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## **Becoming Fundable? Converting Climate Justice Claims into Climate Finance in Mesoamerica's Forests**

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### **Abstract**

For the Mesoamerican Alliance of Peoples and Forests, the idea of Reducing Emissions from Deforestation and Forest Degradation (REDD+) has opened a window for advancing member groups' claims to territory and community well-being, despite concerns that REDD+ could proceed as development-as-usual in practice. However, the claims underpinning the engagement of this Indigenous and forest peoples' network in international climate finance processes reflect conceptualizations of climate justice that diverge from those that have dominated policy and popular discussions. This article assesses the multi-scalar efforts of the Mesoamerican Alliance to promote claims to climate finance around different concepts of justice. Using empirical justice analysis to assess the subjects, dimensions, and criteria explicit and implicit in Mesoamerican Indigenous and forest groups' claims, and drawing on decolonial and Indigenous perspectives on environmental justice, the article presents evidence as to the possibilities and challenges of translating REDD+ into just outcomes in historically marginalized territories. Using participant observation, unstructured interviews, and document and social media review, it specifically assesses the Alliance-proposed Mesoamerican Territorial Fund, which aims to directly capture climate finance, bypassing problematic relations national governments and traditional donors. The article finds that although Indigenous Peoples and local communities have made significant advances in terms of representation, recognition, participation, and concrete funding, the constraints of 'becoming fundable' may hinder more transformative and reparative pathways to just climate outcomes.

**Keywords:** climate change, environmental justice, forest governance, REDD+, Mesoamerica

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## 1. Introduction

The idea of Reducing Emissions from Deforestation and Forest Degradation (including through sustainable forest management, conservation, and the enhancement of forest carbon stocks, now all captured under the rubric of REDD+) has faced contestation since its inception. When the Coalition of Rainforest Nations formally proposed REDD to the United Nations Framework Convention on Climate Change (UNFCCC), they championed it as something “big, cheap, and quick” (Angelsen and McNeill 2012, p. 33). REDD+’s proponents, however, failed to fully consider the bureaucratic and technical challenges of monitoring, reporting, and verification (MRV) for forest carbon sequestration, the slow pace of consistent and large-scale climate financing, or that the co-location of significant forest reserves with Indigenous and traditional forest communities could lead to resistance by these groups. This last factor, in particular, has increasingly shaped the form of global negotiations and on-the-ground programs, as emergent networks of human rights organizations and Indigenous advocacy groups have enabled communities to more publicly demand their rights to forests in the face of competing claims on their forest spaces (Schroeder 2010).

As national and subnational governments, multi- and bi-lateral donor organizations, environmental non-governmental organizations (NGOs), and researchers have sought ways to overcome these challenges, those peoples who reside in and depend on tropical forests have employed a variety of discursive strategies to advance their interests regarding the institutional forms and thematic foci of REDD+ (Schroeder 2010; Wallbott 2014). This paper examines those strategies in the context of a particularly contentious issue – climate finance – drawing specifically on experiences from a coalition of ten Indigenous and forest peoples’ groups in Mexico and Central America, the Mesoamerican Alliance of Peoples and Forests (AMPB for its Spanish-language abbreviation). AMPB and its members have proposed creating a Mesoamerican Territorial Fund (MTF) as an alternative climate change finance mechanism, arguing that without the leadership of legitimate forest authorities and communities, REDD+ cannot achieve just and effective outcomes.

Responding to the call of Klinsky et al. (2017, p. 170) to explore the ways that “communities themselves articulate the justice dimensions of climate change,” given that different views of justice underlie much political disagreement and subsequent failure to act on climate, this article asks: what concept(s) of justice does AMPB draw upon in its international advocacy around REDD+? How does the MTF proposal reflect these justice claims? And finally, what might be the challenges of achieving the sought-after just outcomes through the MTF in the current finance climate? Through a deeper examination of the normative claims that underpin Indigenous and community advocacy around climate finance, this article seeks to enhance the possibilities for those Indigenous Peoples and local communities whose lives, livelihoods, and socio-ecological systems co-depend on tropical forests to seek appropriate solutions in an era of climate change.

In the next section, I present a brief history of Indigenous and local community positions on REDD+. I then consider differing conceptualizations of climate justice and propose a framework for assessing AMPB’s claims, building Sikor et al.’s (2014) empirical justice analysis approach. Next, I turn to how AMPB engages around these themes and the specific claims on justice that

they make, including through the MTF proposal. Finally, I reflect on the challenges of achieving climate finance justice under the current system.

## 2. Background: Indigenous Peoples and REDD+

As Reed (2011, p. 544) explains, “the indigenous stand on REDD+ and other such projects is by no means monolithic.” Over the past ten years, some activist groups have rejected the concept, while others have experimented with various forms of payment for ecosystem services (PES) and carbon mitigation projects. From its earliest days, discussions over REDD+ gained particular attention from Indigenous and local communities, since governments and NGOs identified their lands as appropriate targets for intervention and claimed financial rights to incentives to reduce deforestation (Van Dam 2011; Brugnach et al. 2017). The idea that the companies or land owners that in the past had been responsible for a large portion of deforestation could reap rewards from changing their behavior to show emissions reductions, rather than those who had long protected forested areas from destruction, galvanized forest communities to engage more broadly with REDD+ (Cabello and Gilbertson 2010). Further, the idea that forest-based mitigation funding would lead national governments to re-centralize control of lands recently devolved to local control provoked concern on the part of forest peoples (Phelps et al. 2010).

