Will a UN Climate-Change Solution Help Kuna Yala?

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Faced with sea level rising, one indigenous community weighs a plan to mitigate climate change.

In northeast Panama's lush tropical forests, a sovereign indigenous comarca is raising the same question that delegates at the Cancún climate conference are raising about a plan for avoided deforestation: how is REDD (Reducing Emissions from Deforestation and Degradation) supposed to work? Will it work in practice? And what would work better? Their answers may sway the fate of the plan in Panama and beyond.

This story by Ruxandra Guidi is part of a two-part series on REDD and indigenous communities produced by the media NGO Project Word, and featuring a companion essay by Dennis Martinez. Photos by Roberto Guerra.

By Ruxandra Guidi

According to a legend of the Kuna peoples of Panama, the Great Father Bab Dummad and his wife, Nan Dummad, created all that exists. But before giving birth to humans, they created boniganas, spirit sanctuaries in tropical old-growth forests with imposing canopies as tall as 250 feet. The largest such bonigana in Kuna territory occupies more than 1,250 square miles along the northeast corner of Panama. Dominated by hardwood species such as jacaranda, ceiba, caoba, and cocobolo (or rosewood), the bonigana was a lush gift of the deities. Hundreds of species of vines, herbs, roots, and fruits like cacao would provide medicinal powers; skunk pigs, tapirs, and armadillos would become game for food; and a handful of hardwood tree species were there for thatched-roof homes and the Kuna's ubiquitous cayucos, or kayaks.

Like this one along the northeastern coast of Panama, the inhabited islands of Kuna Yala are increasingly flooding due to rising seas. As the Kuna consider whether to relocate to their forest on the mainland, they must also debate a climate-mitigation project, REDD, proposed for the same land.

Out of their gratitude for such bounty, the Kuna developed a powerful conservation ethos. Even today, when a man must fell a grown tree to build his house or to grow subsistence crops, he will voice appreciation for the tree before giving it the final blow. "Trees have sap," goes one of many traditional Kuna adages. "And who do you think drinks the sap? Nan Dummad. That is how she strengthens..."
herself." The Kuna were instructed not to recklessly clear the vegetation -- doing so would provoke the spirits, unleashing a wave of disease against their transgressors.

But recent weather events are forcing the Kuna to consider clearing and settling in their bonigana. Since 2004, sea levels have risen four inches on the more than thirty islands off Panama's Caribbean coast, where much of the Kuna's population of 45,000 lives.

In October 2008, the encroaching seas, combined with two weeks of unusually high tides and storm surges, flooded a majority of the islands, ruining schools, subsistence crops, and wood and straw homes. When the waters finally receded, residents, fearing they would eventually have to abandon their island homes, began discussing a difficult contingency plan: relocation to the only other land in their territory, the sacred mainland bonigana.

Scientists report that seas around the Kuna's islands have risen four inches since 2004, and the Kuna say rainy-season storms are also stronger now, often flooding villages. One storm surge in 2008 lasted almost two weeks, ruining schools, crops, and homes.

But now it appears they may lose even this haven, if certain interests have their way. In April 2007, without informing or consulting the Kuna, representatives of the Panamanian environmental ministry met with World Bank officials in Berlin to claim the bonigana.

The Panamanian officials volunteered the forest -- along with others in indigenous lands -- as a solution for climate change. In particular, they wanted to use the carbon stored in its trees for a worldwide climate-mitigation plan called REDD, Reducing Emissions from Deforestation and Degradation. A multi-billion dollar conservation package financed by the World Bank and up for UN approval in Cancún this week, REDD would set aside carbon-absorbing tropical forests in developing countries in order to offset pollution by industrialized ones. At the Berlin meeting, the World Bank approved Panama's draft plan for REDD. The Kuna found out about the meeting several months after the fact.

