partnerships. Available at: https://www.conservationgateway.org/Documents/21_CI%20IP%20Principles.pdf
- European Bank for Reconstruction and Development. 2010. Environmental and social standards. Available at: <https://www.ebrd.com/downloads/research/sustain/sr10ec.pdf>
- Food and Agriculture Organization of the United Nations (FAO). 2015. Environmental and social management guidelines. Available at: <http://www.fao.org/3/a-i4413e.pdf>
- Inter-American Development Bank (IDB). 2006. Operational Policy on Indigenous Peoples. Available at: <https://terpconnect.umd.edu/~dcrocker/Courses/Docs/IADBIndigenousPolicy.pdf>
- International Fund for Agricultural Development (IFAD). 2009. Actuación en relación con los pueblos indígenas. Available in Spanish at: https://www.ifad.org/documents/38711624/39417924/ip_policy_s.pdf/be79df83-e4eb-4aa1-86d1-dca4a57b0209
- International Union for Conservation of Nature (IUCN). 2016. Environmental and Social Management System (ESMS) Standard on Indigenous Peoples. Available at: https://www.iucn.org/sites/dev/files/iucn_esms_manual.pdf
- United Nations Environment Programme (UNEP). 2017. Guidance Note UNDP Social and Environmental Standards. Available at: <https://www.undp.org/content/dam/undp/library/corporate/Social-and-Environmental-Policies-and-Procedures/UNDPs-Social-and-Environmental-Standards-ENGLISH.pdf>
- United Nations Environment Programme (UNEP). 2017. Environmental, Social and Economic Sustainability Framework. Available at: <https://sustainabledevelopment.un.org/content/documents/2738sustainabilityfinalweb-.pdf>
- World Bank (WB). 2005. Manual de Operaciones del Banco Mundial. Normas de Procedimiento del Banco. Pueblos Indígenas. Available in Spanish at: https://web.worldbank.org/archive/website01541/WEB/IMAGES/BP4_10-3.PDF
- World Bank (WB). 2017. El Marco Ambiental y Social. Available in Spanish at: <https://www.bancomundial.org/es/projects-operations/environmental-and-social-framework>; and available in English at: <http://pubdocs.worldbank.org/en/837721522762050108/Environmental-and-Social-Framework.pdf>

Appendix 2. Standards recognized in international jurisprudence for the protection of the rights of indigenous peoples

Right	Interpretation	Specific norm
Self-identification and recognition of indigenous and tribal peoples	<p>Main criterion for the recognition of a human group as an indigenous people, at an individual or collective level.</p> <p><i>“The Court and the State must limit themselves to respecting the determinations that the Community presents in this regard, that is, the way in which it identifies itself.”</i></p>	<ul style="list-style-type: none"> » C-169 ILO, art. 1.2. » UNDRIP, art. 33.1. » ADRIP, art. 1.2.
Self-determination and the right to freely pursue economic, social and cultural development	<p>The presence of indigenous peoples before colonization and modern national borders gives them the right to self-determination (IACHR, 2016). With this, they can fully exercise other rights, including rights over their ancestral territories and natural resources.</p>	<ul style="list-style-type: none"> » UNDRIP, art. 3. » ADRIP, art. 3. » C-169 ILO, implicitly (inter alia preamble, art. 1.3 and art. 7.1).
Right to collective land ownership	<p>Land has a singular importance, since it constitutes the fundamental requirement for the development of culture, spiritual life, integrity and economic survival. This spiritual relationship is protected by art. 21 of the ACHR. Similarly, there is the right of indigenous peoples to the natural resources located in their lands that “they have traditionally used and which are necessary for their survival, development and the continuity of their lifestyle.” This implies the right to ownership, use, occupation and habitation of their lands.</p> <p>It is the duty of States to: grant deeds to, delimit and demarcate indigenous lands, in a collective manner, and following procedures that ensure effectiveness and attention to the particular characteristics of each people. The State must guarantee restitution in the event of deprivation of ownership of ancestral lands, even when they are in the hands of third parties.</p>	<ul style="list-style-type: none"> » ACHR (art. 21). » C-169 ILO (arts. 13-19). » UNDRIP (arts. 25-32). » ADRIP (arts. 6, 19, 25).

Right	Interpretation	Specific norm
<p>State obligations with respect to extraction, exploitation and development activities</p>	<p>To avoid irreparable and detrimental consequences for the rights of groups in situations of vulnerability to environmental damage on their lands, IASHR has determined obligations for States in six central areas:</p> <ul style="list-style-type: none"> » (i) design, implement and effectively apply an adequate regulatory framework; » (ii) prevent, mitigate and eliminate negative impacts on human rights; » (iii) implement supervisory and oversight mechanisms for these activities that offer effective responses that are culturally appropriate; » (iv) ensure mechanisms for effective participation and access to information; » (v) prevent illegal activities (including illegal extraction of natural resources) and violence; and » (vi) ensure access to justice through the investigation, punishment and adequate reparation of human rights violations committed in these contexts. <p>IASHR establishes certain guarantees that States must specifically implement for indigenous peoples, such as the right to free, prior and informed consent (FPIC), in good faith, and that is culturally appropriate. The guarantee of this right implies ensuring their effective participation in the design, execution and evaluation processes of development projects implemented in their lands.</p> <p>With respect to access to genetic resources, States should “take measures to obtain the prior informed consent or the approval and participation of indigenous and local communities for access to genetic resources when they have the express right to grant access to those resources” (UNEP, 2010).</p> <p>The goal of any consultation process should be to reach an agreement or obtain consent, which implies that indigenous peoples should have the power to significantly influence decisions.</p> <p><i>“There are specific cases when consent is mandatory, in the case of large-scale development or investment plans that could greatly impact [indigenous or tribal] lands, the State has the obligation to not only consult [the people], but also to obtain their prior, free and informed consent, according to their customs and traditions” (Inter-American Court of Human Rights, 2017).</i></p>	<ul style="list-style-type: none"> » ACHR (art. 21). » C169 ILO (arts. 13-19). » UNDRIP (arts. 25-32). » ADRIP (art. 25). » CBD (art. 8j). Nagoya Protocol (arts. 6-7).