These concerns over who stood to benefit from forest-climate schemes aligned temporally with new social movements advocating for the outright rejection of the commodification of forest carbon as a means to address climate change (Cabello and Gilbertson 2010; Bumpus and Liverman 2011). Fears of “carbon cowboys” and “green land grabs” led to strong resistance to REDD+ in some quarters and to an insistence that Indigenous and local communities gain a seat at the table for forest-climate programs across scales (Dunlap and Fairhead 2014; Rocheleau 2015; Aguilar-Støen 2017). These suspicions provoked a push within official negotiations for safeguards (adopted at the 2010 UNFCCC meeting) and a greater recognition of the need for free, prior and informed consent (FPIC). Each country is responsible for developing its own safeguards per the UNFCCC decision, so this initiative remains primarily in the national governments’ purview (McDermott et al. 2012; Jagger et al. 2014).

While a great deal of literature assesses the efforts of Indigenous Peoples, in particular, to participate in the UNFCCC and national-level negotiating bodies, prominent activist positions on climate justice (especially from the Global North) reject the legitimacy of the UNFCCC process and of carbon markets as a means to address climate change (Cabello and Gilbertson 2010, 2012; Roosvall and Tegelberg 2016). Several high-profile Indigenous and non-Indigenous groups strongly object to official government-led climate change policy processes that address questions of finance and mitigation efforts, including the UNFCCC and the September 2018 Global Climate Action Summit (GCAS) (Indigenous Environmental Network 2018). Even given the diversity of views on the legitimacy of engaging in arenas such as UNFCCC and GCAS, Indigenous activist groups strongly promote full consent, rather than just consultation, for those climate mitigation projects and programs that implicate their lands or lives. They also advocate for resources directed toward more local peoples – although the preferred mechanisms for directing funding remain contentious.

## 3. Framing Climate Justice in REDD+

As Jafry et al. (2018, p. 3) note, climate justice has gained increasing attention since the 1990s, yet does not have a single or set meaning; rather, the term is deployed to capture a range of possible interpretations of how “concern for fairness and equity in the context of climate change” might be achieved. Mohai et al. (2009) suggest that mainstream discussion of climate justice emerged from different conceptualizations of environmental justice, taking two principle forms: the first premised on inequalities between nation-states, in terms of responsibility for causing and thus for addressing climate change, and the second on the idea that climate change will exacerbate the environmental injustices that marginalized communities already suffer. This first formulation of climate justice predominated early concerns with justice in the context of the UNFCCC, particularly in terms of assessing how states should interpret the foundational principle of Common but Differentiated Responsibilities (CBDR) in addressing disparities between nation state signatories (Mathur et al. 2014). On the other hand, as Schlosberg and Collins (2014) point out, social movements have related to the latter definition, building on the idea that those most negatively affected by the adverse impacts of climate change will be those already suffering from other burdens.

While international debates over just allocation of responsibility and resources continues to dominate official policy negotiations, a robust literature over climate justice at a sub-national or community scale has emerged, particularly related to REDD+. These analyses of climate justice primarily concern questions of distribution and procedure, with some attention to questions of contextual or historical justice; the first of these categories receives the majority of attention in both policy and academic spheres (Schroeder and McDermott 2014). Because many conceptualizations of REDD+ position it, in practice as a form of PES, much of this literature considers how payments or benefit-sharing might be made more equitable or just (Luttrell et al. 2013; Pham et al. 2013; Lawlor et al. 2013; Mathur et al. 2014).

Authors suggest different motivations for the need to define more just benefit-sharing mechanisms. In some cases, they theorize that distributions perceived as fairer will result in more effective outcomes, while in others, justice is a goal in and of itself based on ideas about human rights and ethical fairness (Schroeder and McDermott 2014; Hirsch 2017). Luttrell et al. (2013) provide one of the clearest outlines of different rationales for what might constitute a fair distribution of REDD+ benefits based on: legal rights to land targeted for a project or intervention, the provision of results in the form of concrete emissions reductions, effective stewardship of forest resources over time, compensation for costs accrued or other rents lost, facilitation of effective action, and needs (or a “pro-poor” approach). Each of these rationales reflects a different underlying vision of what might constitute climate justice in the context of REDD+, and such a range of approaches suggests that the potential for conflict over definitions of distributive justice remain high.

While distributive justice can cover more than a question of benefits, as it also speaks to questions of responsibilities and burdens, it is only one facet of climate justice (Klinsky and Dowlatabadi 2009; Schroeder and McDermott 2014). The forms that distribution of funding and benefits take under the UNFCCC will inevitably relate to who has a say in designing institutions for REDD+ governance. As such, many efforts to define climate justice have also focused on procedural justice as an important lens through which to assess questions of equity (Suiseeya and

Caplow 2013; Taylor 2015; Aguilar-Støen 2015; Hirsch 2017; Myers et al. 2018). Procedural justice, put simply, “is about who makes decisions, and how” (Martin 2013, p. 98); however, determining what might constitute procedural justice is more complicated than such a simple definition might suggest given differences in power between actors (whether between states, between government agencies and forest communities, or between community members) as well as across scales of policymaking and program design (Aguilar-Støen 2017; Myers et al. 2018).

Much of the research related to procedural justice manifests in examinations of participation in REDD+ processes and projects (Cronkleton et al. 2011; Gebara 2013; Cromberg et al. 2014; Hirsch 2017). This type of study often examines the degree to which Indigenous and local communities can and do participate in REDD+ planning processes across scales, linking such participation to the forms of benefit-sharing mechanisms that emerge as well as the success of particular projects (Duchelle et al. 2018). Such studies build off of development studies and environmental governance literatures to examine the pitfalls and possibilities that an imperative for participation creates in the design of forest-carbon interventions, especially where stakeholders hold different views of what might be a just outcome (Cooke and Kothari 2001; Hickey and Mohan 2005; Sikor and Cãm 2016; Merino 2018).

