

Cochabamba,

Weltkonferenz der Völker über den Klimawandel und die Rechte von Mutter Erde

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<http://www.cadtm.org/climate-crisis?lang=en>

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Beilage zu „Sand im Getriebe“ Nr.83

*Die Redaktion von „Sand im Getriebe“ hat die Ergebnisse dieser Konferenz zusammengestellt,
damit interessierte Menschen sich leichter informieren können.*

Dies ist nur ein Arbeitspapier, mit einem Minimum an Layout-Arbeit erstellt.

*Wir haben noch nicht entschieden, welche dieser Dokumente
wir (Sand im Getriebe) übersetzen lassen.*

Über Hinweise und Vorschläge freuen wir uns.

SiG-Redaktion, 26.5.2010

sig@attac.de

Call:

January 15, 2010 in Announcement

Considering that climate change represents a real threat to the existence of humanity, of living beings and our Mother Earth as we know it today; Noting the serious danger that exists to islands, coastal areas, glaciers in the Himalayas, the Andes and mountains of the world, poles of the Earth, warm regions like Africa, water sources, populations affected by increasing natural disasters, plants and animals, and ecosystems in general;

Making clear that those most affected by climate change will be the poorest in the world who will see their homes and their sources of survival destroyed, and who will be forced to migrate and seek refuge;

Confirming that 75% of historical emissions of greenhouse gases originated in the countries of the North that followed a path of irrational industrialization;

Noting that climate change is a product of the capitalist system;

Regretting the failure of the Copenhagen Conference caused by countries called “developed”, that fail to recognize the climate debt they have with developing countries, future generations and Mother Earth;

Affirming that in order to ensure the full fulfillment of human rights in the twenty-first century, it is necessary to recognize and respect Mother Earth’s rights;

Reaffirming the need to fight for climate justice;

Recognizing the need to take urgent actions to avoid further damage and suffering to humanity, Mother Earth and to restore harmony with nature;

Confident that the peoples of the world, guided by the principles of solidarity, justice and respect for life, will be able to save humanity and Mother Earth, and

Celebrating the International Day of Mother Earth,

The Government of the Plurinational State of Bolivia calls on the peoples of the world, social movements and

Mother Earth’s defenders, and invites scientists, academics, lawyers and governments that want to work with their citizens to the **World People’s Conference on Climate Change and the Rights of Mother Earth** to be held from 20th to 22nd April 2010 in Cochabamba, Bolivia.

The World People’s Conference on Climate Change and the Rights of Mother Earth has as objectives:

- 1) To analyze the structural and systemic causes that drive climate change and to propose radical measures to ensure the well-being of all humanity in harmony with nature
- 2) To discuss and agree on the project of a Universal Declaration of Mother Earth Rights
- 3) To agree on proposals for new commitments to the Kyoto Protocol and projects for a COP Decision under the United Nations Framework for Climate Change that will guide future actions in those countries that are engaged with life during climate change negotiations and in all United Nations scenarios, related to:
 - Climate debt
 - Climate change migrants-refugees
 - Emission reductions
 - Adaptation
 - Technology transfer
 - Finance
 - Forest and Climate Change
 - Shared Vision
 - Indigenous Peoples, and
 - Others
- 4) To work on the organization of the World People’s Referendum on Climate Change
- 5) To analyze and develop an action plan to advance the establishment of a Climate Justice Tribunal
- 6) To define strategies for action and mobilization to defend life from Climate Change and to defend the Rights of Mother Earth.

Bolivia, January 5th, 2010

Evo Morales Ayma
President of the
Plurinational State of Bolivia
More info: info@cmpcc.org

World People's Conference on Climate Change and the Rights of Mother Earth April 22nd, Cochabamba, Bolivia

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Weltkonferenz über den Klimawandel und die Rechte der Mutter Erde

Abkommen der Völker, 22 April 2010 Cochabamba, Bolivia

Wenn die globale Erwärmung über 2 Grad C ansteigt, wohin uns die so genannte „Kopenhagener Vereinbarung“ führen würde, ist mit einer Wahrscheinlichkeit von 50% damit zu rechnen, dass die unserer Mutter Erde zugefügten Schäden für immer irreversibel sein werden. Zwischen 20% und 30% der Arten wären in Gefahr zu verschwinden. Große Waldflächen wären betroffen, die Dürren und Überschwemmungen würden viele Regionen des Planeten schädigen, die Wüsten würden sich ausdehnen, und das Abschmelzen der Pole und der Gletscher in den Anden und im Himalaja würde sich beschleunigen. Viele Inselstaaten würden verschwinden, und Afrika würde einen Temperaturanstieg um mehr als 3 Grad C erleben. Auch die Produktion von Nahrungsmitteln in der Welt würde sich verringern, was katastrophale Wirkungen für das Überleben der Bewohner weiter Regionen der Erde hätte, und die Zahl der Hungernden in der Welt, die bereits 1,02 Milliarden Menschen übersteigt, würde dramatisch zunehmen.

Die Unternehmen und die Regierungen der Länder, die die „entwickelten“ genannt werden, unter Beihilfe eines Teils der wissenschaftlichen Welt, bieten uns an, den Klimawandel als ein Problem zu diskutieren, das sich auf den Anstieg der Temperatur reduziert, ohne nach der Ursache zu fragen, die im kapitalistischen System besteht.

Wir stehen der **Endkrise des patriarchalischen Zivilisationsmodells** gegenüber, das sich auf die Unterwerfung und Zerstörung von Menschen und Natur stützt, ein Prozess, der sich mit der industriellen Revolution beschleunigte.

Das kapitalistische System hat uns eine Denkweise der Konkurrenz, des Fortschritts und des Wachstums ohne Grenzen aufgezogen. Dieses Produktions- und Konsumregime strebt nach schrankenlosem Profit, es trennt den Menschen von der Natur und folgt einer Logik der Herrschaft über diese, es verwandelt alles in Ware: das Wasser, den Boden, die menschlichen Gene, die überlieferten Kulturen, die Biodiversität, die Gerechtigkeit, die Ethik, die Rechte der Völker, selbst den Tod und das Leben. Im Kapitalismus wird die Mutter Erde nur zu einer Quelle von Rohstoffen und die Menschen zu Produktionswerkzeugen und Konsumenten, zu Personen, deren Wert danach bemessen wird, was sie haben, nicht was sie sind. Der Kapitalismus braucht eine leistungsfähige Militärindustrie für seinen Akkumula-

tionsprozess und die Kontrolle von Territorien und Naturressourcen, um den Widerstand der Völker zu unterdrücken. Es handelt sich um ein imperialistisches System der Kolonisierung des Planeten.

Die Menschheit befindet sich vor einer großen Entscheidungsfrage: den Wege des Kapitalismus, der Plünderung und des Todes fortzusetzen oder den Weg der Harmonie mit der Natur und der Achtung vor dem Leben einzuschlagen. Wir müssen ein neues System herausbilden, das die Harmonie mit der Natur und zwischen den Menschen wiederherstellt. **Gleichgewicht mit der Natur kann es nur geben, wenn es Gerechtigkeit zwischen den Menschen gibt.**

Wir schlagen den Völkern der Welt die Rückgewinnung, Wiederaufwertung und Stärkung der überlieferten Kenntnisse, Weisheiten und Praktiken der indigenen Völker vor, die sich in der Lebensweise und dem Modell des „Vivir Bien“ (Gutes Leben) bestätigt finden, indem die Mutter Erde als ein lebendiges Wesen anerkannt wird, zu dem wir in einer unteilbaren, wechselseitigen, gegenseitig ergänzenden und spirituellen Beziehung stehen.

Um dem Klimawandel entgegenzutreten, müssen wir die Mutter Erde als Quelle des Lebens anerkennen und **ein neues System herausbilden**, das sich auf die Prinzipien gründet:

- * Harmonie und Gleichgewicht unter allen und mit allem;
- * Komplementarität, Solidarität und Gleichheit;
- * Kollektives Wohlergehen und Befriedigung der Grundbedürfnisse aller in Harmonie mit der Mutter Erde;
- * Achtung der Rechte der Mutter Erde und der Menschenrechte;
- * Anerkennung des Menschen für das, was er ist, nicht für das, was er hat;
- * Beseitigung jeder Form von Kolonialismus, Imperialismus und Interventionismus;
- * Frieden zwischen den Völkern und mit der Mutter Erde.