Right	Interpretation	Specific norm
<p>Enjoy human rights without discrimination</p>	<p>According to article 1 of the International Convention on the Elimination of All Forms of Racial Discrimination, racial discrimination is defined as <i>“any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.”</i></p> <p>According to article 1 of the Inter-American Convention against Racism, Racial Discrimination and Related Forms of Intolerance, <i>“Racism consists of any theory, doctrine, ideology, or sets of ideas that assert a causal link between the phenotypic or genotypic characteristics of individuals or groups and their intellectual, cultural, and personality traits, including the false concept of racial superiority.”</i></p>	<ul style="list-style-type: none"> » C-169 ILO, arts. 3, 4, 20.2 and 24. » UNDRIP, arts. 2, 8, 9, 14-17, 21, 22, 24, 29 and 46. » ADRIP, arts. 7, 8, 12, 15, 18.4, 19.4, 22.3, 27 and 36.
<p>Right to a life of dignity from an indigenous worldview</p>	<p>The right to life should be understood as the <i>“right of every human being to not be arbitrarily deprived of their life; but also the right not to be denied access to the conditions that guarantee a dignified existence” (Inter-American Court of Human Rights, 2005).</i></p> <p>States should adopt positive measures in favor of indigenous peoples that consider <i>“their different ways of life (systems of understanding the world different from those of Western culture, including the close relationship they have with the land) and their life projects, in its individual and collective dimension” (Inter-American Court of Human Rights, 2005).</i></p>	<ul style="list-style-type: none"> » C-169 ILO, arts. 2-5. » UNDRIP, art. 1. » ADRIP, art. 3.

Source: The author, based on information provided by the projects.

Appendix 3. Fact sheets on the situation of indigenous peoples in the countries where the EUROCLIMA+ programme implements FBE sector projects

*Information on Mexico and Costa Rica is not available.

Argentina	
Indigenous people in numbers and as a percentage of the population	<ul style="list-style-type: none"> » 955,032 » 2,4% (2010 data) (Martínez, 2017)
Number of indigenous peoples and status of indigenous languages	There are 15 languages used in the education system (Martínez, 2017).
Constitutional recognition of rights	National Law No. 24.309 (1994) addresses the need to reform the National Constitution, and authorizes Congress to debate, in the <i>Convención Constituyente</i> (the body of civil representatives that sanctions constitutional changes), the adequacy of constitutional language in order to guarantee the ethnic identity and culture of indigenous peoples (article 3, paragraph II). In item 17 of article 75 (<i>“Provide for border security”</i>), it introduces a specific clause addressing the rights of Argentine indigenous peoples, which states that it must <i>“Recognize the ethnic and cultural pre-existence of Argentine indigenous peoples; guarantee respect for their identity and the right to bilingual and intercultural education; recognize the legal status of their communities, and the communal possession and ownership of the lands they traditionally occupy; and regulate the delivery of others suitable and sufficient for human development; none of them will be alienable, transferable or subject to liens or encumbrances. Ensure their participation in the management of their natural resources and other interests that affect them. The provinces can concurrently exercise these powers”</i> (Bazán, 2003).

Argentina	
Institutional framework	<p>To strengthen its national legal framework, Argentina has ratified several international treaties that are relevant to indigenous peoples, in particular ILO Convention 169 on indigenous and tribal peoples in independent countries.⁷⁰</p> <p>Furthermore, Argentina voted in favor of the United Nations Declaration on the Rights of Indigenous Peoples after it was approved by the General Assembly in 2007 (IWGIA, 2012).</p>
Access to land and natural resource rights	<p>Law 26.160 of November 2006 addresses the emergency situation with respect to the possession and ownership of land traditionally occupied by indigenous communities in the country whose legal status is registered in the National Registry of Indigenous Communities or competent provincial body (or pre-existing body). Article 3 establishes that, during the first three years (counted from when the law goes into force), the National Institute of Indigenous Affairs must carry out a technical and legal registry of the ownership status of lands occupied by indigenous communities and promote any necessary actions in conjunction with the Indigenous Participation Council, the Provincial Aboriginal Institutes, national universities, national, provincial and municipal entities, indigenous organizations and non-governmental organizations.⁷¹</p>
Consultation and participation	<p>The right of indigenous peoples to be consulted, with the aim of obtaining their consent, is guaranteed in ILO Convention No. 169, which is part of the internal legal system of Argentina, and by UNDRIP, which has been endorsed by the Argentine Government. However, there is no law or policy, either at the federal or provincial level, which regulates consultation procedures with indigenous peoples (IWGIA, 2012).</p>

Source: The author, based on information provided by the projects.