Ciplet (2014) provides a helpful typology for characterizing the types rights that a procedurally just framework might provide vis-à-vis Indigenous and community participation. He specifically suggests that recognition, representation, capability, and extended rights as four “regime rights types” that marginalized groups organized through transnational movements might seek to shift the processes of decision-making and action through international environmental governance (Ciplet 2014, p. 77). In this approach, recognition refers to the formalization and institutionalization of rights to identity in an international agreement, such as the inclusion of “Indigenous Peoples and local communities” as important stakeholders in the UNFCCC. Representation means the right to participate in decision-making, while capability means the capacity to do so, beyond the formal right to representation or participation. Extended rights, following Keck and Sikkink’s (1998) “boomerang effect”, capture the degree to which recognition, representation, and capability translate beyond inclusion and participation at the international level.

A less well-developed framing for climate justice in the literature are the contextual, historical, or transitional approaches, which seek to identify and address the root causes of the problem of climate change and the injustices perpetuated by those root causes (Schlosberg and Carruthers 2010; Schroeder and McDermott 2014; Klinsky 2018). The idea of transitional justice, for example, advocates for both a reckoning with the structures that permitted past (and for climate change, ongoing) harms while recognizing the role that the actors implicit in those systems must play in moving toward an alternate structure (Klinsky 2018). Transitional justice through this lens relates to distributive and procedural discussions, but broadens the focus temporally and in terms of subjects of concern.

Related approaches come from decolonial, postcolonial, and Indigenous studies perspectives on environmental and climate justice. As Powless (2012, p. 412) notes, Indigenous movements “are guided by an evolving understanding of the roots of environmental injustice in colonialism and capitalism, as well as by a positive alternative vision of Indigenous knowledge, rights, and

lifeways,” suggesting that addressing climate injustices must go much deeper than the design of REDD+ programming, while remaining forward-looking. Perspectives from authors like Whyte (2016a, b) challenge the more institutional/organizational approaches to justice, proposing that justice requires more than recognition of alternative ontologies and their participation in climate change mitigation processes. Arguing that for Indigenous Peoples, “Injustice... involves one society robbing another society of its capacities to experience the world as a place of collective life that its members feel responsible for maintaining into the future,” Whyte suggests that environmental justice is predicated on the denial of experiential and relational connections to other human and non-human members of collectives (2016b, p. 156). Climate finance, in this regard, may be a form of continued oppression, or may provide the space for the renewal and recovery of territorial projects and relations (Halvorsen 2018; Leeuw and Hunt 2018).

In bridging these divergent components, and even definitions, of justice, Sikor et al. (2014) argue for an empirical approach to justice, which they suggest requires assessing the subjects, dimensions, and criteria that together constitute different actors’ notions of justice. Empirical justice analysis takes seriously claims to environmental injustice and the ways that those claims influence politics, policy, and lived experiences. Subjects in this case possess rights, responsibilities, or are deserving of care, and may be human or non-human, individual or collective, current or future. Dimensions include the aforementioned categories of distributive, participatory/procedural, or contextual justice. Criteria provide the “decision-making guidelines that organize the relationship between subjects for particular dimensions of justice,” which may be the rationales for a certain form of distribution or the inclusion or exclusion of certain actors from participation (Sikor et al. 2014, p. 526). This approach is particularly useful for examining Indigenous and non-western views of environmental justice in that it de-centers more normative or theoretical approaches, instead calling attention to particular environmental justice claims at particular times and places.

Starting from the idea that conceptualizations of justice are socially constructed and contested, rather than universally understood, enables a clearer identification of different ways of claiming justice and how they link to the institutions meant to address climate change (Forsyth and Sikor 2013). Following Klinksy et al.’s (2017) call for greater attention to how communities construct justice and considering the still limited analyses of the ways that Indigenous and decolonial approaches to environmental justice apply to international environmental governance, this article draws on empirical justice analysis to examine the subjects, dimensions, and criteria deployed by AMPB in its advocacy around climate finance. It acknowledges that “there is no single, clear definition of climate justice,” but suggests that explaining the definitions deployed by Indigenous and forest communities can contribute to efforts to enable a more robust, responsive, and just climate finance system (Meikle et al. 2016, p. 490).

## 4. Methods

### 4.1. Case: the Mesoamerican Alliance for Peoples and Forests

The analysis below is based on an ongoing collaborative action research project with AMPB addressing the complex institutional and socio-ecological landscapes of climate mitigation in Central America (Hunsberger et al. 2017). Founded in 2010 in the context of the Cancun meeting

of the UNFCCC, AMPB functions as a “third-level” network, composed of ten Indigenous and forest community groups, all of which have some form of legal possession over the most significant areas of forest in Mesoamerica (Dupuits 2015).<sup>1</sup> The member groups are generally second-level networks, with either *ejido* or community associations as their members (as is the case for the Association of Forest Producers of Petén, or ACOFOP, in Guatemala) or Indigenous territorial authorities as constituent groups (as is the case with the Unity of the Miskitu People, or MASTA, in Honduras). The member groups self-define as being “territorial” in that their own constituent groups hold legal possession – whether through title or long-term concession – of the significant forested areas in Spanish-speaking Mesoamerica and as “representative” given that the leaders who convene for meetings of the AMPB are elected or designated through culturally-appropriate decision-making protocols for their respective groups (Table 1).<sup>2</sup>

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<sup>1</sup> The groups that participate in AMPB include the forestry networks Red MOCAF (Mexico), Asociación de Organizaciones Forestales Comunitarias (AOFC de Guatemala), ACOFOP (Guatemala), and FEPROAH (Honduras) and indigenous organizations MASTA (Honduras), Nación Mayangna (Nicaragua), YATAMA (Nicaragua), RIBCA (Costa Rica), Congreso General Gunayala (Panama), and Congreso General Emberá Wounaan (Panama).