Das Modell, für das wir eintreten, beinhaltet weder zerstörerische noch grenzenlose Entwicklung. Die Länder brauchen die Produktion von Gütern und Dienstleistungen, um die Grundbedürfnisse ihrer Bevölkerungen zu befriedigen, aber auf keine Weise können sie den Weg der Entwicklung fortsetzen, auf dem die reichsten Länder einen ökologischen Fußabdruck haben, der fünfmal größer ist, als der Planet tragen kann. In der Gegenwart ist die Fähigkeit des Planeten zur Regeneration bereits um

30% überschritten. Bei diesem Tempo der Überausbeutung unserer Mutter Erde brauchte man 2030 zwei Planeten.

In einem **System der wechselseitigen Abhängigkeit**, in dem wir Menschen eine der Komponenten sind, kann man nicht nur Rechte auf der Seite der Menschen anerkennen, ohne ein Ungleichgewicht des ganzen Systems hervorzurufen. Um die Menschenrechte zu garantieren und die Harmonie mit der Natur wiederherzustellen, muss man die **Rechte der Mutter Erde** anerkennen und zur Geltung bringen. Deshalb schlagen wir die beigefügte Allgemeine Erklärung der Rechte der Mutter Erde vor, in der ihr zugesichert werden:

- * das Recht auf Leben und Existenz;
- * das Recht, respektiert zu werden;
- * das Recht auf Fortsetzung ihrer Zyklen und Lebensprozesse frei von menschlichen Eingriffen;
- * das Recht auf Erhaltung ihrer Identität und Integrität als Gesamtheit unterschiedlicher, selbstregulierter und untereinander in Beziehung stehender Wesen;
- * das Recht auf Wasser als Lebensquelle;
- * das Recht auf saubere Luft;
- * das Recht auf integrale Gesundheit;
- * das Recht, frei von Kontamination und Verschmutzung, von giftigen und radioaktiven Abfällen zu sein;
- * das Recht, keine genetischen Veränderungen und Modifizierungen ihrer Struktur zu erleiden, die ihre Integrität oder ihre lebenswichtigen und gesunden Funktionen bedrohen;
- * das Recht auf volle und schnelle Wiederherstellung bei Verletzungen der in dieser Erklärung anerkannten Rechte, die durch menschliche Aktivitäten verursacht werden.

Die übereinstimmende Vorstellung ist, die **Konzentration von Treibhausgasen zu stabilisieren**, um den Artikel 2 der Rahmenübereinkunft der Vereinten Nationen über Klimaveränderungen zur Anwendung zu bringen, der *„die Stabilisierung der Treibhausgaskonzentrationen in der Atmosphäre auf einem Niveau ..., auf dem eine gefährliche anthropogene Störung des Klimasystems verhindert wird“*, bestimmt. Unsere Vorstellung ist, auf der Basis des Prinzips der gemeinsamen, aber differenzierten historischen Verantwortung zu fordern, dass **die entwickelten Länder** sich zu quantifizierten Zielen der **Reduzierung von Emissionen verpflichten**, die es ermöglichen, die Konzentration von Treibhausgasen in der Atmosphäre auf **300 ppm** zurückzuführen und so den globalen Tem-

peraturanstieg auf **maximal 1 Grad C** zu begrenzen.

Wir unterstreichen die Dringlichkeit des Handelns, um dieses Zukunftsbild zu erreichen, und mit der Unterstützung der Völker, Bewegungen und Länder sollten die entwickelten Länder sich zu anspruchsvollen Zielen der Emissionsreduzierung verpflichten, die es ermöglichen, kurzfristig Ergebnisse zu erreichen; wir erhalten unsere Vision vom Gleichgewicht des Klimasystems der Erde aufrecht entsprechend dem obersten Ziel der Konvention.

Die „gemeinsame Sicht“ für die „langfristige Zusammenarbeit“ darf sich in der Verhandlung über den Klimawandel nicht darauf beschränken, die Grenze für den Temperaturanstieg und die Konzentration von Treibhausgasen in der Atmosphäre zu definieren, sondern muss in umfassender und ausgewogener Weise einen Komplex von finanziellen, technologischen, Anpassungs- und Kapazitätsentwicklungsmaßnahmen, von Produktions- und Konsummustern und anderen wesentlichen Maßnahmen umfassen, wie die Anerkennung der Rechte der Mutter Erde, um die Harmonie mit der Natur wiederherzustellen.

Die entwickelten Länder, die Hauptverursacher des Klimawandels, müssen in Anerkennung ihrer historischen und gegenwärtigen Verantwortung ihre Klimaschuld in allen ihren Dimensionen als Basis für eine gerechte, effektive und wissenschaftliche Lösung des Problems des Klimawandels anerkennen und einlösen. In diesem Rahmen fordern wir von den entwickelten Ländern, dass sie:

- * für die Entwicklungsländer den Raum der Atmosphäre wiederherstellen, der durch ihre Treibhausgasemissionen belegt ist. Das bedeutet die Entkolonisierung der Atmosphäre durch die Reduzierung und Absorption ihrer Emissionen.

- * die Kosten und den erforderlichen Technologietransfers an die Entwicklungsländer für den Verlust von Entwicklungschancen wegen der Einschränkung des atmosphärischen Raumes übernehmen.

- * die Verantwortung übernehmen für die Hunderte Millionen von Menschen, die wegen des Klimawandels, den sie verursacht haben, migrieren müssen, und dass sie ihre restriktive Einwanderungspolitik aufgeben und den Migranten ein würdiges Leben mit allen Rechten in ihren Ländern anbieten.

- * die Kosten der Anpassungen übernehmen, die mit den Auswirkungen des Klimawandels in den Entwicklungsländern verbunden sind, indem sie die Mittel einplanen, um den Schäden vorzubeugen, sie zu minimieren und zu beheben, die aus ihren exzessiven Emissionen entstehen.

- * diese Schulden einlösen als Teil einer größeren Schuld gegenüber der Mutter Erde, indem sie die Allgemeine Erklärung der

Rechte der Mutter Erde in den Vereinten Nationen annehmen und verwirklichen.

Der Ansatz darf nicht allein ökonomische Kompensierung sein, sondern hauptsächlich **wiederherstellende Gerechtigkeit**, das heißt die Wiederherstellung der Integrität der Personen und der Wesen, die eine Lebensgemeinschaft auf der Erde bilden.

Wir beklagen den Versuch einer Gruppe von Ländern, das Protokoll von Kyoto zu annullieren, das einzige legal bindende spezifische Instrument für die Reduzierung der Treibhausgase in den entwickelten Ländern.

Wir machen die Welt darauf aufmerksam, dass die **Emissionen der entwickelten Länder** zwischen 1990 und 2007, ungeachtet ihrer legal gültigen Verpflichtung, statt zu sinken, **um 11,2% gestiegen sind**.

Die **Vereinigten Staaten** erhöhten auf Grund des schrankenlosen Konsums ihre Treibhausgasemissionen im Zeitraum 1990 bis 2007 um 16,8% und brachten im Durchschnitt pro Einwohner zwischen 20 und 30 Tonnen CO₂ jährlich hervor, was mehr als neunmal den durchschnittlichen Emissionen für einen Bewohner der Dritten Welt entspricht und mehr als das 20fache der Emissionen eines Bewohners des subsaharischen Afrika darstellt. **Wir weisen strikt die illegitime „Vereinbarung von Kopenhagen“ zurück**, die es den entwickelten Ländern erlaubt, ungenügende Reduzierungen von Treibhausgas auf der Basis von freiwilligen und individuellen Verpflichtungen zu offerieren, die die Umweltintegrität der Mutter Erde verletzen und zu einer Temperaturerhöhung um 4 Grad C führen werden.

Die nächste Konferenz über den Klimawandel, die Ende des Jahres in Mexiko stattfinden wird, muss **den Zusatz zum Kyoto-Protokoll annehmen**, der für die zweite Periode von Verpflichtungen von 2013 bis 2017 vorgesehen ist; in dieser Periode sollen die entwickelten Länder sich verpflichten, signifikante Reduzierungen von mindestens 50% zum Basisjahr 1990 vorzunehmen, ohne Kohlenstoffmärkte und andere Ausweichsysteme einzubeziehen, die die tatsächliche Nichterfüllung der Reduzierung von Treibhausgasemissionen verschleiern.

Wir fordern, als erstes ein Ziel für die Gesamtheit der entwickelten Länder festzulegen, um dann die Einzelzuweisung für jedes entwickelte Land im Rahmen einer Abwägung der Kräfte unter ihnen vorzunehmen, sodass das System des Kyoto-Protokolls für die Reduzierung der Emissionen beibehalten wird.

Die Vereinigten Staaten von Amerika als einziges Annex-1-Land der Erde, das das Protokoll von Kyoto nicht ratifiziert hat, haben eine bedeutende Verantwortung vor den Völkern der Welt, sie sollten daher das Kyoto-Protokoll ratifizieren und sich verpflichten, die Ziele der Emissionsreduzie-

rung zu respektieren und im Maßstab ihrer gesamten Wirtschaft zu erfüllen.