The Panamanian constitution protects the Kuna's relationship to the land and their rights to administer their resources. But if the industrialized countries prevail in Cancún, Panama's REDD plan could undermine that protection. It could encourage the nation to administer the bonigana as a carbon offset, providing incentives to prohibit the Kuna's millennia-old forest traditions and resource management, including practices such as selective clearing for sustainable agriculture and for relocation.

On the mainland of Panama, the Kuna have the nation's best-preserved old-growth forest, and its hardwood is the source of the cayuco, or kayaks, which are the primary means of transportation on the Kuna's islands.

It's too soon to know what may happen to the bonigana or the Kuna. The final Cancún document, REDD proponents point out, will not necessarily endanger indigenous traditions, or allow Panama to restrict the Kuna's territorial sovereignty, or that of any other indigenous community. Benoît Bosquet, coordinator of the World Bank's Forest Carbon Partnership Facility, which has helped nations prepare for the program, says he has fended off unjustified criticism and fears from indigenous communities worldwide. "They won't get their land taken, this is not what an institution like The World Bank has in mind," he says. "No one will be forced to participate."
Still, the Kuna language has failed to reassure REDD critics. Nothing in the draft, they say, would prevent Panama's REDD plan from trying to strip the Kuna of their land rights in the bonigana, requiring them to apply for access permits or risk arrest. “Every country has to figure what REDD+ means, and how it is implemented in that country,” counters Bosquet, referring to the program by its revised official title. “The point is that whatever fits under REDD+ needs to have the buy-in of the people on the ground.”

Critics say it’s not so simple. But for now, the full details of the plan launched at Berlin remain to be determined. If, as expected, it aims to fence off the bonigana, the Kuna could seek to negotiate a loophole before Panama's REDD program goes into effect, and defend their plans to relocate to their sacred sanctuary. Or they could simply refuse to cede control for cash at all, rejecting the program entirely. Such resistance would throw a major monkeywrench into the works for REDD in Panama—which, as it turns out, the Kuna have the power to do.

Sea level rise: After enormous waves flooded a majority of Kuna islands in October 2008, a collective memory of the disturbance lived on in a Kuna Pab'igala, or adage: “Why are our mothers crying. It is because of the hurricanes and earthquakes,” went the lyrics. “Times are getting dark. Who is causing this?”

Back at the 2007 Berlin meeting, the Panamanian government received a U.S.$12 million pledge to begin to set aside its forests for REDD, effective in 2012. But a routine World Bank stipulation—and a condition reinforced by Panama's own constitution—required the country to secure approval of the indigenous populations living in the areas to be set aside. With 70 percent of Panama's forests located in indigenous territories, the areas targeted in the Berlin meeting were all in indigenous lands. If all the relevant indigenous communities said no, there would be no funding and no REDD.

In other words, $12 million—and possibly far more, with the addition of payments from CO2 emitters for offsets—is riding on the agreement of indigenous communities, and Panama has still failed to secure it. In its rush to lock in the deal, the government had gone about the process backwards, agreeing on behalf of people whose approval it hadn't obtained or even sought. Now they have only two years left to get their signatures. And so the plan's fate, along with the Kuna's own, remains uncertain.

“The Kuna people feel that many institutions, NGOs, and governments are taking advantage of them,” says Heraclio Herrera, a Kuna biologist who has helped educate the Kuna’s island-dwelling communities about REDD and the carbon market. “We're open to getting help, but we want others to respect the forests because they don't belong to us; they belong to our creator.”
Originally from what is now Colombia, the Kuna have lived at the thin sliver of land joining Central and South America since well before the time of the Spanish Conquest. But their historical moment came in February 1925, when Kuna warrior Nele Kantule led dozens of rebels in an uprising against the Panamanian police on the islands of Tupile and Ukupseni.

Traveling by cayucos in the dead of night, they overpowered the police force, leaving 27 people dead, and effectively drove out the state presence. A series of meetings with the central government followed, and the Kuna were eventually granted the Comarca of Kuna Yala, ushering in territorial rights and their unique participatory system of governance, while keeping their Panamanian citizenship. Almost 85 years later, the Kuna have one of the greatest degrees of self-rule of any indigenous group in Latin America.