<sup>2</sup> Interview, AMPB technical team member, 7 July 2017 (Managua, Nicaragua).



Table 1. A schematic table indicating the relationship between AMPB, its second-level organization members, and the community/territorial groups that make up its base.

1st Level (Territorial Councils)	2nd Level	3rd Level	2nd Level	1st Level (Community Organizations)
Auhya Yari	<p><i>MASTA</i> (composed of Territorial Councils) Gracias a Dios, Honduras</p>	<p><b>AMPB</b></p>	<p><i>ACOFOP</i> (composed of forest concession organizations) Petén, Guatemala</p>	Organización Manejo y Conservación (OMYC)
Bakinasta				Sociedad Civil Impulsores Suchiteco
Bamiasta				Asociación Forestal Integral de San Andrés
Batiasta				Sociedad Civil Custodios de la Selva
Diunat				Sociedad Civil Árbol Verde
Finzmos				Red Forestando Chachachum S.A.
Katainasta				Sociedad Civil Selva Maya del Norte
Lainasta				Sociedad Civil El Esfuerzo
Rayaka				Cooperativa Carmela
Truktsinasta				Sociedad Civil Laborantes del Bosque
Wamakklinsinasta				Sociedad Civil Amigos del Bosque
Watiasta				

While AMPB has a small technical staff that provides logistical and administrative support and coordinates the Alliance’s diverse members, the “assembly” – the meeting of representatives of all ten groups – or the Executive Commission, composed of a representative of one group from each country, are responsible for decision-making. Several “strategic partners” also support AMPB, providing resources, support, and training as requested.<sup>3</sup> AMPB operates with a limited budget composed of grants from philanthropic and development organizations. This regional alliance also participates alongside other third-level forest organizations from the globe’s major forested regions, particularly through a loose alliance called the “Guardians of the Forest”.<sup>4</sup>

Within Mesoamerica, Indigenous and traditional forests peoples’ engagement in REDD+ has ranged from full refusal of the concept to a complete embrace of the idea as a way to bring funds to often remote, neglected areas. However, both positions maintain that the national government should not be the primary decision maker on or beneficiary of any forests-related climate

<sup>3</sup> Key strategic partners include the El Salvador-based research NGO PRISMA (Regional Program for Research on Development and Environment) and the Dutch development NGO ICCO. These partners undertake research, provide capacity building, and facilitate limited project activities.

<sup>4</sup> This global network includes AMAN (Indonesia) and COICA (Peru) with representatives from APIB (Brazil), and REPELEC (Congo Basin) participating as well.

finance. Further, both camps are active members of AMPB in external advocacy as well as territorial-level forest governance programming. It is in this context and given their strong connection to other Indigenous networks globally that AMPB provides an excellent case to consider climate finance and justice in the context of forests.

## 4.2. Methodologies

This paper developed as part of a project that involved over a year of multi-sited participant observation and more than 80 unstructured interviews with territorial leaders, technical staff, development partners, and government officials. I also undertook document and social media review to discern the climate finance justice discourses that AMPB and its member groups develop as part of their effort to influence, and potentially control, finance flows. I spent approximately six months in the Managua, Nicaragua, offices of AMPB and another six months between the headquarters of ACOFOP, based in Flores, Guatemala, and of MASTA in Puerto Lempira, Honduras. Further, since 2015 I have participated in meetings and events throughout the region at AMPB's invitation. I coordinate closely with these partner groups and also 'follow' and engage with their digital and social media content and with the larger networks in which they operate as part of data collection on the question of key justice claims and group priorities.

For this paper, I draw in particular on a 2015 workshop on climate finance in San Salvador, El Salvador, two 2017 meetings of the Executive Commission of AMPB in Tegucigalpa, Honduras, and in Antigua, Guatemala, interviews with technical staff from AMPB, reports and posts about justice and finance made by AMPB and its partners to Twitter, Facebook, and its webpage, and documents produced by finance/legal consultants contracted by AMPB with philanthropic funds to explore how to construct a sub-national, regional climate fund. Interviews with ACOFOP and MASTA leaders on their experiences with external funding for sustainable development programming over the past 15 years also inform the analysis.

## 5. Climate Finance as a Route to Justice?

### 5.1. Claiming Justice in/through Climate Finance

From its earliest public-facing documents, AMPB invokes concepts of justice and finance together. A July 2011 brochure produced ahead of the first European advocacy tour by AMPB leaders introduces the concept of direct climate finance as part of "Promoting an Alternative Vision of REDD+ with Social Justice." It lays out in simple bullet points that remain amongst the key talking points for AMPB and the Guardians of the Forest coalition: that any climate finance should go to the "actors that manage, preserve and depend on forests to secure their livelihoods" and that said actors are, in Mexico and Central America, territorial groups. This early position suggests a claim to distributive justice with a stewardship criteria, following the typology of rationales presented by Luttrell et al. (2013).

This same claim makes up part of the Guardians of the Forest campaign, which coalesced starting in 2013. Amongst the main demands that AMPB and its partners promote internationally, direct access to finance is one of the most consistently invoked. It is through the advocacy efforts of the Guardians campaign that AMPB currently asserts its primary claims

around the justice of climate finance, particularly international funding for REDD+. The justification offered to national and international policy- and decision-makers for seeking direct finance often starts with a clear claim to the effectiveness of supporting indigenous land rights as a method for addressing deforestation. AMPB calls attention to the cost and empirical effectiveness of their governance models, suggesting that territorial groups are the most-capable of delivering the desired results of REDD+. Appealing to the idea that it is those who have best preserved the forest who most deserve financing in order to continue their work, AMPB and its members seek to lobby donors and international actors to support their work in the face of ongoing challenges on-the-ground (Keck and Sikkink 1998).