Die Völker haben die gleichen Rechte auf Schutz vor den Einwirkungen des Klimawandels, und **wir weisen den Begriff Anpassung an den Klimawandel zurück**, insofern darunter die Resignation angesichts der Wirkungen verstanden wird, die die Emissionen der **entwickelten Länder** über die Geschichte hin verursacht haben; diese sollten vielmehr **ihren Lebens- und Konsumstil dieser planetaren Notlage anpassen**. Wir sehen uns gezwungen, den Wirkungen des Klimawandels entgegenzutreten, aber diese Anpassung muss als ein Prozess und nicht als eine Auflage betrachtet werden, außerdem als ein Instrument, das dazu dienen soll, diesen Einwirkungen zu widerstehen, indem gezeigt wird, dass es möglich ist, innerhalb eines anderen Lebensmodells in Harmonie zu leben.

Es ist erforderlich, einen **Anpassungsfonds aufzubauen**, einen Fonds, der ausschließlich dazu bestimmt ist, dem Klimawandel zu begegnen, als Teil eines Finanzmechanismus, **der auf souveräne, transparente und ausgewogene Weise von unseren Staaten verwaltet und geleitet wird**. Im Rahmen dieses Fonds soll bewertet werden: die Auswirkungen und ihre Kosten in Entwicklungsländern und die Erfordernisse, die sich aus diesen Auswirkungen ableiten, und die Unterstützung durch entwickelte Länder soll erfasst und ausgewertet werden. Dieser Fonds soll außerdem einen Mechanismus verwalten, der für den Ersatz von Schäden durch erfolgte und zukünftige Auswirkungen, durch Verlust von Chancen und für die Wiederherstellung nach extremen und bei allmählich wirkenden klimatischen Ereignissen dient sowie zusätzliche Kosten bestreitet, die sich ergeben können, wenn unser Planet die ökologischen Schwellen überschreitet, wie auch jene Auswirkungen, die das Recht auf Vivir Bien beeinträchtigen.

Die „**Vereinbarung von Kopenhagen**“, die den Entwicklungsländern durch einige Staaten aufgezwungen wurde, ist - außer dass sie einige unzureichende Ressourcen offeriert - darauf ausgerichtet, **die Völker zu spalten und gegeneinander auszuspielen**, und hat das Ziel, **die Entwicklungsländer zu erpressen**, indem sie den Zugang zu Ressourcen für die Anpassung an Minderungsmaßnahmen bindet. Zusätzlich erweist sich als inakzeptabel, dass in den internationalen Verhandlungsprozessen versucht wird, die Entwicklungsländer nach ihrer Verwundbarkeit für den Klimawandel in Kategorien zu fassen, so dass Streitigkeiten, Ungleichheiten und Absonderungen unter ihnen hervorgerufen werden.

Die immense Herausforderung, der wir als Menschheit gegenüberstehen, um die globale Erwärmung aufzuhalten und den Plane-

ten abzukühlen, ist nur zu bewältigen, wenn es gelingt, eine **tiefgreifende Umgestaltung in der Landwirtschaft** hin zu einem Modell der nachhaltigen bäuerlichen und indigen/originären landwirtschaftlichen Produktion und anderen überlieferten ökologischen Modellen und Praktiken vorzunehmen, die zur Lösung des Problems des Klimawandels beitragen und die **Ernährungssouveränität** sichern. Diese wird verstanden als das Recht der Völker, ihre eigenes Saatgut, ihren Boden, das Wasser und die Produktion von Nahrungsmitteln unter Kontrolle zu haben und durch eine Produktion in Harmonie mit der Mutter Erde, die den lokalen und kulturellen Gegebenheiten angepasst ist, den Zugang der Völker zu ausreichenden, variierten und nahrhaften Nahrungsmitteln im Austausch mit der Mutter Erde zu garantieren sowie die Autonomie der (partizipativen, kommunitären und auf alle verteilten) Produktion jeder Nation und jedes Volkes zu vertiefen. Der Klimawandel bringt bereits tiefe Einschnitte für die Landwirtschaft und die Lebensweise der indigenen und Urvölker und Bauern der ganzen Welt hervor, und die Einwirkungen werden sich in der Zukunft verschlimmern.

Das **Agrobusiness** mit seinem sozialen, ökonomischen und kulturellen Modell der globalisierten kapitalistischen Produktion und seiner Logik der Nahrungsmittelproduktion für den Markt, nicht für das Recht auf Ernährung, ist eine der Hauptursachen des Klimawandels. Seine technologischen, kommerziellen und politischen Instrumentarien vertiefen direkt die Klimakrise und verstärken den Hunger in der Welt. Deshalb lehnen wir die **Freihandelsverträge und Assoziierungsabkommen** und jede Form der Anwendung der **intellektuellen Eigentumsrechte über das Leben** ab, ebenso die aktuellen technologischen Pakete (agrochemische und gentechnische Maßnahmen) und **jene Technologien**, die als Scheinlösungen angeboten werden (Agrotreibstoffe, Geengineering, Nanotechnologie, Terminator-Technologie und ähnliche), denn sie verschärfen lediglich die gegenwärtige Krise.

Zugleich klagen wir an, wie dieses kapitalistische Modell **Megaprojekte der Infrastrukturen** durchsetzt, Regionen mit extraktiven Projekten überschwemmt, das **Wasser privatisiert** und vermarktet und die **Territorien militarisiert**, die indigenen und bäuerlichen Völker vertriebt und dadurch die Nahrungsmittelsouveränität hintertreibt und die soziale und Umweltkrise vertieft.

Wir fordern die Anerkennung des Rechts aller Völker, der Lebewesen und der Mutter Erde auf Zugang zu Wasser und seine Nutzung und unterstützen den Vorschlag der Regierung Boliviens, das **Wasser als ein fundamentales Menschenrecht** anzuerkennen.

Die Definition von Nutzwald in den Verhandlungen zur Rahmenübereinkunft der Vereinten Nationen über Klimaveränderungen, die Pflanzungen einschließt, ist inakzeptabel. **Die Monokulturen sind keine Wälder**. Deshalb fordern wir für Verhandlungszwecke eine Definition, die die natürlich gewachsenen Wälder und Urwälder und die Diversität der Ökosysteme der Erde anerkennt.

Die **Erklärung der UNO über die Rechte der indigenen Völker** muss voll anerkannt, umgesetzt und in die Verhandlungen über den Klimawandel integriert werden. Die beste Strategie und Handlungsweise, um die Entwaldung und die Waldschäden zu verhindern und die natürlichen Wälder und Urwälder zu schützen, besteht darin, die kollektiven Rechte an den Ländereien und Territorien anzuerkennen und zu garantieren, besonders in Anbetracht der Tatsache, dass die Mehrheit der Wälder und Urwälder sich in den Territorien indigener Völker und Nationen, bäuerlicher und traditioneller Gemeinden befinden.

Wir verurteilen die Marktmechanismen wie den Mechanismus REDD (Reduzierung von Emissionen aus Entwaldung und Schädigung der Wälder) und seine Varianten, der die Souveränität der Völker und ihr Recht auf freie, vorherige und informierte Einwilligung und die Souveränität der nationalen Staaten sowie die Rechte, Bräuche und Gewohnheiten der Völker und die Rechte der Natur verletzt.

Die Länder, die für Kontaminationen verantwortlich sind, haben die Pflicht, auf direktem Wege die ökonomischen und technologischen Ressourcen zu überweisen, um die Wiederherstellung und Erhaltung der Wälder und Urwälder zu bezahlen, zugunsten der indigenen, originären und bäuerlichen Völker und ihrer überlieferten Organisationsstrukturen. Das wäre eine direkte Kompensation, zusätzlich zu den Finanzierungsquellen, die von den entwickelten Ländern zugesagt worden sind, außerhalb des Kohlenstoffhandels und keineswegs als Kompensationen von Kohlenstoff (carbon offsets). Wir fordern die Länder auf, die lokalen Projekte zu stoppen, die mit Marktmechanismen auf Wälder und Urwälder zugreifen und fälschlich und unter deren Bedingungen Ergebnisse versprechen. Wir fordern von den Regierungen ein weltweites Programm zur Wiederherstellung der natürlichen Wälder und Urwälder, das von den Völkern geleitet und verwaltet wird und durch das forstwirtschaftliches Saatgut, Obstbäume und Wildflora zur Verfügung gestellt werden. Die Regierungen müssen die Forstkonzessionen kündigen und dafür eintreten, dass das Erdöl im Boden bleibt, und dringend ist, dass die Förderung von Erdöl und Erdgas in den Urwäldern eingestellt wird.

