

“Our forests are not for sale” – the development of alternative climate change policies in Bolivia

Interview between Dr. Stephan Rist (CDE, University of Bern) and Dr. Rene Orellana, Ambassador Ad Honorem of the Plurinational State of Bolivia, on negotiating environmental and development issues with the UN and similar organisations.

Stephan Rist (SR): *Dr. Orellana, for the past two years, you acted as chief negotiator at the UN Framework Convention on Climate Change (UNFCCC) on behalf of the Plurinational State of Bolivia. What are the cornerstones of Bolivia’s strategy for addressing climate change?*

Rene Orellana (RO): The Bolivian climate-change strategy is based on a synthesis of stakeholder interests from throughout Latin America and the rest of the world, including those of multiple social and political movements stemming from indigenous peoples, progressive governments, NGOs, and other civil society groups. Creation of our strategy began when President Evo Morales invited many of these stakeholders to participate in the first “World People’s Conference on Climate Change and the Rights of Mother Earth”. Held in Bolivia in April 2010, this world summit was attended by over 30,000 people from all over the world. Its key conclusions included that, first of all, one of the biggest causes of greenhouse gas emissions is the ongoing expansion of capitalist, market economies that rely on use of non-renewable resources. Second, the wealth derived from expansion of capitalist economies is distributed very unevenly: wealthy people representing only about 20% of the world’s population obtain most of the benefits from about 80% of the natural and financial resources used globally! Third, through various international organisations, most governments represent and emphasise their populations’ rights to nature and natural resources, but they fail to define the rights of “nature” itself, or “Mother Earth” as we refer to her in Bolivia.

Let me lay out some additional background reasoning on the global situation. The highly unfair distribution of benefits – social, economic, and environmental – and costs of global resource use must be considered in our debates on climate change. Thus, we have consistently emphasised that developed countries must provide financial resources and technology as well as capacity building to mitigate and adapt to climate change. Further, individual countries’ responsibilities must be differentiated in the context of “climate justice”. What this means is that wealthy nations should bear much more responsibility, considering, for example, that North America’s cumulative greenhouse gas emissions between 1850 and 2006 were 10 times higher than those of Central and South America.

More concretely, it is inconceivable that some environmentalists question Bolivia’s exploitation of its gas and oil reserves due to greenhouse gas emissions. This ignores that Bolivia contributes only 0.04% of global greenhouse gas emissions and that – due to colonial-era and current economic dependencies – our country has long been locked in the role of natural-resource based commodity production, organised by foreign national and transnational companies. Creating the conditions for economic stability – by means of socially and environmentally respectful, state-based use of natural resources – represents an important step towards recovering our sovereignty as a nation. Of course, in the long run, we know we must achieve sustainable use of non-renewable resources. But I can tell you that this is an extremely stony path for us as developing countries: Besides demanding huge investments, which are difficult to justify if they compete with the needs of 30% or more of the poor people living in our countries, industrialised nations and related transnational companies refuse to

support us unless we pay very high fees for licenses, patents, etc. Thus, at the moment, we must struggle to ensure that the profits from our gas, oil, and minerals do not merely further enrich wealthy transnational companies and nations. Rather, we must ensure that the proceeds are used to resolve our most pressing problems, stemming from poverty, exclusion, marginalisation, and lack of sovereignty in many domains.

The short-term goal of climate change negotiations should be that of drastically reducing greenhouse gas emissions to avoid the catastrophe that seems likely if emissions continue along an upward trajectory. Urgent action is needed in the following areas:

1. Securing ambitious commitments on the part of developed countries to reduce their emissions for the second commitment period of the Kyoto Protocol (KP 2CP).
2. Ensuring big reductions in emissions on the part of developed countries not participating in KP 2CP.
3. Establishing a system of strict control, accounting rules, and verification of emission-reduction commitments on the part of countries opting out of KP 2CP.
4. Avoiding the use of carbon markets, the expansion of carbon-market mechanisms, and flexibility mechanisms that increase emissions rather than reduce them.
5. Ensuring meaningful action on the part of developing countries within the framework of “common but differentiated responsibilities and respective capabilities” (CBDR-RC).
6. Establishing an institutional framework and clear regulations that effectively respond to the Bali Action Plan (BAP) in areas such as technology, finance, adaptation, mitigation, forests, and more.
7. Building a comprehensive legal instrument that effectively responds to developing countries’ needs for financing and technology to mitigate and adapt to climate change, and creation of effective mechanisms to ensure the transfer of financing and technology. This legal instrument should be applicable in the near term.
8. Establishing a work plan to ensure effective and ambitious mitigation actions as part of CBDR-RC.
9. Ensuring financial, technological, and human capacity to adapt to the changes in climate predicted to accompany a substantial global temperature increase by 2020.
10. Building and developing non-market-based mechanisms such as Bolivia’s proposed Joint Mitigation and Adaptation Mechanism, contributing effectively to the conservation and integrated management of forests while safeguarding environmental integrity.
11. Developing and implementing international response mechanisms to address natural-disaster losses and effectively respond to recurring problems generated by climate impacts.

SR: *How have these conclusions been translated into Bolivia’s national and international policies?*

RO: Based on these conclusions, our government defined a strategy for tackling climate change resting on the conviction that, first of all, climate change and adaptation cannot be solved solely by relying on market-based mechanisms. In a letter on behalf of the world’s indigenous peoples, President Evo Morales thus declared that “our forests are not for sale” and that there are many other ways of supporting and financing developing countries, indigenous peoples, and local communities – ways that contribute to the preservation of forest instead of further commodifying “environmental functions” as proposed by REDD+ and other types of Payments for Environmental Services.