At the same time, such stewardship claims make reference to more radical forms of distributive justice, with clear connections to larger discourses related to historical and transitional justice (Klinsky 2018). For example, AMPB posted an image to Facebook post during the 2017 UNFCCC meeting with the caption, “The tropical forests of the planet still stand because indigenous peoples have defended them, day after day, for 524 years” – a clear reference to the earliest days of the European colonial appropriation of Indigenous lands and lives. Linking to a series of reports by the human rights NGO Global Witness, AMPB and its fellow Guardians directly connect the murders of environmental defenders and the fate of the forest: “As the best protectors of the world’s forests, we are on the front lines facing the dangers that threaten our communities and the lungs of the world.”<sup>5</sup> This focus on the unjust criminalization of community leaders also approaches reparative or transitional justice narratives by suggesting that finance as a form of recognition of past transgressions against “victims” (Agencia EFE 2017).

The primary challenges that AMPB group leaders identify throughout the region include the incursion of *colonos* (colonists) or *invasores* (invaders) into their territories, the lack of state enforcement of territorial rights and existing forest protection rules, poor support for education and health care, and a lack of respect for FPIC. When asked, community leaders across the Mesoamerica say that they seek funding in order to strengthen their internal structures, to undertake territorial patrolling and monitoring against land incursions and forest fires, to create “life plans” that will guide Indigenous development priorities into the future, and to invest in community enterprises. They also want to pursue *buen vivir*, according to several AMPB leaders, suggesting that they seek development that does not infringe on their cultural values or environmental integrity.<sup>6</sup> In a sense, these priorities reflect demands for a form of governance that is more procedurally just.

Thus, achieving procedural justice across scales also motivates AMPB’s engagement in UNFCCC and other climate venues, which they make clear both through public declarations, internal documents, and interviews. As one AMPB leader stated clearly during the COP in Lima in 2014, “...we need to have development of the communities, but development respecting their

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<sup>5</sup> From the English version of <https://guardiansoftheforest.me> (Last Accessed 5 October 2018).

<sup>6</sup> *Buen vivir*, which translates literally as “living well” or “good living” gained global prominence at the start of the 21<sup>st</sup> century as a term that capturing alternative forms of development embedded in indigenous worldviews (*cosmovisiones*). As Kauffman and Martin (2014, p. 41) describe, *buen vivir* “breaks with the internationally dominant notion of development as accumulation through economic growth” and includes explicit recognition of the importance of nature for well-being.

cultural principles and rules.”<sup>7</sup> The FPIC pillar of AMPB and the Guardians’ campaign speaks to this element of procedural justice, with calls for full consent for any type of project that might implicate their lands or livelihoods, rather than the limited consultation processes often employed by companies and government agencies (Mahanty and McDermott 2013). Further, the process of FPIC must be relevant to the group in question and respect internal processes of these groups – an important principle of FPIC that governments, businesses, and large projects often sidestep (Sikor and Câm 2016; Bayrak and Marafa 2016).

Multiple AMPB leaders explained to me that their goal was the “protagonism” of Mesoamerican forest peoples in climate negotiations with respect for a near-sovereign right to make decisions over what happens in their territories. They argue, as one leader did during GCAS in September 2018, “there cannot be climate and forest policies without respecting local community and Indigenous Peoples rights.”<sup>8</sup> If, as AMPB often claims, forests are 30 percent of the solution to climate change, and climate policies will only function if local communities are at the table, then the international community must respect these *rightsholders* with decision-making power if it is to have any hope of addressing the problem. According to the territorial leaders that participate in AMPB, the failure of the national government to act may be attributed to lack of capacity, corruption, apathy, discrimination, or a combination of these, but this failure threatens territorial rights by enabling ongoing processes of colonization.

For many communities, the state does have a clear role to play in the success of territorial governance forms: upholding the rights that it has granted to communities and delivering on the obligations it has made, such as the provision of basic social services (Aguilar-Støen 2017; Routledge et al. 2018). Advocating at the international level puts pressure on individual states while simultaneously raising the profile of individual groups in ways that makes them harder for both international donors and national governments to ignore. Given variable levels of support from national governments in forested countries for these groups – and in some cases culpability in their ongoing oppression – the appeal to direct international climate finance becomes a means of pursuing procedural justice within countries, in that this finance can bolster Indigenous and community groups’ negotiating positions vis-à-vis national governments, despite hostile political climates.

In summary, AMPB claims for climate finance at the international level, including through the Guardians of the Forest campaign, reflect a view that the subjects of past and ongoing injustices are Indigenous and local communities as well as the socio-ecological relations and non-human natures that make up their territories. AMPB leaders make claims for distributive justice using a criterion of past good stewardship, but also appealing to a sense that the injustices perpetrated by colonial and modern projects of rule require some form of reparation. While distributive claims are a major component of international advocacy for AMPB, the rationale behind these claims related to historical injustices results in a strong stance on the importance of procedural justice, in terms of recognition and participation in climate change finance processes across scales, but also in terms of a more fundamental right to difference in their territories (Escobar 2008).

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<sup>7</sup> This translation comes from the speech transcript posted on the Global Landscapes Forum website.

<sup>8</sup> From <http://www.alianzamesoamericana.org/lideres-mesoamerica-gobiernos-reconocer-conservacion/> (Last Accessed 5 October 2018). Author’s translation from Spanish.