Widely known for their independence and political savvy, especially in conservation and climate change policy, the Kuna are well represented at UN climate meetings, and their indigenous contemporaries watch their actions closely. Rebecca Sommer, an activist with the New York-based Society for Threatened Peoples International, says, "The World Bank has been focusing very heavily on winning the Kuna [for REDD], because few other indigenous groups are as influential."

Usdup Island’s chief saila, Leodomiro Paredes, with wife Imelda Click, are among the Kuna elders attending workshops to learn about REDD, debating whether to sign on to the plan. "Our forest is worth much more to us in the long term," says Paredes, "than whatever money we could possibly end up getting from REDD."

Especially since the Kuna could strike a hard bargain for signing on to REDD, some Kuna have certainly wrestled with the potential benefits of doing so. A generous deal could infuse the community with much-needed cash to cover infrastructure, educational, medical – and perhaps most urgently, relocation.

"We are already suffering from the effects of climate change," says Estebancio Castro, a Kuna environmentalist and head of the International Alliance of Indigenous Tribal Peoples of the Tropical Forests, a frequent participant in climate negotiations. "And [we] are desperately in need of funds to adapt to it. So where do we go from here?"

The World Bank’s offer is certainly tempting. According to Panama’s REDD plan and Bosquet, the agency has spent $250,000 to woo the Kuna and Panama’s other indigenous communities. Dozens of its information workshops have championed REDD’s conservation benefits and potential lucre. In March of 2009, the World Bank’s Bosquet spoke about the plan for the first time to the Kuna community gathered at Isla Tigre.

"I got a large number of questions from their congreso meeting," he said. "They asked me about what was in it for them, and why we dealt with the government of Panama instead of doing so directly with the indigenous communities."

After a heated two-hour community meeting, the congreso decided to postpone their decision on REDD until September 2009. During the subsequent months, the Kuna put aside the World Bank’s pitches and did their own homework. Three times since the Berlin meeting, the Kuna leadership was expected to vote on REDD; twice they delayed, most recently they said no. The World Bank is still betting on a reversal. Speaking on behalf of the Congress General, the Kuna’s highest authority, spokesperson Bolivar López told me this in October, 2009: "Some of our initial questions about REDD remain unanswered." And from all recent reports in Kuna territory, the skepticism has not abated.
All around them, the indigenous Emberá peoples of Darién region have seen the most dramatic rates of deforestation in Panama, an encroachment largely tied to loggers, ranchers, and plantations.

The Emberá Experience

In deciding whether to sign away their forests to REDD, the Kuna have focused on the potential loss of sovereignty—and thus their ability to protect their forest and to relocate if necessary. For a case study they turned to another indigenous community, that of the Emberá in the village of Ipetí, on the edge of the Darién rainforest, 90 miles to the east. Their tierras colectivas, or collective lands, run alongside the Panamerican Highway, which has facilitated an invasion of cattle ranching and illegal logging. Once considered a pristine rainforest, the Darién over the last 15 years has witnessed the fastest rate of deforestation in Panama.

Like the Kuna, the Emberá have so far refused to sign on to Panama’s REDD plan. But unlike the Kuna, they have formally put their toes in the water. On August 17, 2008, the community agreed to an unofficial REDD-like pilot project at the village of Ipetí, where settlers and cattle ranchers have occupied 40 percent of the village’s 3,000 hectares. The contract covers 18 hectares of primary forest, pasture land, and existing native tree plantations around the village.

On the bridge between two continents, the indigenous Emberá of Panama face an encroachment of ranchers and loggers that endanger their forest culture. But they have turned to the land for power, establishing a reforestation project that roots the community in the future.

Production of this video was made possible by a grant from The Christensen Fund.