⁷⁰ See: <http://servicios.infoleg.gob.ar/infolegInternet/verNorma.do?id=470>.

⁷¹ See: <http://servicios.infoleg.gob.ar/infolegInternet/anexos/120000-124999/122499/norma.htm>.

Bolivia	
Indigenous people in numbers and as a percentage of the population	<ul style="list-style-type: none"> » 4.1 million » 41% (2012 data)⁷²
Number of indigenous peoples and status of indigenous languages	In addition to Spanish, there are 33 languages with official status (Martínez, 2017). Son 33 los idiomas que tienen el estatus de ser oficiales, además del español (Martínez, 2017).
Constitutional recognition of rights	<p>Articles 1 and 2 of the Political Constitution of the Plurinational State of Bolivia of 2009 establishes that:</p> <p><i>“Article 1. Bolivia is constituted as a Unitary Social State of Plurinational, Community-based Law, free, independent, sovereign, democratic, intercultural, decentralized, and with autonomies. Bolivia is founded in plurality and political, economic, juridical, cultural, and linguistic pluralism within the integrating process of the country</i></p> <p><i>Article 2. Given the pre-colonial existence of nations and rural native indigenous peoples and their ancestral control of their territories, their free determination, consisting of the right to autonomy, self-government, their culture, recognition of their institutions, and the consolidation of their territorial entities, is guaranteed within the framework of the unity of the State, in accordance with this Constitution and the law.”</i></p>

⁷² The 2012 census shows a decrease in the indigenous population with respect to the 2002 census (from 62% of the population to 41%) and has been the subject of extensive debate among both the international community and national authorities (WB, 2015).

Bolivia

Institutional framework

The 2009 Political Constitution of Bolivia establishes the rights of indigenous peoples and the limits of State actions:

“Article 30. I. A nation and rural native indigenous people consists of every human collective that shares a cultural identity, language, historic tradition, institutions, territory and worldview, whose existence predates the Spanish colonial invasion.

II. In the framework of the unity of the State, and in accordance with this Constitution, the nations and rural native indigenous peoples enjoy the following rights:

- 1. To be free.*
- 2. To their cultural identity, religious beliefs, spiritualities, practices and customs, and their own world view.*
- 3. That the cultural identity of each member, if he or she so desires, be inscribed together with Bolivian citizenship in his identity card, passport and other identification documents that have legal validity.*
- 4. To self-determination and territoriality.*
- 5. That its institutions be part of the general structure of the State.*
- 6. To the collective ownership of land and territories.*
- 7. To the protection of their sacred places.*
- 8. To create and administer their own systems, means and networks of communication.*
- 9. That their traditional teachings and knowledge, their traditional medicine, languages, rituals, symbols and dress be valued, respected and promoted.*
- 10. To live in a healthy environment, with appropriate management and exploitation of the ecosystems.*
- 11. To collective ownership of the intellectual property in their knowledge, sciences and learning, as well as to its evaluation, use, promotion and development.*
- 12. To an inter-cultural, intra-cultural and multi-language education in all educational systems.*
- 13. To universal and free health care that respects their worldview and traditional practices.*
- 14. To the practice of their political, juridical and economic systems in accordance with their worldview.*
- 15. To be consulted by appropriate procedures, in particular through their institutions, each time legislative or administrative measures may be foreseen to affect them. In this framework, the right to prior obligatory consultation by the State with respect to the exploitation of non-renewable natural resources in the territory they inhabit shall be respected and guaranteed, in good faith and upon agreement.*
- 16. To participate in the benefits of the exploitation of natural resources in their territory.*
- 17. To autonomous indigenous territorial management, and to the exclusive use and exploitation of renewable natural resources existing in their territory without prejudice to the legitimate rights acquired by third parties.*
- 18. To participate in the organs and institutions of the State. III. The State guarantees, respects and protects the rights of the nations and the rural native indigenous peoples consecrated in this Constitution and the law.”*

III. The State guarantees, respects and protects the rights of the nations and the rural native indigenous peoples consecrated in this Constitution and the law.”