## 1.2 Building a Mesoamerican Territorial Fund

Recent developments across multiple international fora have indicated some appetite for increasing Indigenous and local communities' access to and participation in discussions of climate change finance. AMPB has been heavily involved in advocating for attention to local communities and the importance of Indigenous forest governance at the Governors' Climate and Forests Task Force (GCF TF), a network of 38 sub-national governments, which started in 2008 as an effort to promote jurisdictional (sub-national) approaches to REDD+. AMPB has advocated for a view of territories as legitimate for investment at a sub-national level, which the establishment of a new Indigenous Peoples/Local Communities (IP/LC) Committee under the GCF TF has validated. With this Committee, the Task Force aims to ensure that Indigenous representatives have a full "seat at the table," including through a commitment to inclusion via a set of "Guiding Principles for Collaboration and Partnership."<sup>9</sup> These principles, adopted in 2018, incorporate recognition of FPIC, *buen vivir*, and the appropriate traditional and local leadership structures of Indigenous and local communities. They also include a commitment "to facilitate and encourage the design and implementation of finance mechanisms by indigenous peoples and local communities through their representative authorities and organizations" (GCF Task Force 2018).

Additional moves toward greater inclusion of Indigenous and local communities in international climate change finance include the Dedicated Grant Mechanism for Indigenous Peoples and Local Communities (DGM) and the Local Communities and Indigenous Peoples Platform (LCIPP) under the UNFCCC. The former, established in 2010 and now providing \$80 million of financing to communities in 12 countries, arguably makes the greatest move toward direct finance. While the DGM model includes international and country-level steering groups composed of Indigenous and local representatives, it is still organized around countries as the primary scale to design interventions. The LCIPP, established in 2015, remains embedded in the UNFCCC process, which proceeds relatively slowly, but it has opened up spaces that have traditionally been limited to official delegations. The LCIPP thus far has proven a more robust space for dialogue than for finance. Each of these international-level interventions sees in Indigenous Peoples and local communities legitimate subjects for finance, usually drawing on pro-poor and stewardship criteria as justifying rationales. They also address procedural justice to a degree by advancing more participatory model of finance decision-making, in terms of recognition and representation in particular.

As these processes have developed in parallel, AMPB has sought to enhance its members' opportunities for direct finance and explore possibilities for second-level and base member groups to receive climate finance. A 2015 workshop, hosted by AMPB's strategic partner PRISMA, set as its goal: "Strengthening the governance capacities and structures of territorial authorities to manage climate finance." The workshop sought to connect these demands for direct and additional finance to the potential practical implications of having Indigenous and forest groups receive and manage climate funds (Cuéllar et al. 2014). With attendees from several foundations, donors, and community leaders from the Brazilian Amazon involved in

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<sup>9</sup> Several leaders speaking during GCAS address this point: <https://www.facebook.com/guardianesdelb/videos/327047904511537/> (Last Accessed 5 October 2018). For more on the GCF TF, see <https://www.gcftf.org/about> (Last Accessed 26 September 2019).

some early efforts to promote community-level REDD+, in addition to elected and youth leaders from AMPB, this workshop served to promote the idea of territory as the appropriate level for forest climate finance amongst the broader AMPB membership and with donors.

While some of the region's Indigenous Peoples had expressed skepticism in the past regarding UN-backed REDD+ processes, the workshop concluded with a mandate from AMPB members to the Alliance's technical team and PRISMA to pursue the idea of a "Mesoamerican Fund for territorial climate financing the will allow them [members] to improve and guarantee efforts oriented towards territorial consolidation and the protection of their forests" (PRISMA 2016). AMPB subsequently contracted two consultancies (one to address the legal design of a fund and the other to investigate community-based MRV), and the demand for direct finance became much more central to AMPB's strategy.

Based on the work of the first consultant into existing financial mechanisms providing environmental finance to Indigenous and local communities and ideal fund designs, AMPB is proposing that the MTF be composed of a 'mother fund' and 'child funds'. The mother fund would be able to receive both public and private finance streams and be the focal point for financial accountability and reporting. Child funds would then operate at the level of country or territory, depending on the preferences or needs of respective constituencies as well as national laws. The consultant on this element acknowledged that there is limited precedent for such a trans-local fund. National or sub-national accords organized by and through major donors, such as the Germany and Norway-supported Amazon Fund in Brazil and the DGM, form the basis of most climate funding for Indigenous and local communities. These examples draw on official development assistance for funding and international NGOs for technical support, even as they do demonstrate the willingness of donors to directly fund the efforts of Indigenous and local communities, as well as procedural advances via enhanced participation.

The lack of precedent for Indigenous-led finance mechanisms paired with strict laws in many Central American countries regarding the movement of funds (in large part because of U.S. concerns over money laundering related to narco-trafficking), means that conforming with national legal requirements to directly receive funding could prove difficult.<sup>10</sup> This consultant found no evidence of other 'international territorial funds' given these difficulties with navigating national legislation. As a partial solution, AMPB has approached the Central American Bank for Economic Integration (BCIE) as a potential site for the mother fund, although this would require at least some support from national governments.<sup>11</sup>

The second consultant primarily investigated local conditions for alternative and forest-friendly investment in different AMPB territories, with an eye toward private sector investment. This consultant specifically sought ideas for investable projects that could adhere to clear MRV rules, finding for example that while ACOFOP, organized around community forestry and already adhering to global forestry standards, would be an excellent target for climate finance, groups like MASTA lacked coherent economic activities that would provide sufficient returns. These

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<sup>10</sup> Presentation, AMPB Executive Committee Meeting, 2 Mar 2018 (Tegucigalpa, Honduras).