Wir fordern von den Staaten, dass sie die wirksame Anwendung der internationalen Menschenrechtstandards und der Rechte der indigenen Völker anerkennen, achten

und garantieren, besonders der Erklärung der Vereinten Nationen über die Rechte der indigenen Völker und der **Konvention 169 der ILO**, um nur zwei entsprechende Dokumente im Rahmen der Verhandlungen, Politiken und Maßnahmen zur Beantwortung der Herausforderungen zu nennen, die durch den Klimawandel auftreten. Im besonderen fordern wir die Staaten auf, die Präexistenz des Rechts über unsere Territorien, Ländereien und Naturressourcen juristisch anzuerkennen, um unsere traditionellen Lebensformen möglich zu machen und zu stärken und wirksam zur Antwort auf den Klimawandel beizutragen.

Wir fordern die volle und wirksame Anwendung des Rechts auf Konsultation, Beteiligung und vorherige Einwilligung sowie freie Information der indigenen Völker bei allen Verhandlungsprozessen wie auch bei der Planung und Durchführung der Maßnahmen, die auf den Klimawandel Bezug haben.

In der Gegenwart erreichen die Umweltschäden und der Klimawandel kritische Ausmaße, und eine der Hauptkonsequenzen ist die **Binnen- und internationale Migration**. Nach einigen Schätzungen existierten 1995 etwa 25 Millionen Klima-Migranten, gegenwärtig schätzt man sie auf 50 Millionen, und die Voraussicht für das Jahr 2050 sind 200 bis 300 Millionen Menschen, die durch Situationen, die vom Klimawandel verursacht sind, aus ihrer Heimat vertrieben sein werden. Die entwickelten Länder müssen die Verantwortung für die Klima-Migranten übernehmen, sie in ihren Ländern aufnehmen und ihnen die Grundrechte gewähren nach internationalen Verträgen, die die Definition des Klima-Migranten einschließen, damit alle Staaten diese Bestimmungen befolgen.

Es ist ein **Internationaler Gerichtshof des Gewissens** zu konstituieren, um die Verletzungen der Rechte der Migranten, Flüchtlinge und Vertriebenen in den Ursprungs-, Transit- und Zielländern sichtbar zu machen, zu dokumentieren, zu verurteilen und zu bestrafen, wobei eindeutig die Verantwortung der Staaten, der Unternehmen und anderer Akteure zu benennen ist.

Die Finanzmittel, die gegenwärtig den Entwicklungsländern für den Klimawandel zugewiesen werden, und der Vorschlag in der Vereinbarung von Kopenhagen sind viel zu gering. **Die entwickelten Länder müssen eine neue jährliche Finanzierung von mindestens 6% ihres BIP zusagen**, zusätzlich zur Offiziellen Entwicklungshilfe und aus öffentlichen Quellen, um dem Klimawandel in den Entwicklungsländern entgegenzutreten. Das ist realisierbar, wenn man berücksichtigt, dass sie eine ähnliche Summe für ihre Verteidigungszwecke ausgeben und fünfmal mehr zur Rettung von Banken und Spekulanten vor dem Bankrott gewähren, was ernsthaft ihre internationa-

len Prioritäten und ihren politischen Willen in Frage stellt.

Diese Finanzierung soll direkt, ohne Bedingungen und ohne Verletzung der nationalen Souveränität und der Selbstbestimmung der am meisten betroffenen Gemeinschaften und Gruppen erfolgen.

In Anbetracht der Unwirksamkeit des gegenwärtigen internationalen Instrumentariums muss auf der Konferenz in Mexiko ein neuer Finanzierungsmechanismus eingerichtet werden, der unter der Autorität der Konferenz der Teilnehmerstaaten an der Rahmenkonvention der Vereinten Nationen über den Klimawandel arbeitet und dieser gegenüber Rechenschaft ablegt, und zwar mit einer signifikanten Vertretung der Entwicklungsländer, um die Erfüllung der Finanzierungsverpflichtungen der Annex-1-Länder zu garantieren.

Man hat festgestellt, dass die entwickelten Länder ihre Emissionen im Zeitraum 1990-2007 erhöht haben - und das trotz ihrer Behauptung, die Reduzierung würde durch Marktmechanismen wesentlich unterstützt. Der **Kohlenstoffhandel** hat sich in ein lukratives Geschäft verwandelt, er vermarktet unsere Mutter Erde. Er stellt keine Alternative dar, um dem Klimawandel zu begegnen, da er die Erde, das Wasser und sogar das Leben selbst ausplündert und verwüstet.

Die jüngste Finanzkrise hat gezeigt, dass der Markt unfähig ist, das Finanzsystem zu regulieren, dass es anfällig und unsicher ist angesichts der Spekulation und dem Auftreten von Vermittlern, deshalb wäre es völlig unverantwortlich, seinen Händen die Bewahrung und den Schutz der menschlichen Existenz selbst und unserer Mutter Erde zu überlassen. Wir betrachten es als unzulässig, dass die laufenden Verhandlungen auf die Schaffung neuer Mechanismen abzielen, die den Kohlenstoffmarkt erweitern und fördern, während die vorhandenen Mechanismen das Problem des Klimawandels weder gelöst noch sich in reale und direkte Aktionen zur Reduzierung der Treibhausgase umgesetzt haben.

Es ist unerlässlich, die Erfüllung der durch die entwickelten Länder in der Rahmenkonvention der Vereinten Nationen über den Klimawandel übernommenen Verpflichtungen hinsichtlich der **Entwicklung und Übertragung von Technologie** zu fordern sowie den „technologischen Schaukasten“ abzulehnen, der von den entwickelten Ländern vorgeschlagen wird und nur der Kommerzialisierung der Technologie dient. Es ist von grundlegender Bedeutung, die Richtlinien für die Schaffung eines multilateralen und multidisziplinären Mechanismus für die partizipative Kontrolle, die Verwaltung und die kontinuierliche Bewertung des Technologieaustausches

festzulegen. Diese Technologien müssen Nutzen bringen, sauber und sozial verträglich sein. Ebenso grundlegend ist die Einrichtung eines Fonds für die Finanzierung und Erfassung geeigneter Technologien, die von intellektuellen Eigentumsrechten befreit sein müssen, besonders vom Patentrecht, und von privaten Monopolen in die öffentliche Verfügung übergehen müssen, frei zugänglich und zu niedrigen Kosten. Das Wissen ist universal und darf unter keiner Begründung Objekt privaten Eigentums und ausschließender Nutzung sein, ebensowenig seine Anwendungen in Form von Technologien. Es ist Pflicht der entwickelten Länder, ihre Technologien den Entwicklungsländern zur Verfügung zu stellen, Forschungszentren für die Schaffung ihrer eigener Technologien und Innovationen zu schaffen wie auch ihre Entwicklung und Anwendung für das Vivir Bien zu schützen und zu fördern.

Die Welt muss die Prinzipien und Ansätze des uralten Erbes ihrer Urvölker für die Abwendung der Zerstörung des Planeten zurückerobern, erlernen und wieder aufgreifen, ebenso das überlieferte Wissen und die Praktiken, die Spiritualität in der Wiedereingliederung in das Vivir Bien zusammen mit der Mutter Erde. Angesichts des fehlenden politischen Willens der entwickelten Länder, in wirksamer Weise ihre Zusagen und Verpflichtungen zu erfüllen, die sie im Rahmenübereinkommen der Vereinten Nationen über den Klimawandel und im Kyoto-Protokoll übernommen haben, und angesichts der Nichtexistenz einer legalen internationalen Instanz, die Klima- und Umweltdelikten gegen die Rechte der Mutter Erde und die Menschheit vorbeugt und sie bestraft, fordern wir die Schaffung eines **Internationalen Klima- und Umweltgerichtshofes**, der die bindende juristische Kompetenz hat, Staaten, Unternehmen und Personen zu hindern, zu verteilen und zu bestrafen, die durch Handeln oder Unterlassen Kontaminationen verursachen und den Klimawandel provozieren.

Es gilt die Staaten zu unterstützen, die Klagen vor dem Internationalen Gerichtshof gegen die entwickelten Länder einbringen, die ihre Verpflichtungen gemäß der Rahmenkonvention der Vereinten Nationen über den Klimawandel und dem Protokoll von Kyoto nicht erfüllen, einschließlich ihrer Pflichten zur Reduzierung von Treibhausgasen.

Wir rufen die Völker eindringlich auf, eine **tiefgehende Reform der Organisation der Vereinten Nationen (UNO)** vorzuschlagen und zu unterstützen, damit alle ihre Mitgliedsstaaten die Entscheidungen des internationalen Klima- und Umweltgerichtshofes erfüllen.