Bolivia	
Land and natural resource rights	<p>Bolivia has ample recognition of the territorial rights of indigenous peoples. In addition to items 16 and 17 of Art. 30 of the 2009 Political Constitution of Bolivia, the following articles are relevant:</p> <ul style="list-style-type: none"> » <i>“Art. 385. II. Wherever rural native indigenous protected areas and territories are recovered, shared management shall be undertaken, subject to the norms and procedures of the rural native indigenous nations and peoples, and respecting the goal of creating these areas.</i> » <i>Art. 394. III. The State recognizes, protects and guarantees communitarian or collective property, which includes rural native indigenous territory, native, intercultural communities and rural communities. Collective property is indivisible, may not be subject to prescription or attachment, is inalienable and irreversible, and it is not subject to agrarian property taxes. Communities can be owners, recognizing the complementary character of collective and individual rights, respecting the territorial unity in common.</i> » <i>Art. 403. I. The integrity of rural native indigenous territory is recognized, which includes the right to land, to the use and exclusive exploitation of the renewable natural resources under conditions determined by law, to prior and informed consultation, to participation in the benefits of the exploitation of the non-renewable natural resources that are found in their territory, to the authority to apply their own norms, administered by their structures of representation, and to define their development pursuant to their own cultural criteria and principles of harmonious coexistence with nature. The rural native indigenous territories may be composed of communities.</i> » <i>II. The rural native indigenous territory includes areas of production, areas of exploitation and conservation of natural resources, and spaces for social, spiritual and cultural reproduction. The law shall establish the procedure for recognition of these rights.”</i>
Consultation and participation	<p>See item 15 of Art. 30 of the 2009 Political Constitution of Bolivia (mentioned in the table, under the section “Institutional framework”).</p> <p>Complementary to item I of art. 403 of the 2009 Political Constitution of Bolivia, Art. 352 establishes that <i>“The exploitation of natural resources in a determined territory shall be subject to a process of consultation with the affected population, called by the State, which shall be free, prior in time and informed. Citizen participation is guaranteed in the process of the management of the environment, and the conservation of ecosystems shall be promoted, in accordance with the Constitution and the law. In the nations and rural native indigenous peoples, the consultation will be carried out with respect given to their own norms and procedures.”</i></p> <p>Some sectors have implemented consultation processes, such as the mining sector with the Mining and Metallurgy Law (Law 535). In this case, consultations are used as an input for final decision making by the State for new mining projects.</p>

Source: The author, based on information provided by the projects.

Brazil	
Indigenous people in numbers and as a percentage of the population	<ul style="list-style-type: none"> » 896,917 » 0.5% (2010 data) (Martínez, 2017).
Number of indigenous peoples and status of indigenous languages	There are 186 languages included in the education system (Martínez, 2017).
Constitutional recognition of rights	<p>Article 231 of the Constitution of the Federative Republic of Brazil of 1988 recognizes the right of indigenous people in Brazil to be indigenous and remain as such indefinitely: <i>"Indians shall have their social organization, customs, languages, creeds and traditions recognized, as well as their original rights to the lands they traditionally occupy, it being incumbent upon the Union to demarcate, protect and ensure respect for all of their property."</i></p> <p>Similarly, article 210 guarantees indigenous peoples the use of their own languages and learning processes in basic education.</p>
Institutional framework	<p>The 1988 Brazilian Constitution is the first constitution drafted with the participation of Brazilian indigenous groups. The indigenous rights currently in force are established in the Constitution, the Brazilian Civil Code, the Statute of Indigenous Societies of 1995, various ordinary laws passed by Brazilian Parliament (for example, the Forest Code and Law No. 4771 of 1965) and international decrees and agreements (including ILO Convention 107 of 1966). In 1991, on the eve of the United Nations Conference on Environment and Development (UNCED), the demarcation procedure was regularized with Decree 22, which establishes the process for demarcating indigenous lands and other provisions (later expanded in 1992 with Decree 608). It also specifies all the steps for regularizing indigenous lands: ethnographic studies by technical groups (identification), approval of reports by the Ministry of Justice (delimitation), physical demarcation of areas, and decree to approve the demarcation by the President of the Republic (final approval)⁷³</p>

73 See: https://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=es&p_isn=21902

Brazil	
Access to land and natural resource rights	Paragraph 1 of article 231 of the 1988 Brazilian Constitution also gives constitutional status to the concept of indigenous lands: <i>“Lands traditionally occupied by Indians are those on which they live on a permanent basis, those used for their productive activities, those indispensable to the preservation of the environmental resources necessary for their well-being and for their physical and cultural reproduction, according to their uses, customs and traditions.”</i>
Consultation and participation	Brazil has not ratified ILO Convention 169. Traditional peoples and communities are consulted on a case-by-case basis before making decisions that could affect their collective rights.

Source: The author, based on information provided by the projects.

Colombia	
Indigenous people in numbers and as a percentage of the population	<ul style="list-style-type: none"> » 11,559,852 » 3.4% (2010 data) (Martínez, 2017)
Number of indigenous peoples and status of indigenous languages	In addition to Spanish, there are 65 languages with official status (Martínez, 2017).
Constitutional recognition of rights	The Constituent Assembly that drafted the new Political Constitution of Colombia in 1991 (...) included provisions to protect the rights of indigenous peoples and other ethnic minorities, starting with the constitutional principle that Colombia is a multicultural and pluralistic State (art. 1), that all cultures are equal in value and dignity (art. 70), and that the State has the obligation to protect the ethnic and cultural diversity of the Nation (art. 7). This implies adopting special measures to protect the cultural, social and economic integrity of indigenous peoples, as well as the natural environment on which they depend (arts. 8 and 80). Similarly, indigenous languages are recognized as official languages in their territories and indigenous peoples have the right to bilingual education (art. 10) that respects and develops their cultural identity (art. 68). According to the constitution, all people are born equal before the law, but the State shall adopt special measures to promote effective equality (art. 13) (Olsen, 2008).

Source: The author, based on information provided by the projects.