Within the UNFCCC, we began advocating for recognition of “non-market approaches to climate change mitigation and adaptation”. We presented a proposal for “Sustainable Life of the Forest” to the 17th Conference of the Parties (COP17) in South Africa. A large majority supported the proposal,

leading to its inclusion in the ground-breaking “Decision 2/CP.17” approved within the Working Group on Forest. It incorporated the Bolivian delegation’s “Sustainable Life of the Forest” proposal by recommending that “... approaches not based on the market, could be developed, such as concerted approaches to mitigation and adaptation for the comprehensive and sustainable management of forest as an alternative of non-market that supports and strengthens the governance, the implementation of the safeguards referred to in paragraph 2 (c-e) of Appendix I of the decision 1/CP. 163, and the multiple functions of forest”.

Another major achievement is the elaboration and approval of the national “Framework Law of Mother Earth and Integral Development for Living Well” in October 2012. The basic principles of the law concern protecting the rights of Mother Earth as a collective object of public interest, one whose capacities of regeneration must be respected, supported, and balanced in a dynamic, interdependent relationship with the Bolivian people’s rights to development and to “Live Well”. It is important to note that our understanding of Mother Earth is not the same as what scientists refer to as “ecosystems”. Mother Earth is an organism integrating all living systems and natural processes, fulfilling multiple functions, which are used by human societies. Since this organism, Mother Earth, provides all these functions, we must acknowledge and respect her rights vis-à-vis the rights of human society. Mother Earth’s “environmental functions”, natural processes, and systems that support life are considered a gift that links the natural world’s communities of living beings with the communities of humans. Environmental and other functions of Mother Earth are therefore a gift and shall not be converted into a commodity, for example, by establishing market-based relations such as those resulting from schemes of Payment for Environmental Services or mainstream REDD+ mechanisms.

SR: *What are the next steps for implementing the Law of Mother Earth?*

RO: It is now very important to link the guidelines of the new law with concrete policies. Work has begun on elaborating the rules and procedures that the Plurinational Authority must follow as well as on operationalizing the corresponding Trust Fund of Mother Earth. The most advanced work concerns the development of a “Joint Mitigation and Adaptation Mechanism for the Integral and Sustainable Management of Forests (JMA)”, published in 2012. It is based on the following core principles: No commodification of forests’ environmental functions; comprehensive and sustainable management of forests (including land, water, and biodiversity) with an emphasis on traditional and local practices; promotion of forests’ multiple functions (economic, social, environmental, and cultural); observing the complementarity of rights, obligations, and duties in forest management; emphasising the economic, social, political, and civil rights of indigenous people, peasant communities, local populations, and Bolivians in general as well as the rights of Mother Earth; acknowledging forests’ dual role in mitigating and adapting to climate change (see: <http://www.redd-monitor.org/wordpress/wp-content/uploads/2012/10/JOINT-MITIGATION-2.pdf>). The Plurinational Authority of Mother Earth will implement this mechanism, drawing on national and international funding channelled through the Trust Fund of Mother Earth. This will make it possible to maintain and develop policies and programmes in line with the Law of Mother Earth’s principles.

Another important initiative concerns further elaboration of socially inclusive rules and regulations – on behalf of the Plurinational Authority and the Trust Fund of Mother Earth – taking into account the experiences gathered in the national programme BioCultura, financed by Swiss Agency for Development and Cooperation (SDC). The initiative consists in refining the regulation and

administration of Trust Fund resources and facilitating implementation of corresponding legal instruments. These legal instruments should cover, among other things, identification of nature components, determination of these components' capacity to regenerate, establishment of indicators of "living well" and local development, and definition of living systems and zones in specific autonomous regions in the departments of Tarija, Chuquisaca, and Cochabamba as well as in certain indigenous territories. This work is being accompanied by efforts towards classification and spatial planning of distinct living zones and bio-cultural life systems. This local initiative, combined with the national effort to establish a legal framework, could provide an example of how to develop and implement such a complex environmental law in the face of big challenges.

SR: *Are such initiatives supported by SDC?*

RO: Yes, we are very happy to report that SDC made a big contribution to the achievements mentioned above, among others. Through various projects, SDC supported the international negotiations that led to inclusion of so-called "non-market" mechanisms of climate change mitigation and adaptation, to be developed within the UNFCCC framework. SDC also supported the national and international consultation process that led to definition of the Joint Mitigation and Adaptation Mechanism for the Integral and Sustainable Management of Forests.

In the context of its country programme, SDC opted to further strengthen implementation of the Law of Mother Earth: SDC mandated a consortium of public, social, national, and international organisations like AGRUCO (Universidad Mayor de San Simon in Cochabamba), Universidad de la Cordillera, and the Centre for Development and Environment (University of Bern) to support and assist the process of elaborating regulations, procedures, and planning instruments for public administration. This helped to reinforce public action in the country as well as to disseminate the experience internationally.

It is now critical to take a new and bigger step regarding the Law of Mother Earth and integral development: that of supporting the joint mitigation and adaptation mechanism in the context of the integral management of forests in the Amazon region, the Andean region, and the Chaco region. The last example is a crucial transboundary region, second only to the Amazon in terms of biodiversity importance – it is very affected by climate change, especially long-term droughts which impact forests and local populations each year.

Based on its own concrete, practical experiences, Bolivia must demonstrate that its nationally and UNFCCC-approved mechanisms and tools are capable of achieving relevant, comprehensive, differentiated mitigation and adaptation results vis-à-vis REDD.