Die Zukunft der Menschheit ist in Gefahr, und wir können nicht akzeptieren, dass eine Gruppe von Regierenden entwickelter Länder für alle Länder entscheiden wollen, so wie sie es erfolglos auf der Konferenz der Teilnehmerstaaten in Kopenhagen versucht haben. Diese Entscheidung kommt uns, allen Völkern zu. Deshalb ist die **Durchführung eines Weltreferendums, eines Plebiszits oder einer Volksbefragung über den Klimawandel** notwendig, in dem die Meinungen eingeholt werden sollen über:

- das Niveau der Reduzierung von Emissionen, die die entwickelten Länder und die transnationalen Unternehmen vornehmen sollen;
- die Finanzmittel, die die entwickelten Länder zur Verfügung stellen sollen;
- die Schaffung eines internationalen Klimagerichtshofes;
- die Notwendigkeit einer Allgemeinen Erklärung der Rechte der Mutter Erde;
- und die Notwendigkeit, das gegenwärtige kapitalistische System zu verändern.

Die Durchführung des Weltreferendums, Plebiszits oder einer Volksbefragung wird Ergebnis eines Vorbereitungsprozesses sein, der die erfolgreiche Entwicklung desselben sichert.

Um unser internationales Auftreten zu koordinieren und die Zielstellungen dieses „Abkommens der Völker“ umzusetzen, rufen wir dazu auf, eine **Weltbewegung der Völker für die Mutter Erde aufzubauen**, die sich auf die Prinzipien der Komplementarität und der Achtung der Verschiedenartigkeit des Ursprungs und der Sichtweisen ihrer Mitglieder stützen soll und sich als ein weiter und demokratischer Raum der Koordinierung und Verbindung von Aktionen auf Weltebene konstituiert. Mit diesem Vorsatz nehmen wir den beigefügten **Weltaktionsplan** an, auf dass in Mexiko die entwickelten Länder des Annex 1 den geltenden legalen Rahmen respektieren und ihre Treibhausgasemissionen um 50% reduzieren sowie die verschiedenen Vorschläge übernehmen, die in diesen Abkommen enthalten sind.

Abschließend kommen wir überein, die Zweite Weltkonferenz der Völker über den Klimawandel und die Rechte der Mutter Erde im Jahre 2011 durchzuführen, als Teil dieses Prozesses des Aufbaus der Weltbewegung der Völker für die Mutter Erde und als Reaktion auf die Ergebnisse der Konferenz zum Klimawandel, die Ende des Jahres in Cancún, Mexiko, stattfinden wird.

Übersetzung: Bolivianische Botschaft

<http://cmpcc.org/>

Submission by the Plurinational State of Bolivia

April 28, 2010 in Announcement, Press

SUBMISSION BY THE PLURINATIONAL STATE OF BOLIVIA

TO THE AD-HOC WORKING GROUP ON LONG-TERM COOPERATIVE ACTION

This submission is based on the outcome of the World People's Conference on Climate Change and the Rights of Mother Earth held in Cochabamba, Bolivia, on 19-22 of April 2010 with the participation of more than 35,000 delegates from social movements and organizations from 140 countries.

This submission incorporates and develops the main content of the "Peoples Agreement" and the draft proposal for a "Universal Declaration of Mother Earth's Rights" that were adopted at that Conference and that are relevant for the work of the AWG-LCA, and presents them following a similar structure to the document FCCC/AWGLCA/2009/17 to facilitate the inclusion of such proposals in the draft negotiating text to be submitted by the chair of the AWG-LCA.

The Peoples Agreement and the draft proposal for a Universal Declaration of Mother Earth's Rights are attached to the present submission and constitute part of it.

DRAFT NEGOTIATING TEXT

Outcome of the work of the Ad Hoc Working Group on Long-term Cooperative Action under the Convention

Preamble

Mandate

The Conference of Parties,

Guided by the ultimate objective (Article 2), Principles (Article 3) and Commitments of the Parties under the Convention;

Further enhancing and enabling the full, effective and sustained implementation of the Convention through long-term cooperative actions in order to achieve its ultimate objective;

Reaffirming that the United Nations Framework Convention on Climate Change (UNFCCC) constitutes the fundamental legal framework on climate change;

Further reaffirming that all climate change related actions or measures shall be in full conformity with the principles and provisions of the Convention in particular the principles of common but differentiated responsibilities and respective capabilities of the Parties, equity and historical responsibility;

Pursuant to the Bali Action Plan (Decision 1/CP.13);

Current state of the climate

Recalling that the Intergovernmental Panel on Climate Change has recognized that global atmospheric concentrations of greenhouse gases have increased markedly as a result of human activities since 1750 and now far exceed pre-industrial values;

Understanding that today, our Mother Earth has been seriously damaged and the future of humanity is in danger. Current levels of warming are damaging forest, mountain and other ecosystems, melting snow and glaciers, thinning ice sheets, causing the oceans to rise and acidify, threatening coral reefs and intensifying droughts and floods, fires and extreme weather events and that these

adverse effects threaten to worsen as the warming already committed in the Earth's systems takes effect;

Recognizing the need to establish an adequate limit to global warming and that with an increase in global warming of 2 °C, there is a 50% chance that the damage caused to our Mother Earth would be totally irreversible. Between 20% and 30% of all species would be in danger of disappearing. Large tracts of forests would be affected, droughts and floods will increasingly affect different regions of the planet, deserts will extend and exacerbate the melting icecaps and glaciers in the Andes and the Himalayas. Many island states will disappear and Africa would suffer a temperature increase of more than 3 °C. Likewise, reduced food production in the world will have catastrophic effects for the survival of the inhabitants of vast regions of the planet, and dramatically increase the number of hungry in the world, which already exceeds one billion people;

Structural Roots of Anthropogenic Climate Change

Determined to deal with the root causes of climate change, including the elimination of unsustainable patterns of consumption and production in the developed country Parties and the dominant global capitalist system that gives rise to these;

Understanding that a system of unfettered and unregulated markets has resulted in prioritizing the extreme competition for profits and growth, and that this has separated humanity from nature, establishing a logic of domination over it, turning everything into a commodity: water, earth, the human genome, the ancestral cultures, biodiversity, justice, ethics, rights of peoples, and life itself;

Understanding that a new system must be built to restore harmony with nature and among humans and that there can only be balance with nature if there is equity among human beings;

Recognizing, that Mother Earth is a living system, with which we have an indivisible, interdependent and complementary relationship;

Advocating a development model that is not destructive or based on unlimited growth, and recognizing that countries need to produce goods and services to meet the basic needs of its population, but by no means can continue on *the current* path of development in which richer countries have a carbon footprint five times larger than the planet can bear;

Reflecting that humanity is facing a great dilemma: to continue on the path of the capitalist system which will lead to extreme global warming and the death of the planet, or the path of harmony with nature and respect for life;

Historical Responsibility and Climate Debt

Noting that current atmospheric concentrations and that current and committed warming are principally the result of historical emissions of greenhouse gases, the largest share of which has originated in developed country Parties;

Affirming that by over-consuming the available capacity of the Earth's atmosphere and climate system to absorb greenhouse gases the developed countries have run up a climate debt to developing countries and mother Earth;

Affirming that the historical emissions of developed countries are disproportionately responsible for climate change and its adverse effects to developing countries and that developed countries are thus responsible for compensating developing countries as part of a climate debt owed by developed countries to developing countries;

Emphasizing that further delay by developed country Parties in implementing their commitments to reduce emissions will increase their climate debt to the developing country Parties and significantly constrain opportunities to achieve lower stabilization levels of greenhouse gases and increase the risk of more severe climate change impacts;

Impacts on Developing Countries

Recognizing that the past, current and proposed future emissions by and for developed countries are limiting and will further limit access to and use by developing countries of an equitable share of the atmospheric space required for their development;

Acknowledging that climate change has caused and is causing increasing adverse impacts to poor and vulnerable communities including to indigenous peoples, local communities and other vulnerable groups and that human rights, including the inherent rights of indigenous peoples as affirmed in the UN Declaration on the Rights of Indigenous Peoples and other instruments, must be re-

spected in all efforts to mitigate and adapt to climate change;

Noting further that the adverse effects of climate change will be felt most acutely by those countries and communities who have contributed least to climate change but who are already in vulnerable situations;

Recognizing that the countries most vulnerable to the adverse effects of climate change are developing countries and that climate impacts are already imposing substantial and rising costs, damages and setbacks to development thereby undermining the rights and aspirations of developing countries to development;

Recognizing that an equitable sharing of atmospheric space is an inalienable fundamental right of all nations and peoples, and that economic and social development and achievement of development goals including the Millennium Development Goals are the first and overriding priorities of developing country Parties, taking into account the environmental and economic vulnerability of developing country Parties;