Colombia	
Institutional framework	<p>The 1991 Colombian Constitution determines that:</p> <p><i>“Article 286: Departments, districts, municipalities, and indigenous reservations are territorial entities. An Act may grant the status of territorial entities to the regions and provinces that are formed under the terms of the Constitution and the relevant statute.</i></p> <p><i>Article 287: Territorial entities enjoy autonomy for the management of their interests within the limits of the Constitution and the relevant statute. By virtue of this, they shall have the following rights:</i></p> <ol style="list-style-type: none"> <i>1. To govern themselves under their own authorities.</i> <i>2. To exercise the jurisdictions appropriate to them.</i> <i>3. To administer their resources and establish the taxes necessary for the exercise of their functions.”</i> <p><i>Decree 1088 of 1993, which regulates the creation of associations of Cabildos and/or Traditional Indigenous Authorities, specifies that:</i></p> <p><i>“Article 1: The councils and/or traditional indigenous authorities, representing their respective indigenous territories, may form associations in accordance with this Decree.</i></p> <p><i>Article 2: The associations covered by this Decree are special public law entities, with legal status, their own assets and administrative autonomy.”</i></p>
Access to land and natural resource rights	<p>Article 286 of the 1991 Colombian Constitution recognizes the indigenous territories, as well as the departments, districts and municipalities, as territorial entities- a political-administrative entity that has a certain degree of autonomy. Within these Indigenous Territorial Entities, indigenous authorities exercise autonomous government functions such as the administration of economic resources and the collection of taxes (art. 287).</p> <p>The 1991 Colombian Constitution does not give specific instructions for the creation of Indigenous Territorial Entities and the distribution of powers between them and the central government, but it does state that these questions can be settled with the creation of an Organic Law for Territorial Planning. Similarly, article 330 of the 1991 Colombian Constitution contains an exhaustive list of autonomous functions that indigenous authorities may exercise in their territories, without this autonomy being limited to territories officially recognized as Indigenous Territorial Entities.</p>

Colombia	
Consultation and participation	<p>Ruling SU - 039 of 1997 of the Constitutional Court of Colombia determines <i>“the right of the community to preserve the aforementioned integrity [Free, Prior, and Informed Consent] is guaranteed and made effective through the exercise of another right of fundamental character, in the terms of art. 40, number 2 of the Constitution, which is the right of participation of the community in the adoption of the aforementioned decisions” (HRREC, 2016).</i></p> <p>Article 5 of Decree Number 1320 of 1998, which regulates the prior consultation process with indigenous and Afro-Colombian communities for the exploitation of natural resources in their territories, establishes that <i>“the person responsible for the project, work or activity must carry out prior consultation and shall prepare the environmental studies with the participation of representatives of the indigenous or black communities. In the case of indigenous communities, it shall include the participation of legal representatives or traditional authorities, and in the case of black communities, the participation of the members of the Community Council Board or, failing that, with the leaders recognized by the base community. The person in charge of the project, work or activity shall present the environmental studies, the form and procedure in which the representatives of the indigenous and black communities are involved in the elaboration of the same, for which he/she shall send a written invitation. Twenty days after the invitation has been sent without response from the indigenous peoples or black communities, the person in charge of the project, work or activity shall inform the Ministry of the Interior so that it can verify, within ten days upon receipt of the communication, if there is a will to participate among the representatives of said communities and will inform the interested party. In the event that the representatives of the indigenous and/or black communities refuse to participate, or fail to respond within the aforementioned terms, the interested party shall prepare the environmental study without this participation.”</i></p>

Source: The author, based on information provided by the projects.

El Salvador	
Indigenous people in numbers and as a percentage of the population	<ul style="list-style-type: none"> » 14,408 » 0.2% (2010 data) (Martínez, 2017)
Number of indigenous peoples and status of indigenous languages	1 (Martínez, 2017)

El Salvador	
Constitutional recognition of rights	The amendment to article 63 of the Political Constitution of the Republic of El Salvador of 2014 contains the following paragraph: <i>“El Salvador recognizes the indigenous peoples and shall implement measures to maintain and develop their ethnic and cultural identity, worldview, values and spirituality.”</i>
Institutional framework	The Salvadoran Congress constitutionally recognized indigenous peoples on June 12, 2014. El Salvador has not ratified ILO Convention 169 ⁷⁴ .
Access to land and natural resource rights	Current legislation on access to land and territory is expressed in terms of protection of the environment and people’s health, but not ethnicity. The mission of the Salvadoran Institute for Agrarian Transformation (ISTA) is “to facilitate the land transfer process to favor the beneficiaries of the different programmes that the institute executes, playing an active role in the agricultural production sector in its sustainable development.” ⁷⁵
Consultation and participation	In 2019, the National Action Plan for Indigenous Peoples (PLANPIES) was published as a guiding instrument for strategic actions for the implementation of UNDRIP (adopted in 2007) and the implementation of the Good Living Paradigm. It was based on a broad consultation process that included representatives from IPOs, academia, the media, international cooperation agencies and the Salvadoran government. It seeks to ensure respect for the Rights of Indigenous Peoples, as well as their empowerment, based on the principle of free, prior and informed consent. Similarly, one of the central actions of the Public Policy for Indigenous Peoples is the establishment of a multisectoral FPIC system for indigenous peoples at the national, departmental and municipal level. This Policy states that the Secretary of Culture of the Presidency, departmental governments and municipal mayors’ offices are to be responsible for its execution. However, there are no legal frameworks for FPIC.

Source: The author, based on information provided by the projects.