At least ostensibly, the results should have reassured the Kuna, as they ponder the World Bank’s pitch. By all accounts it’s a model arrangement. Designed in partnership with Panama’s Ministry of the Environment, McGill University, and the local Organization for Unity and Development of the Community Ipetí-Emberá (OUDCIE), the project offsets the carbon footprint of the Panama City-based Smithsonian Tropical Research Institute.

The contract designated 20 individuals from Ipetí as stakeholders. Each family voluntarily offered a quarter of their lands—some to measure carbon in old growth forests, others to regenerate native trees like cocobolo and hawthorn. The contract requires McGill and Smithsonian to adhere to the UN Declaration on the Rights of Indigenous Peoples, explicitly respecting free, prior, and informed consent. The contract places no restrictions on territorial access or land use. And if the community finds the project has violated its rights on land, agriculture, and customs, says Sara Omi Casama, a lawyer from the village who co-drafted the contract, the community can terminate its involvement.

During the rainy season, when logging slows, sawmills that line the Panamerican Highway near Ipetí turn to processing trees like espavé or cedar, shipping them to overseas markets. Ipetí has forged a plan to preserve surrounding forests.

The project also delivers money: Smithsonian agreed to pay $350 per family per year for maintenance of the plantations, and the participants fully own the carbon value in the trees. At the end of 25 years Smithsonian would, subject to a few conditions, pay out $35,000—80 percent going equally to the participating families, the balance going into a community fund to benefit the entire village.
In the planning stages since 2003, the project grew out of a close working relationship between community members and researcher Catherine Potvin of McGill University. But it also took into account Ipetí's own history with land-use projects, especially those planned by distant forces. In 1975, the construction of the Bayano dam destroyed large swaths of forests and cultural traditions that went with it, displacing the Ipetí community from its home. A series of agreements subsequently broke down, the community settled in its current location with no secure land rights, and the bulldozers began encroaching.

The Smithsonian project had to address this damaging legacy as well as the carbon issues involved. "The main purpose of this program was to diminish the invasion of the territories," says Casama, the Emberá's first female lawyer and the daughter of the first female chief in Ipetí. "But the hope is that eventually this would lead to land rights decisions, for greater tenure for the Emberá."

Heeding the advice of elders in 2008, Jeremías Cansari of Ipetí became one of the first participants in a local carbon-offset pilot project in which he planted native species like cocobolo and roble, committing to their care for 25 years. Ipetí favors its project over a national REDD version, a draft of which the World Bank has approved for Panama.

In the REDD plan for Panama, as in those of other countries, the government and its NGO partners would control the measurement, administration and sale of carbon stored in any trees. Even if the community were to own either the land or the trees, it would not own the carbon in the trees, which is what the market buys. Ipetí has sought to preempt this fate.

"The government wants to take over our lands," says Jeremías Cansari, a village elder who was one of the first to sign the Smithsonian contract in 2008, but who's skeptical of national REDD plans. "So we take care of the trees, but the government sells the carbon credits? We don't agree with that type of arrangement. We may not have money, but we have land, and we want to be able to keep it."

The Emberá, like other indigenous groups, also want to keep using the land in traditional ways, aware that Panama's national plan to combat such loss, REDD, has failed to gain the Emberá's consent. Among other things, they say it does not address land rights and targets their ancestral swidden agriculture. Read more about swidden, also known as "slash-and-burn" or "ancestral fire regimes," in this story and in Dennis Martinez' companion piece in National Geographic News Watch.

Over the last 15 years, ranchers and others have destroyed about 40 percent of the forests of Emberá territory in Ipetí. And yet Panama's national plan to combat such loss, REDD, has failed to gain the Embera's consent. Among other things, they say it does not address land rights and targets their ancestral swidden agriculture. Read more about swidden, also known as "slash-and-burn" or "ancestral fire regimes," in this story and in Dennis Martinez' companion piece in National Geographic News Watch.