Recognizing also the just, fair and equitable right of developing country Parties to achieve development in harmony with nature making use of the atmospheric space and resources taking into account the accumulative historical use of such resources by developed country Parties;

Recognizing that in order to ensure harmony between humanity and nature, and that to achieve the realization of human rights and human dignity it is necessary to recognize and defend the rights of Mother Earth;

Urging all Parties to cooperate for enhancing and promoting a supportive and just international economic system and architecture, including the global international trade system that would lead to sustainable development in particular in developing country Parties including, to better address the problems of environmental degradation. With the objective to stabilize greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system;

Reaffirming the need to reform the international and economic systems to ensure fair and equal voice and participation of developing country Parties, especially those related to Climate change;

Adaptation

Recognizing that adaptation to climate change has a human rights dimension because the effects of climate change if not addressed will make impossible the realization of the economic and social rights including the right to life, to food, to housing and to health;

Recognizing that adaptation to climate change and its economic consequences is urgent and essential to the survival and existence of developing country Parties

Way Forward

Recognizing that human beings are part of an interdependent system with which we must live together in harmony and balance while respecting the rights of all;

Recognizing the need to achieve not merely equity and peace among humanity but to restore equilibrium and harmony with nature.

Acknowledging that we have followed the laws of humanity while violating the fundamental laws of nature giving rise to climate change and other forms of ecological destruction;

Recognizing that to address climate change, we must recognize Mother Earth as the source of life and forge a new system based on the principles of harmony and balance between humanity and nature; solidarity and equity between people and respect for Mother Earth Rights and Human Rights;

Welcoming for consideration the attached draft Universal Declaration of Mother Earth;

Demanding the full and effective implementation of the right to consultation, participation and prior, free and informed consent of Indigenous Peoples in all negotiation processes and in the design and implementation of measures relating to climate change;

Stressing that all multilateral policies and rules relating to climate change that affect the rights and interests of developing countries and local communities, including indigenous peoples, must be based on an open, inclusive, transparent, and participatory negotiating process that reflects the United Nations principles of sovereign equality and inclusive decision-making;

Determined to enhance and consolidate the progress achieved so far in the work of the Ad Hoc Working Group on Long-term Cooperative Action under the Convention, and affirming the need to undertake further negotiations on unresolved issues in accordance with and in order to achieve the mandate of the Bali Action Plan;

Decides as follows:

A. Shared vision for long-term cooperative action

1. All Parties shall enhance their contribution to long-term cooperative action to combat climate change with a shared vision which is based on and in fulfillment of the objective, principles and provisions of the Convention, in particular to give effect to Article 2 of the UN Framework Convention on Climate Change which determines the “stabilization of concentrations of greenhouse gases in the atmosphere at a level that prevents dangerous anthropogenic interference with the climate system” consistent with their common but differentiated responsibilities and respective capabilities, equity and historical responsibility.

2. Developed countries shall take the lead and strive towards returning greenhouse gas concentrations in the atmosphere to well below 300 ppm CO₂eq with a view to

returning concentrations to levels as close as possible to pre-industrial levels in the longer-term, and to limit the average global temperatures to a maximum level of 1° C with a view to returning temperatures to levels as close as possible to pre-industrial levels in the longer-term, with deep and adequate economy wide emissions reductions in the medium and long terms and taking effective measures to fulfill their commitments relating to the provision of substantial financial resources, capacity building and to provide technology development and transfer of environmentally sound technologies and know how to developing country Parties. These enabling means are critical and an important measure to enhance the contribution and voluntary efforts of developing country Parties to the efforts of stabilizing of greenhouse gas concentrations in the atmosphere.

3. Due to the need for urgent action to achieve this vision, and with the support of the people, movements and countries, developed countries commit to ambitious targets for reducing emissions that achieve short-term objectives, while maintaining our vision for balance the Earth’s climate system, according to the ultimate objective of the Convention.

4. Developed countries, who are the main responsible of climate change, in assuming their historical responsibility, hereby recognize and commit to honor their climate debt in all its dimensions, as the basis for a just, effective and scientific climate change solution, including through:

- Reserving for developing countries the atmospheric space which is currently occupied by developed countries’ emissions of greenhouse gases;
- Assuming the costs and technology transfer needs of developing countries arising from the loss of development opportunities by having to live under a restricted atmospheric space;
- Being accountable for the hundreds of millions of people that will have to migrate as a result of climate change and to remove their restrictive policies on migration, including by providing migrants with opportunities to achieve a decent life and with all human rights;
- Assuming adaptation debt related to the impacts of climate change on developing countries by providing the means to prevent, minimize and deal with damages arising from their excessive emissions, as well as the opportunity costs;
- Honoring those debts as part of a major debt to Mother Earth by taking and implementing the Universal Declaration on the Rights of Mother Earth at the United Nations.

5. The focus of developed countries’ actions and commitments in relation to climate debt is therefore not only financial compensation but principally of restorative justice – that is restoring integrity to the people and the members who form a community of life on Earth.

6. All Parties shall enhance their contribution to long-term cooperative action to combat climate change with a shared vision which is based and in fulfillment of the objective and principles of the Convention in particular common but differentiated responsibilities and respective capabilities, equity and historical responsibility.

7. The “shared vision” for the “Long-term Cooperative Action” is not simply about defining the limit on temperature increases and the concentration of greenhouse gases in the atmosphere, but must incorporate a comprehensive and balanced set of financial measures, technology, adaptation, capacity building, patterns of production, consumption and other essentials such as the recognition of the rights of Mother Earth to restore harmony with nature. This is comprised of a range of essential elements including:

(i) Fulfillment of commitments by developed country Parties to enable developing country parties to develop and implement adaptation policies, plans, programs and projects through providing substantial, new and additional public financial resources, environmentally sound technologies and capacity building in a predictable and prompt manner;

(ii) Fulfillment of commitments by developed country Parties to demonstrate they are taking the lead in modifying longer-term trends in anthropogenic emissions consistent with the objective of the Convention, including their efforts to modify their consumption and production patterns taking into account their ecological footprint, in accordance with the Convention;

(iii) Voluntary nationally appropriate mitigation actions (NAMAs) by developing country Parties, in accordance with Article 4.1 of the Convention, which are enabled and supported by financial resources, technology development and transfer and capacity building, from developed country parties to developing country parties, and in line with the overriding priorities of developing country Parties for development and poverty eradication (under Article 4.7 of the Convention);

(iv) Fulfillment of commitments by developed country Parties to provide adequate, new, substantial and sustained financial resources to developing country Parties, that enable Developing Country Parties to implement their adaptation and mitigation actions, including through the provision of full costs for the implementation by developing countries of commitments relating to the communication of information related to implementation under Article 12.1 and the provision of agreed full incremental costs of implementation of commitments included in Article 4.1 of the Convention;

(v) Technology development and transfer from developed country Parties to developing country Parties, including, inter alia, the enhancement of endogenous technologies and capacities and the identification and removal of all barriers to access at the most affordable cost to technologies and appropriate treatment of intellectual property rights (IPRs) including exclusion of patents

on climate related technologies to developing country Parties; and

(vi) Fulfillment of commitments to provide capacity building in developing country Parties including provision of financial resources to develop institutions and programs to deal with climate change issues; and capacity building in developed country Parties-

(vii) Changes to the international financial, economic and social system, which drives excessive production and consumption, including the excessive production of greenhouse gas pollution, and perpetuates unfair and unbalanced relations between peoples and between peoples and nature.

8. A shared vision integrates a set of global goals including a global goal for emission reductions, with the objective to stabilize greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system in a time frame sufficient to allow ecosystems to adapt naturally to climate change and ensure that food production is not threatened and to enable economic development to proceed in a sustainable manner. These goals include:

(a) The equitable allocation atmospheric space between developed countries and developing countries during the period 1750 to 2050 based on the principles of equity and historical responsibility, and the needs of developing countries in order to achieve their economic and social development and poverty eradication

(b) Aggregate targets for developed country Parties that are not party to the Kyoto Protocol for emissions reduction that are comparable to those undertaken by Annex I parties to the Kyoto Protocol in the second and subsequent commitment periods that reflect their historical responsibilities and debts, meet the needs of developing country Parties to an equitable share of atmospheric space and are adequate to meet requirements according to the IPCC findings and the latest science;

(c) Provision of financial resources by developed countries to developing countries amounting to at least 6% of the value of GNP of developed countries, for adaptation, technology transfer, capacity building and mitigation as described in subparagraphs (d) to (g) of this paragraph;

(d) Provisions by developed countries of means of implementation to developing countries to facilitate adequate adaptation to climate change, to meet the costs of its adverse effects and to repay adaptation debts including through the provision of financial resources by developed countries equivalent to at least 3% of their GNP;

(e) The transfer of environmentally sound technologies to developing countries and enhancement of their endogenous capacities and technologies including through the provision of financial resources by developed countries equivalent to at least 1% of their GNP;

(f) Capacity building to enable the upgrading of developing countries institutional capacities to address climate change and its adverse effects including through the pro-

vision of financial resources by developed countries equivalent to at least 1% of their GNP;

(g) Measures by developing countries to mitigate climate change, including nationally appropriate mitigation actions supported and enabled by developed countries including through the provision of financial resources by developed countries equivalent to at least 1% of their GNP;

(h) Identification and removal of all barriers to access to technologies at the most affordable cost and appropriate treatment of intellectual property rights including exclusion of patents on climate related technologies to developing country Parties;

(i) Quantified changes to the unsustainable patterns of consumption and production by developed countries, including through the substantial reduction of their high per capita greenhouse gas emissions.