⁷⁴ See: <https://www.eleconomistaamerica.com/politica-eAm/noticias/9573697/12/18/El-Gobierno-de-El-Salvador-presenta-un-plan-para-mejorar-la-vida-de-los-indigenas.html>

⁷⁵ See: <https://www.ista.gob.sv/marco-institucional/>

Guatemala	
Indigenous people in numbers and as a percentage of the population	<ul style="list-style-type: none"> » 6,500,000 » 44% (2018 data) (CNP, 2019)
Number of indigenous peoples and status of indigenous languages	<p>There are 24 indigenous peoples, with 22 of Mayan origin and the rest being Xinka and Garífuna (CNP, 2019). Their languages are recognized under law, but are not considered official.</p>
Constitutional recognition of rights	<p>The Political Constitution of the Republic of Guatemala (CPRG, 1985) states:</p> <p><i>“Article 58. The right of persons and communities to their cultural identity in accordance to their values, their language, and their customs is recognized.</i></p> <p><i>Article 66. Guatemala is made up of various ethnic groups, including indigenous groups of Mayan descent. The State recognizes, respects and promotes their ways of life, customs, traditions, forms of social organization, the use of indigenous dress by men and women, languages and dialects.”</i></p>
Institutional framework	<p>The Constitution of Guatemala contains regulations that recognize and protect indigenous people (articles 66 to 70). This grants full legal status and capacity for their communities to direct their activities and make decisions with respect to their assets.</p> <p>The need to review secondary legislation to adapt it to the requirements of ILO Convention 169 became evident after it was ratified.</p>
Access to land and natural resource rights	<p>The Constitution of Guatemala recognizes the protection of indigenous agricultural lands and guarantees their ownership, as established in article 67 (CPRG, 1985): <i>“The lands of the cooperatives, indigenous communities or any other forms of communal or collective ownership of agrarian property, as well as family assets and housing, shall enjoy the special protection of the State, and preferential credit and technical assistance to guarantee their possession and development, in order to assure all habitants an improved quality of life. The indigenous communities, and others that hold lands that historically belong to them and which they have traditionally administered in special form, shall maintain that system.”</i></p>

Guatemala	
Consultation and participation	<p>The national legislation on consultation and participation is largely based on two legal norms: the Municipal Code (articles 63, 64, 65 and 66), which regulates the consultation of neighbors, and the Law of Urban and Rural Development Councils, which establishes the creation of a law to regulate consultation with indigenous peoples and stipulates, as a transitory measure, that consultations shall be conducted with indigenous representatives in the development councils for development projects promoted by the Executive Organism and that affect them.</p> <p>Similarly, the Regulations for Environmental Evaluation, Control and Monitoring (articles 33, 50, 51, 52 and 53) determine the prior approval of social and environmental impact studies required by the Mining Law before granting mining licenses (...) (OHCHR, 2009).</p>

Source: The author, based on information provided by the projects.

Honduras	
Indigenous people in numbers and as a percentage of the population	<ul style="list-style-type: none"> » 536,541 » 7% (2010 data) (Martínez, 2017)
Number of indigenous peoples (IPs), number of indigenous languages (ILs) and status of indigenous languages	6 (Martínez, 2017).
Constitutional recognition of rights	Article 346 of the Political Constitution of Honduras establishes that <i>"it is the duty of the state to adopt measures to protect the rights and interests of the indigenous communities in the country, especially the lands and forests in which they are settled."</i> Other constitutional provisions refer to the obligations of the states to promote anthropological wealth, native cultures and folkloric expression in the country (arts. 172 and 173) (Tauli-Corpus, 2015).

Honduras	
Access to land and natural resource rights	<p>According to agrarian legislation, the indigenous communities that certify the occupation of their lands can obtain free titles issued by the National Agrarian Institute (INA). The Forestry Law recognizes the right to forested areas for indigenous and Afro-Honduran peoples, living on lands they traditionally own, in accordance with National Laws and ILO Convention 169.</p> <p>The Property Law (2004), which establishes the regularization of indigenous lands by the Property Institute, recognizes traditional forms of ownership of indigenous lands as inalienable, indefeasible and imprescriptible. However, it allows communities to “terminate [the] communal [land] regime, authorize leases in favor of third parties” or authorize contracts for development investments. The law grants possession rights to third parties who have obtained a deed within communal lands and have possessed the land, as well as compensation rights for improvements made if they have voidable deeds. If they do not have a deed, <i>“they may negotiate their permanence with the community by paying the agreed lease fee.”</i></p>
Consultation and participation	Honduras has ratified ILO Convention 169.

Source: The author, based on information provided by the projects.

Panama	
Indigenous people in numbers and as a percentage of the population	<ul style="list-style-type: none"> » 417,559 » 12.3% (2010 data) (Martínez, 2017)
Number of indigenous peoples and status of indigenous languages	7 (Martínez, 2017)