Bosquet allows that it is "not impossible" that swidden agriculture may be included as activities -- "that has to be seen at the level of each country." But, he says, "inequitable fire management or agricultural practice must not be encouraged, and will not be sustainable. No emission reductions would be generated from such programs, or they would be short-lived and they would fail to attract large-scale financing."
That kind of veiled threat is a red flag for the Emberá, and for Kuna environmentalist Estebancio Castro. "If the discussion on REDD doesn’t change, traditional itinerant agriculture will be considered ‘degradation,’” he says. “And therefore, indigenous peoples everywhere will be kept from continuing their ancient practices and traditional knowledge.” Envisioning a similar future scenario in Kuna Yala, he adds, “I don’t believe REDD would be successful in our territory. We have the best preserved forest in Panama, and no need for financial incentives.”

**Saving Grace?**

The REDD program, which was widely touted as the saving grace at the ill-fated 2009 U.N. climate conference in Copenhagen, has reprises its role at Cancún. Destruction of forests accounts for an estimated 17 percent of global CO2 emissions, and proponents claim REDD will save 20 percent of those emissions, buying time for the planet.

Funded by venture capitalists, the World Bank, wealthy countries, and three UN agencies, REDD projects have operated in earnest since 2008. Already REDD pilot projects are under way in more than 20 countries with tropical and subtropical forests. And if some players at Cancún get their wish, such projects would qualify for a formal UN-sanctioned carbon market, allowing industrialized nations to count carbon-offset towards the emissions reductions mandated by any post-Kyoto protocol. REDD projects also can operate outside the UN-sanctioned carbon market in what is known as a “voluntary” market.

But at the 2007 Berlin meeting, the World Bank approved Panama’s preparations for the more lucrative "mandatory" carbon market.

But it’s uncertain how well REDD can deliver on any of its promises. For one thing, carbon credits, which have been in use for more than a decade, allow the buyer to continue emitting CO2, reinforcing dependence on the fossil fuel economy and diverting capital and energy from green transitions. It also may not work on its own terms. The REDD program is based on the concept of avoided deforestation, which means that entities like governments, NGOs, or local communities are paid to ensure that forests are not logged. Critics point out that avoided deforestation rests on two shaky assumptions: that loggers would have cleared the forest otherwise, and that the protection of REDD areas would actually reduce deforestation overall, as opposed to just shifting it to non-REDD areas.

The Panamerican Highway near Ipé in Emberá territory has facilitated the spread of industrial-scale enterprises like this teak tree plantation, whose products normally end up in India, China, or other foreign markets. Under a provision of Panama’s REDD program, “reforestation businesses” could eventually qualify for carbon credits.

On balance, it is not clear whether the REDD plan for Panama would actually curb national deforestation at all, or cause any net reduction in greenhouse gas emissions. Neither the Panamanian environmental ministry, the World Bank, nor the UN-REDD Programme has estimated how many hectares of forest REDD would save. But a close read of Panama’s REDD plan reveals loopholes big enough to drive a logging truck through.
The plan does explicitly target “extensive” cattle ranching and illegal logging, historically major agents of rainforest destruction. But drawing on a UN definition of forests, it also allows deforestation of old-growth forests under “sustainable forest management” — code for monoculture plantations. These are promoted heavily worldwide. One argument is that plantations grow uniformly, facilitating the measurement of their carbon. According to national REDD plans funded by the World Bank, at least 19 nations have included provisions for plantations. In Panama, dozens of “reforestation” businesses — including Agroforestal Darién, Futuro Forestal, United Nature, Rainforest-Invest, and Balmanta — have already begun developing carbon-offsetting plantations in what was once primary forest near Emberá territory.

Panama’s REDD plan also omits any restrictions on, or even mention of, what the government calls “infrastructure development incorporating plans for conservation of forest cover” — dams, roads, electricity networks, and mining concessions, according to most interpretations. In fact, the plan is carefully worded to allow all major features of Panama’s decade-old national development agenda — an array of 90 proposed hydroelectric dams, as well as mining concessions, logging and plantations.