<sup>11</sup> BCIE serves as the multilateral development bank for Central America. Its members are the nation-states of the region, who founded the institution in 1960 specifically to further integration amongst the members See: <https://www.bcie.org/en/> (Last Accessed 1 Jan 2019).

consultancy findings suggest that Indigenous member groups may lack basic technical competencies to undertake REDD+ or other types of mitigation projects given donor requirements, and that they would require additional capacity-building. The focus on investable projects in this consultant's reports reflects to some degree the AMPB's staff-elaborated terms of reference, although the Executive Committee seemed more skeptical of this approach in the meetings I attended.

Taken together, these reports suggest that it would be possible to create a trans-local, territorial fund given the support of a regional development bank and significant upfront capacity building; however, several leaders, and even strategic partners, express concerns as to whether they could construct a mechanism that could achieve climate finance justice, especially given past experiences with development and environment aid. These concerns relate in large part to procedural issues, but especially to the fact that most finance discussions neglect one of the most fundamental needs that these groups themselves identify: basic budget support to enhance institutional capacity to meet both internal demands and face external threats to forests, livelihoods, and the continued existence of some of these groups.

At the AMPB Executive Committee meeting in 2017, one leader speculated, "many indigenous and community organizations have proposed the fund idea, but if [we] do not have the necessary institutionality to secure transparency and efficiency, the money will not arrive." This concern with the technical requirements of conforming to external metrics for transparency and reporting echoes the concerns that leaders have heard from donor organizations over the course of their campaigns in Europe and from national government agencies. On the one hand, donor reporting and administrative requirements impose heavy burdens on small organizations that are not commensurate with the type of program being funded, and on the other, communities face steep difficulties in accessing funds in the first place given donor requirements. This need to comply with performance metrics and MRV requirements comes up regularly in the supporting documents for the creation of the MTF and is a significant part of the two consultancy reports.

This investment and returns-focused approach conflicts with some of the ways that AMPB leaders have characterized their understanding of the MTF and its goals. The vision that leaders propose is one where "...the money would be politically administered by the territories, not by [BCIE]," as one AMPB leader after the 2017 UNFCCC meeting, and where support for territorial rights processes go beyond economic activities (Rodriguez 2018). This leader also argues that "bureaucracy kills communities and peoples," making the case for funds that are flexible and responsive to community demands, citing an example from Costa Rica.<sup>12</sup> According to this leader, once national PES funds enter a given Indigenous community, the funds become essentially public, and their use must be decided on by a community assembly (the legally appropriate decision-making body at the communal level). At this point, it is not the government to which Indigenous leaders must account, but rather to their people.

Unlike the case in Costa Rica, in most of the rest of the region's countries, IPs and forest groups do not and cannot receive direct, official funding, leaving them without consistent ways to build a basic budget. For example, a *personaría jurídica* (legal standing) similar to what NGOs must

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<sup>12</sup> From <https://www.facebook.com/alianzabosques/videos/2178466692227287/> (Last accessed 5 Oct 2018). Author's translation from Spanish.

have, would allow groups to receive and provide official financial documents; however, this state-granted standing has been difficult for IPs to achieve and also requires out- and upward accountability, rather than horizontal. As the post-titling experiences of MASTA's twelve Territorial Councils suggest, meeting the external legal requirements and the expectations of communities simultaneously can be challenging for volunteer leaders with no consistent financial resources.

The idea of nesting funds under BCIE provides a way that AMPB and its members could avoid directly engaging with each national government, because these countries hold places on the institution's Board and have rules in place to support BCIE-funded activities; however, this structure would still put recipient groups at the mercy of national government priorities as mediated through this regional bank. Further, the legal and normative expectations within the structure of BCIE call into question the degree to which territorial recipients could expect the kind of autonomy prized in the PES example from Costa Rica, where the community has independence in decision-making around funds once that money arrives and where downward accountability is the priority for Indigenous leadership.

The MTF is still in process. During the AMPB assembly in November 2018 in Panama City, the Alliance reaffirmed that the creation of the MTF remains a priority. Concurrently, the Guardians of the Forest released a renewed call for international climate finance, declaring again the importance of making more funding available to territorial groups and of removing barriers and intermediaries that impede the achievement of *buen vivir*. The Guardians' statement declares that REDD+ funding thus far has supported technical advances in understanding deforestation and monitoring it, but also that the distribution thus far has been "unequal and unjust," reinforcing historic inequalities and continuing to prohibit full participation by IPs and territorial groups in decision-making.<sup>13</sup> While pathways to direct climate finance have clearly increased for Indigenous and local communities since 2010, with donors and communities agreeing that the latter are legitimate subjects for finance and distributive and procedural claims based on stewardship as valid, tensions remain over more transformative claims on the part of Indigenous members of AMPB in particular.

## 6. Discussion

For AMPB, what will best protect the forests necessary to address climate change are territorial rights, immediate and full implementation of those rights, and support to administer and govern those territories in the long-term. These are also necessary to support the survival of member groups' cultural identities and life-projects. While the approval of UNFCCC safeguards have enhanced core claims, such as the legal position of FPIC at the global scale, these efforts fundamentally mistake who has authority over and the right to intervene in forests, according to AMPB: those who live in, live from, and care for the forest.

International climate finance mechanisms aimed at supporting Indigenous and local communities have made advances in recognizing these rights, promoting representatives of communities in decision-making, and supporting capacity-building and rights enhancement beyond the

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<sup>13</sup> The declaration is available via a Tweet from AMPB: <https://twitter.com/alianzabosques/status/1068154241347452928> (Last Accessed 1 Jan 2019).



international finance sphere, responding to calls for distributive and procedural justice. However, these efforts remain embedded in a system that positions communities as recipients who must conform to specific behaviors and legal forms; for some groups, this represents an ongoing imposition (Whyte 2016b). AMPB's engagement in DGM, LCIPP, and GCF TF activities as well as its effort to catalyze territorial climate finance through the MTF reflect the group's pragmatism – rather than rejecting REDD+ and climate finance, they have sought ways to shape it. Even in advancing the MTF, however, member groups' priorities of *buen vivir* and self-determination run up against the existing multilateral financial and domestic regulatory environments, suggesting that moving toward distributive justice may be much easier than a more critical interpretation of procedural justice.