9. Achieving an equitable allocation of global atmospheric space between developed and developing countries is determined by:

(i) An agreed global emission budget between the period 1750 to 2050;

(ii) An agreed methodology for sharing the global emissions budget among developed and developing countries; and

(iii) The allocation, based on this methodology, of total assigned amounts to Annex I parties under the Kyoto Protocol and targets for a comparable effort for Annex I parties that are not party to the Kyoto Protocol.

10. Developed country Parties shall not resort to any form of unilateral climate related trade measures including border adjustment measures and tariffs against the goods and services of developing country Parties on climate-related grounds as such measures violate the principles and provisions of the Convention including those related to common and differentiated responsibilities (Article 3.5 of the Convention), to trade and climate change, and to the relation between mitigation actions of developing country Parties and provision of finance and technology by developed country parties (Articles 4.3 and 4.7 of the Convention).

11. The inherent rights of indigenous peoples as affirmed in the UN Declaration on the Rights of Indigenous Peoples and other instruments must be respected in all efforts to mitigate and adapt to climate change.

12. The extent to which developing countries will effectively implement their commitments under the Convention will depend on the effective implementation by developed countries of their commitments under the Convention related to financial resources and transfer of technology.

B. Enhanced action on mitigation and its associated means of implementation

1. Mitigation commitments by developed country Parties

13. The Kyoto Protocol shall remain as a specific binding instrument for reducing emissions of greenhouse gases in developed countries.

14. An amendment to the Kyoto Protocol for the second commitment period 2013-2017 is adopted under which developed countries commit to significant domestic reductions of at least 50% compared to 1990 excluding carbon markets or other offset mechanisms that mask the failure of actual reductions in emissions of greenhouse gases.

15. All Annex I Parties to the Convention shall, in accordance with their commitments of Article 4.2 of the Convention, undertake ambitious national economy-wide binding targets for quantified emission reduction commitments of at least 50% of their domestic greenhouse gas emissions during the period 2013 to 2017 and by more than 100% before 2040, compared to their 1990 levels and adopt policies and actions accordingly to achieve these targets.

16. The principle of comparability of efforts among all developed country Parties shall be applied (in accordance with paragraph 1(b)(1) of the Bali Action Plan Decision 1/CP.13).

17. Developed countries shall take on total and domestic commitments to reduce greenhouse gas emissions that reflect an equitable allocation of atmospheric space and address the needs of developing countries. Developed countries shall ensure that:

(a) Their greenhouse gas emissions do not exceed their total assigned amounts, with a view to modify longer-term trends in global greenhouse gas emissions consistent with the objectives of the Convention and enabling developed countries to repay their emissions debt to developing countries; and

(b) Their greenhouse gas emissions from domestic sources do not exceed their assigned domestic amounts, with a view to ensuring that their overall domestic emissions of greenhouse gases are reduced by at least 50% by 2017 to enable developing countries to have access to adequate atmospheric space to achieve economic and social development and poverty eradication.

18. For any Annex I Party to the Convention that is also a Party to the Kyoto Protocol, its emission reduction target for the second and subsequent commitment periods under the Kyoto Protocol shall be considered as their economy wide commitment. For the measurement, reporting and verification of its emission reduction target, pertinent rules and procedures under the Kyoto Protocol shall apply.

19. For any Annex I Party to the Convention that is not a Party to the Kyoto Protocol, its economy wide emission reduction commitment shall be comparable in magnitude,

time scale and compliance to the economy wide commitments referred to in paragraph 18 above. Such commitments shall be reflected in a declaration by that Party and recognized through a decision of the Conference of Parties. For the measurement, reporting and verification of such commitments, the rules and procedures shall be elaborated by the Conference of Parties at its 17th session, using as reference the procedures referred to in paragraph 18 above.

20. The implementation by developed countries of their commitments to modify longer term trends in greenhouse gas emissions, and to provide the agreed full incremental costs of actions by developing countries to implement their commitments under the Convention, shall together enable parties to reverse the trend of increasing global greenhouse gas emissions, and to ensure that global greenhouse gas emissions peak before 2015 at the latest and decline thereafter.

21. Developed countries shall further ensure that they reduce their net domestic greenhouse gas emissions by more than 100% by 2040 compared to 1990 levels through the reduction of greenhouse gas emissions from sources and enhancement of greenhouse gas removals by sinks.

22. Mitigation commitments of developed countries must be comparable in scale, timing and legal effect. To ensure comparability of efforts, Annex I Parties that are not Parties to the Kyoto Protocol are called on to undertake quantified emission reduction commitments that, inter alia:

- Are for the period 2013 to 2017;
- Are quantified in terms of the base year of 1990;
- Are subject to comparable provisions for monitoring, reporting and verification; and
- Are subject to comparable provisions for compliance and enforcement.

23. If, after measuring, reporting and verifying, the failure of a developed country to fulfill its reduction commitments is identified then penalties should be applied. This may include increased future reduction commitments by an amount calculated as a multiple of the shortfall in implementation. Financial contributions may also be assessed as penalties or fines and paid into an enhanced financial mechanism under the Conference of Parties.

24. The scale and timing of emission reductions by Annex I countries must be sufficient to ensure that developed countries' historical debt for their excessive past consumption of environmental space, and their continuing excessive per-capita emissions, is fully repaid to developing countries.

2. Nationally appropriate mitigation actions by developing country Parties in the context of economic development

25. Non Annex I Parties to the Convention may, based on their specific national circumstances and in the context of their national economic development, take mitigation measures and actions under Article 4.1 of the Convention including, where appropriate, strategies, policies, plans, programs, projects and other activities.

26. Nationally appropriate mitigation actions (NAMAs) of Non Annex I Parties are voluntary measures and/or programs to mitigate climate change under Article 4.1 of the Convention that are enabled by finance, technology and capacity building in accordance with Articles 4.3 and 4.5, and based on their specific national priorities and circumstances and in the context of sustainable development. A system shall be established under the financial mechanism to ensure that the developing countries' mitigation actions are enabled and supported by finance, technology and capacity building.

27. Emission reductions resulting from NAMAs shall not be used to offset quantified emission reduction targets undertaken by Annex I Parties to the Convention.

28. Non Annex I NAMAs supported and enabled by developed country Parties in terms of technology, finance, and capacity building, may be subject to MRV in accordance with relevant rules and procedures established by the Conference of Parties.

29. Measurement, reporting and verification of the transfer of financial resources of at least 1% of the GNP of developed country Parties (for mitigation actions by developing countries), technology and capacity building shall be undertaken in the context of the UNFCCC Compliance mechanism identified in paragraph below, with the following objectives:

(i) Measurement shall be in accordance with methodologies to measure provision of financial resources, technology transfer and Capacity building (in accordance with Article 7.2(d) of the Convention);

(ii) Reporting shall be on the provision of financial resources and transfer of technology, in accordance with Article 4.7 and communicated under Article 12.3 of the Convention; and

(iii) Verification of the combined effects of these measures shall be undertaken by the SBI under Article 10.2(a), based on inputs from the finance and technology mechanisms:

(a) Verification of the provision of finance for enabled actions to be conducted by the financial mechanism (in accordance with Article 11.1 of the Convention); and

(b) Verification of the provision of technology transfer for enabled actions shall be conducted by the technology mechanism under Article 7(2)(i) of the Convention.

30. The autonomous national mitigation actions taken voluntarily with the support of national resources of de-

veloping country Parties themselves shall be reflected through their national communications, consistent with Article 12(1)(b) of the convention in accordance with national guidelines and procedures.