Panama	
<p>Constitutional recognition of rights</p>	<p>The Political Constitution of the Republic of Panama includes more than 20 articles directly related to race, ethnic groups, aboriginal languages, indigenous communities, groups and districts. We can highlight the following:</p> <ul style="list-style-type: none"> » Character of the State. Article 1 specifies that it is sovereign and independent, with its unitary, republican, democratic and representative government. In 1993, the year the UN created the International Day of Indigenous Peoples, the National Indigenous Congress of Panama demanded a revision of the Constitution to include the legal recognition of the State as multicultural and multinational. » Territory. Article 5 establishes that the territory of the Panamanian State is divided politically in hierarchical order into Provinces, 13 Districts and boroughs (Corregimientos). It also provides for the creation of other divisions, subject to special regimes, although it does not specifically refer to “comarcas” (administrative regions). Nonetheless, several comarcas have been created. » Ethnic identity. Article 90 recognizes the ethnic identity of indigenous communities. » Political representation. Article 147 establishes the number of deputies and counties (electoral areas). The 1972 Constitution initiated the participation of indigenous peoples in the legislative power of government. » Other aspects. Other articles address discrimination and racial protection; the preservation of culture and archaeological heritage; preservation of aboriginal languages and bilingual literacy; and education programmes for indigenous groups in accordance with their cultures, among others (Coba et al., 2005). <p>The Panamanian constitution recognizes “campesino” (rural producer) and indigenous communities and provides for their economic, social and political participation in national life (Art. 120). It also provides for the reservation of lands and their collective ownership for the well-being of the indigenous communities.</p> <p>Articles 122 to 128 of the Panamanian constitution establish that rural indigenous (campesino) communities may request a special regime of collective land ownership, and that means of communication and transportation shall be provided to unite these <i>campesino</i> and indigenous communities with supply, distribution and consumption centers.</p>
<p>Institutional framework</p>	<p>Panama has not ratified ILO Convention 169.</p>

Panama	
Access to land and natural resource rights	Under Law 72, collective land ownership can be adjudicated in a special procedure for the adjudication of collective land ownership of indigenous peoples who do not reside in comarcas. In environmental matters, there is agreement between national laws (especially the General Environmental Law) and the Ministry of the Environment. Many communities have nature reserves under the National System of Protected Areas on their traditional lands, with 24 areas in the process of receiving reserve status (SINAP) in accordance with Law 72 (Coba et al., 2005). Furthermore, there are already 11 recognized territories, six of which are comarcas established by special law.
Consultation and participation	Law 37 of 2016 establishes the right of indigenous peoples and communities to the FPIC process for any plan, programme or project implemented in their areas. This is also addressed in Law 72 of 2008 (art. 14).

Source: The author, based on information provided by the projects.

Paraguay	
Indigenous people in numbers and as a percentage of the population	<ul style="list-style-type: none"> » 112,848 » 1.8% (2012 data) (Martínez, 2017)
Constitutional recognition of rights	<p>Chapter V of the Political Constitution of the Republic of Paraguay of 1992 establishes the following:</p> <p><i>“Article 62 – On Indigenous Peoples and Ethnic Groups. This Constitution recognizes the existence of the indigenous peoples, defined as groups of a culture prior to the formation and the organization of the Paraguayan State.</i></p> <p><i>Article 63 – On Ethnic Identity. The right of the indigenous peoples to preserve and to develop their ethnic identity in the respective habitat is recognized and guaranteed. They have the right, likewise, to freely apply their systems of political, social, economic, cultural, and religious organization, as well as the voluntarily subjection to their customary norms for the regulation of internal coexistence, provided they do not infringe upon the fundamental rights established in this Constitution. Concerning conflicts of jurisdiction, indigenous customary rights will be taken into account.</i></p>

Paraguay	
Constitutional recognition of rights	<p><i>Article 64 - On Community Property. The indigenous peoples have the right to communal ownership of the land, in sufficient extension and quality for the conservation and development of their particular lifestyles. The State will provide them, free of charge, with these lands, which shall be free of seizure, indivisible, non-transferable, imprescriptible, inalienable, non-susceptible as a guarantee in contractual obligations or to be leased; likewise, they shall be exempt from taxes. The removal or transfer of [indigenous peoples] from their habitat without their express consent is prohibited.</i></p> <p><i>Article 65 - On the Right to Participation. Indigenous peoples are guaranteed the right to participate in the economic, social, political and cultural life of the country, in accordance with their customary uses, by this Constitution and national laws.</i></p> <p><i>Article 66 - On Education and Assistance. The State shall respect the cultural peculiarities of the indigenous peoples, especially with regard to formal education. It shall also attend to their defense against demographic decline, the depredation of their habitat, environmental pollution, economic exploitation and cultural alienation."</i></p>
Institutional framework	Paraguay ratified ILO Convention 169 with Law No. 234/93 of July 19, 1993. This law is the only mandatory instrument in the international framework that expressly addresses indigenous peoples (FPP, 2015).

Source: The author, based on information provided by the projects.

Peru	
Indigenous people in numbers and as a percentage of the population	<ul style="list-style-type: none"> » 7,021,271 » 24% (2010 data) (Martínez, 2017)
Number of indigenous peoples and status of indigenous languages	43 (Martínez, 2017). In addition to Spanish, indigenous languages are official in the districts, provinces or regions where they predominate, according to the National Registry of Native Languages (MJDH, 2013).