AMPB's claims for distributive and procedural justice in the context of international climate change mitigation are that Indigenous and forest communities should receive far more funding than they do and should have greater autonomy and control over funds. At the very least, their stewardship, as guardians of the forest, merits compensation given their successful historical protection of globally significant forest resources. Beyond these compensatory claims, AMPB, and especially its Indigenous members, make a more transitional justice claim – that the past wrongs committed against their communities through past and ongoing processes of colonization merit reparation, which in this case could come through climate finance given the international community's continued interest in the lands that these communities maintain.

This latter claim touches on arguments advanced by decolonial thinkers regarding the ways that environmental justice might better address that past injustices accrue not only to human, but also to the practices, institutions, and *cosmovisiones* of Indigenous Peoples (Powless 2012; Whyte 2016b; Halvorsen 2018). AMPB's procedural claims, thus point to a dimension of climate justice that goes far beyond questions of participation, based on criteria of past injustices, ongoing threats, and a simple right to exist. It expands the legitimate subjects of justice to include non-human systems and socio-ecological relations, which remain difficult for funding mechanisms to adequately measure and address. Such claims also highlight the inherent diversity of territorial projects on-the-ground.

The MTF originated as a proposal to achieve more just climate finance. Its gradual elaboration reflects the tensions between what climate and development finance have looked like and what REDD+ would need to be and achieve to fully promote justice as claimed by AMPB's member groups and international Indigenous partners. Despite internal disagreement on REDD+ specifically, AMPB and its members have generally seen the general idea of climate finance as one that could help shift the narrative over who and what constitute appropriate, effective, and just sites for climate action. It could also provide much-needed resources to enhance their position vis-à-vis national and local governments and other actors, given ongoing assaults on territorial rights.

Drawing on the empirical justice analysis framework proposed by Sikor et al. (2014), I find that the justice-based claims to climate finance that AMPB advances in many ways challenge the underlying assumptions of how climate – and by extension, development – finance should work, even as they seek to create space for their priorities within the existing system. Based on stewardship, the identification of contemporary threats to forest cover, and alternative visions for

sustainable development, Indigenous and forest communities are calling into question who and what constitute appropriate subjects in the context of forest governance for climate change mitigation. They also challenge how much control donors or governments should have over these funds once in the hands of communities, based on a more critical interpretation of climate justice criteria. While donors may have a legitimate claim to require transparency and accountability, the claims that AMPB makes to procedural justice as well as the suggestion that project funding alone cannot adequately address forest threats offer an intriguing counter to more orthodox approaches to REDD+ (Bayrak and Marafa 2016). The early discussions around the MTF suggest that while territorial groups may need to adopt some practices that make them more conventionally accountable and legible to outside interests, donors and partners could also seriously question the assumptions they make about what types of climate (and broader development) finance will truly address questions of justice and sustainability in tropical and sub-tropical forest landscapes.

## 7. Conclusions

For nearly ten years, AMPB has stressed that the relationship of communities to their forests is not one of economic valuation and exchange, but of *buen vivir*; it is not mere ‘benefits’ that they seek by engaging with climate finance, but rather support for their rights to territorial development and self-determination. Recent attention to the importance of territorial rights for achieving mitigation suggests that more climate finance should flow towards mechanisms that support formalizing recognition and rights of Indigenous and local communities (Rights and Resources Initiative 2018); however, past REDD+ funding has focused much more on questions of accounting of forest stocks and loss and indicators of project performance, all of which draws on a type of exogenous technical knowledge and language. AMPB’s members make claims for direct finance in part because where these technical, external initiatives seek to advance climate forest mitigation on their lands, they can undermine local decision-making structures and hinder self-defined community efforts to implement their own forms of governance.

In an increasingly interconnected world and where people in these forests have clear demand for state-provided goods and services (education, health care, some transport infrastructure), AMPB’s groups generally recognize that they are part of the state and composed of citizens of it (Routledge et al. 2018). To meet the needs of their constituents but do so in a way that maintains or promotes territorial autonomy, requires funding both to implement initiatives that maintain separation from the state and to better participate in its formation. For AMPB, some variation on REDD+ can provide for this need – and given that some form of this mechanism will proceed given state commitments at the international level – this forest peoples’ alliance is attempting to put forth a proposal that would better reflect its member groups’ views of justice. The early proposals for the MTF, however, still reflect fundamental tensions around the *how* of climate finance for forest-based mitigation in a world where a certain set of rules and expectations for development and climate finance apply.

The requirement to become fundable under the terms of the UNFCCC and major donors is also a demand to become legible, and this demand presents a clear tension with demands for autonomy and equity on the part of Indigenous Peoples and local communities (Aguilar-Støen 2017). AMPB’s proposal of an alternative fund is part of their effort to walk this line. The early results

of efforts to propose a Mesoamerican Territorial Fund reflect but have not yet resolved these tensions, which is not to say that this mechanism is not an appropriate and potentially effective option for improving territorial governance and forest outcomes. Rather, it suggests that donors seeking to promote more just outcomes may need to reckon with more challenging conceptualizations of justice in their climate finance endeavors. Efforts to support forest climate initiatives in these contested landscapes may benefit from moving away from results and performance-focused discussions and towards a view of climate finance as amongst the means of achieving distributive, compensatory, and historical justice on the territorial scale.

*Conflict of Interest:* The author maintains a research collaboration with PRISMA.

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