“The government has been trying to sell us REDD for the past year,” says Eliseo Vargas, a Naso leader from western Panama, where deforestation is also affecting indigenous lands. “But we see it as yet another type of forestry business.”

Scott Muller, co-author of the Millennium Ecosystem Assessment, which provided climate advice to the UN secretary-general, and now a green-economy consultant to the Kuna, says he once had high hopes for REDD. “I completely support a system for national and global accounting of forests because governments must start national accounting for carbon and biodiversity,” he says. “But I feel this concept in its present form would never fly in the private sector, and that’s what REDD is asking developing countries to do. This is not a business plan,” he says, explicitly referring to the program in Panama. “It’s a land grab.”

Of course, before the indigenous parties sign on, Panama’s REDD plan could respond to criticisms and change its practices. But even then the Kuna would probably remain skeptical.

“Our country has no judicial security,” says Kuna environmentalist Onel Masardule, echoing a contention widely heard about REDD in developing countries. “The chances for corruption are great. Who will oversee the government?” he asks pointedly. “The UN? The carbon traders?”

Contested Rights

As the Kuna continue to consider the challenges of rising seas, the World Bank’s offer, and the fate of their own bonigana, they have also considered the issue of rights — rights to control their own territory, and rights to consent to any use of it. In this regard the Ipetí-Emberá experience has been instructive — its home-grown carbon project starkly contrasted with the official REDD scheme: its displacement by the dam, the settlers, and the ranchers demonstrating the perils of unresolved land title. “Rights,” says the Emberá’s lawyer Casama, “need to be a central part of any future of REDD.”

So far that isn’t happening in Panama. Of the nation’s 11 indigenous communities, only the Kuna have full recognition, in the form of their Comarca. Six communities have no recognition at all. And four other indigenous communities, including the Emberá and Ngöbe-Buglé, all targeted by REDD, have partial recognition. They have been fighting for more than a decade to extend Law 411, which would grant title to their elusiva, constitutionally implied “collective lands.” This recognition would in turn empower the communities to continue traditional practices. In the ultimate irony, numerous studies show that those practices absorb carbon and protect biodiversity far more efficiently than the conventional regimes expected to characterize REDD.

Bearing a message: Emberá youth like Anel Mezúa and Beto Casama are leading workshops to educate community members about climate change, the carbon market, and the proposed REDD program in Panama.

But as it is currently envisioned, REDD won’t support indigenous sovereignty efforts in Panama.

Since the Kuna and their contemporaries are pressing to have existing rights respected and new ones instituted, it’s not clear whether the agreement will move forward. If the Kuna were to convince all their indigenous contemporaries to follow suit and refuse REDD, they would expose Panama’s REDD program to derailment, jeopardizing the World Bank’s $12 million offer. It’s an entirely plausible scenario. And so the REDD plan remains in limbo and the bonigana remains, for now, a contested gift of creation.

Ruxandra Guidi, a journalist and producer who has reported from the Caribbean, South and Central America, and the U.S.-Mexico border regions, currently reports on immigration, border issues, and culture at KPBS Public Radio. She has produced radio documentaries for the BBC and National Public Radio, and has written for a range of magazines, including Guernica, Virginia Quarterly Review, and
Roberto "Bear" Guerra, a photographer specializing in humanitarian, environmental, and social issues around the world, works regularly with indigenous and immigrant populations, and with human rights and environmental organizations. His photo essays and images have appeared in Orion, Virginia Quarterly Review, The Boston Globe Magazine, NPR, BBC, Earth Island Journal, and many others. In 2010 he was a finalist for a National Magazine Award in Photojournalism. He and his wife, journalist Ruxandra Guidi, the author of this piece, also collaborate as multimedia storytellers under the name Fotografa Collective.

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