Peru	
Constitutional recognition of rights	<p>Article 2 of the Political Constitution of Peru establishes that <i>“everyone has the right to their ethnic and cultural identity. The State recognizes and protects the ethnic and cultural plurality of the nation.”</i></p> <p>The Decree of Law No. 22175 (published May 10, 1978), in Title II (On Native Communities) establishes that:</p> <p><i>“Article 7 - The State recognizes the legal existence and legal personality of the Native Communities.</i></p> <p><i>Article 8 - The Native Communities originate in the tribal groups of Selva (tropical forest lowlands) and Ceja de Selva (highlands) and are composed of groups of families united by the following main elements: language or dialect, cultural and social characteristics, possession and common and permanent use of the same lands, with nuclear or scattered settlement.”</i></p>
Institutional framework	<p>Peru ratified ILO Convention 169 with Legislative Resolution No. 26253 of December 2, 1993 (published on December 5, 1993). It entered into force in Peru on February 2, 1995 (MJDH, 2013).</p>
Access to land and natural resource rights	<p>The General Environmental Law (published October 15, 2005) establishes that:</p> <p><i>“Article 72.3: In accordance with the law, indigenous peoples and native and rural indigenous (campesino) communities shall benefit from freely accessible resources to satisfy their subsistence needs and ritual uses. Furthermore, they have a preferential right for the sustainable use of natural resources within their lands, duly titled, except as reserved by the State or by exclusive rights of third parties, in which case they have the right to a fair and equitable participation of the economic benefits that may be obtained from the use of these resources.</i></p> <p><i>The Law on Native Communities and Agrarian Development of the Selva and Ceja de Selva Regions establishes that:</i></p> <p><i>Article 10: The State guarantees the integrity of the territorial property of Native Communities and shall elaborate the corresponding registration and grant them property titles.</i></p> <p><i>Article 18: The Native Communities located within the borders of National Parks, whose activities do not violate the principles that justify the establishment of said conservation units, may remain in them without property titles.</i></p> <p><i>Article 27: The Native Communities shall have priority to obtain contracts for forest exploration, forest extraction and reforestation.</i></p> <p><i>Article 30: Agricultural use is restricted exclusively to the lands referred to in subsections a. and b. of the previous Article. The use of land suitable for forestry, as well as that of unused areas, shall be governed by the current legislation on the matter.”</i></p>

Peru

Consultation and participation

The Forestry and Wildlife Law *“respects the right of indigenous peoples to free, informed and prior consent in order to reach agreement or obtain consent for the proposed measure in accordance with ILO Convention 169 and UNDRIP, other regulations in force, the jurisprudence of the Inter-American System of Human Rights and the binding rulings of the Constitutional Court on the matter” (MJDH, 2013).*

The Law on the Right to Prior Consultation of Indigenous or Native Peoples, recognized in Convention 169 of the ILO, establishes that:

“Article 2 - The right to consultation is the right of indigenous or native peoples to be consulted on legislative or administrative measures that directly affect their collective rights, their physical existence, cultural identity, quality of life or development. It is also appropriate to carry out consultations with respect to plans, programmes and projects for national and regional development that directly affect these rights.

Article 3 - Purpose of the consultation. The purpose of consultation is to reach agreement or consent between the State and the indigenous or native peoples regarding the legislative or administrative measure that directly affects them, through an intercultural dialogue that guarantees their inclusion in the decision-making processes of the State and the adoption of measures that respect their collective rights.”

The consultation referred to in this Law is implemented in a mandatory manner by the State only (MJDH, 2013). However, the right to consultation is not binding; that is, a refusal by those consulted may not be considered by the administrative and executive bodies of the government (MJDH, 2013). In fact, article 15 of this law establishes that:

“The final decision to approve legislative or administrative measures falls to the competent state entity. The decision should be duly motivated and involve an evaluation of the points of view, suggestions and recommendations of indigenous or native peoples during the dialogue process, as well as the analysis of the consequences that the adoption of the measure could have with respect to their collective rights recognized constitutionally in the agreements ratified by the Peruvian State.

An agreement between the State and indigenous or native peoples, as a result of the consultation process, is binding for both parties. In the event an agreement is not reached, the state entities shall adopt all the measures necessary to uphold the collective rights of indigenous or native peoples and the rights to life, integrity and full development.

The agreements resulting from the consultation process are enforceable in the administrative and judicial courts.”

Appendix 4. General map of FBE sector project stakeholders⁷⁶

For methodological simplicity, all of these are referred to as stakeholders. These stakeholders may be primary (when they have a direct link to the project), secondary (when the link is indirect) and “key” (when they are involved in most of the project actions). In addition, there are also stakeholders with veto power and the authority to suspend project activities.

<p>State</p> <ul style="list-style-type: none"> » National governments (federal) » Sub-national governments (municipal and local governments etc.) » Associations of municipalities » Ministries of Environment » Sector authorities » International cooperation agencies 	<p>Sociedad civil</p> <ul style="list-style-type: none"> » Landowners / collective land users » Indigenous villages <ul style="list-style-type: none"> • Local leaders and authorities • Local organizations • Regional and national organizations » Water administrators » Native communities » <i>Campesino</i> (rural producer) organizations » Youth » Local and international NGOs » Water sowers » Churches » Universities » Consumers » Urban dwellers » Local dialogue platforms » European environmental defenders » Professional associations » Journalists » Community communicators » Organized crime
<p>Private Sector</p> <ul style="list-style-type: none"> » Economic organizations: producer, community tourism and agroforestry associations. » Large private companies » Agribusiness and ranchers » Palm and banana producers » Mining companies » “Green” businesses » Hydroelectric companies » Companies related to tourism » Retailers and intermediaries » The media 	

Source: The author, based on information provided by the projects.

⁷⁶ From data obtained by project teams of the EUROCLIMA+ programme for the FBE sector during the implementation of two sub-regional events in San José, Costa Rica and Bogotá, Colombia, in 2019.

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