C. Policy approaches and measures to limit and reduce greenhouse gas emissions from aviation and marine bunker fuels

31. Actions by developed country Parties shall not be taken to deal with environmental challenges including taxation or imposing levies on developing country Parties services or sectors (e.g. aviation/maritime) or environmental measures addressing trans-boundary or global environmental problems unless such measures have been agreed to by international consensus and are in coherence with the principles and provisions of the Convention.

D. Enhanced action on adaptation

32. People have equal rights to be protected from the adverse impacts of climate change and the rights to proactively face climate change.

33. Adaptation to the adverse impacts of climate change arising from the historical cumulative greenhouse gases (GHG) emissions of developed country Parties, poses a serious threat to economic and social development, and is already an additional burden on developing country Parties efforts to reduce poverty and achieve their development goals. Adaptation activities encompass urgent and immediate, short, medium and long term actions at national, regional and international levels.

34. An institutional framework on adaptation to climate change is hereby established under the Convention to enable developed country Parties, to honor their adaptation debts and to fulfill their commitments to fund the full incremental costs incurred by developing country Parties of implementing programmes to facilitate adequate adaptation to climate change, and to meet the costs of adapting to the adverse effects of climate change. It shall enhance and support adaptation to climate change in all developing country Parties in accordance with the Convention and compensate them for its adverse effects. The institutional arrangements shall comprise:

(i) An adaptation executive body under the authority and guidance of the Conference of Parties and that comprises equitable geographical representation, to promote international cooperation on adaptation and other relevant activities under the Convention, set the criteria and parameters of activities to be funded and where appropriate help mobilize financial resources from public and other sources of finance, to enable the implementation of country driven strategy, programs and projects, including at the regional levels.

(ii) A new adaptation fund window under the Convention to finance the full costs of adaptation activities and actions and the related transfer of technology sharing and capacity building in developing country Parties, with sources of funding be new, substantial and sustained public funding from developed countries, with an annual scale at least 3% of the GNP of developed countries, and

including through fulfilling their financial commitments under the Convention. This fund shall be additional to ODA.

(iii) It is necessary to structure this Adaptation Fund, as an exclusive fund for facing climate change and that is part of a financial mechanism managed and led in a sovereign and equitable way by the Parties, without any impositions from Multilateral Development Banks or Financial Institutions. This Fund should also handle a mechanism for the indemnity for damages to Mother Earth.

(iv) Under this Fund it is necessary to register the impacts, the costs of these impacts for the developing countries and the finance, technology and capacity building measures needed to address these impacts. Also, under this Adaptation Fund it is necessary to register and monitor the support of developed countries, including the transference and development of technologies and the fulfillment of the funds provision as part of a just compensation.

(v) A comprehensive adaptation program to enhance action on adaptation in a coordinated and coherent manner at all levels, now, up to and beyond 2012, ranging from assessments through planning to implementation, including through reducing vulnerability, minimizing unavoidable loss and damage, and building the resilience of societies, economies and ecosystems to present and future adverse effects of climate change. The program shall:

(a) Enable the formulation of national adaptation measures (in accordance with Article 4.1) in particular in developing country Parties;

(b) Provide finance, technology development and transfer and capacity-building, by developed country Parties for adaptation actions in developing country Parties (in accordance with Articles 4.1, 4.3 and 4.5 of the Convention), especially those involved in Article 4.8 of the Convention; and

(c) Establish and where appropriate strengthen regional centers, networks, initiatives and coordinating bodies for adaptation, building upon and complementing national adaptation action on all levels respecting fully the sovereignty of states.

(vi) An international mechanism to address the unavoidable loss and damage resulting from the adverse effects of climate change, and associated lost opportunities for development, with the following functions:

(a) Addressing risks associated with climate-related extreme weather events, that incorporates measures to reduce, manage and prevent risk;

(b) Providing compensation and rehabilitation for climate-related slow onset events

(vii) An adaptation window and a compliance mechanism under the Convention for measuring and verifying the provisions of financial resources, compensation and transfer of technology from developed country Parties (within the new operating entity under the Convention Financial mechanism).

(viii) An international mechanism to address the needs of individuals and peoples displaced due to the adverse effects of climate change and to facilitate their relocation, including from developing countries to developed countries. This implies the need to remove restrictive policies on migration in developed countries,

(ix) The COP shall adopt the rules and modalities for operationalization of the framework and its bodies, with a view to ensuring the full repayment of climate-related finance, compensation and debts to developing countries and will finish its work at the latest by the COP17.

E. Enhanced action on the provision of financial resources and investment

35. We stress that the financial commitments of Developed Country Parties under the Convention have not been met, and emphasize the urgent need for these parties to honor their commitments in accordance with Article 4 and in particular Articles 4.3, 4.4 and 4.5, and to provide substantial financial resources to developing country Parties that commensurate with the unprecedented challenge of climate change which constitutes the greatest risk that humanity has ever faced.

36. Developed country Parties and other developed Parties included in Annex II in accordance with their commitments under the Convention including Article 4, paragraphs 3, 4, 5, 7, 8 and 9 shall provide substantial, new, additional, adequate, predictable and sustained public funding additional to and different from the ODA to meet the agreed full costs and/or incremental costs incurred by developing country Parties to effectively implement their commitments under the Convention, taking into consideration that other sources of investment like private sector and markets can play a supplementary role.

37. In order to honor the climate debt, and in accordance with Article 11(3)(d) of the Convention, it is agreed that the amount of funds to be made available annually to developing country Parties shall be equivalent to at least 6% of the GNP of developed country Parties comprising 3% for adaptation, 1% for mitigation, 1% for technology development and transfer and 1% for capacity building. It is equally agreed that US\$400 billions, from public finance sources, shall be made available by developed countries for fast track financing of global efforts to address climate change. An equivalent of US\$ 150 billions worth of Special Drawing Rights shall be issued by the IMF as partial fulfillment of this undertaking by developed countries.

38. A financial mechanism of the Convention, to be known as the (Multilateral Climate Fund), is hereby established, in accordance with Article 11.1. It shall function under the authority, guidance of and be fully accountable to the Conference of Parties. It shall comprise, *inter alia*, the following elements:

(i) An Executive Board, which shall be the governing body, with equitable and geographically-balanced representation of the Parties, and which shall follow the

principles of openness, transparency, effectiveness and easy access;

(ii) Multiple specialized Funds or funding windows, including for adaptation, mitigation, technology transfer and development, and capacity building;

(iii) A trustee or trustees that shall be appointed by the Board;

(iv) Technical panels of experts;

(v) A Monitoring and Verification group or mechanism.

39. A Compliance mechanism shall be established for the evaluation and verification of the fulfillment of developed country Parties of their commitments under the Convention including their financial contributions to adaptation, mitigation, technology transfer and capacity building to developing country Parties, to identify insufficiencies between the enabling means provided and needed and address non-compliance with commitments.

40. The rules and procedures of the compliance mechanism shall be established by the Conference of the Parties not later than the 17th Conference of Parties. The MRV of the provision of financial resources, technology and capacity building to enable and support NAMAs and NAPAs of developing country Parties shall be undertaken under this compliance mechanism.

F. Enhanced action on technology development and transfer

41. We agree that there must be urgent action on technology development and transfer as a top priority especially because of the lack of implementation and achievements in this area since the establishment of the Convention.

42. Transfer of technology must fully compensate the loss of development opportunities due to the costs and technological demands to developing countries to live within a restricted atmospheric space. Poor countries face climate-related challenges to their development that were not faced by the developed countries in the process of their own development.

43. Sharing the complete technological cycle, namely enhancement, development, demonstration, deployment, diffusion and transfer of new and existing innovative technologies is urgent and essential to strengthening developing country Parties capacities in particular those listed in Art. 4.8 of the Convention. Developing countries must be recipients of the technological cycle in its integrity.

44. Enhanced action on technology requires implementation and compliance of the commitments made by developed countries in the Convention regarding the development and transfer of technology. It is agreed that this goes beyond the marketing of the technology to developing countries.

45. Guidelines shall be established for the assessment and evaluation of technologies meant for transfer and de-

ployment to ensure that they are environmentally sound and socially appropriate.

46. We recognize that indigenous and traditional knowledge and technologies form a valuable and useful part of the knowledge and technologies that are appropriate and useful for mitigation and adaptation activities in addressing climate change and that these have to be supported and be part of technology development, transfer and deployment.

47. It is equally essential for the technologies to be made available to developing countries at the lowest cost, and thus there should be an appropriate framework regulating intellectual property to prevent patent monopolies and to facilitate the maximum expansion of technologies to be placed in the public domain.

48. Technologies and innovations that come from public financing destined for research and technology development must be located in public domain and not under a private patent regime, in such a way that they are of free access for developing countries.

49. Technology transfer from developed to developing countries should be free from conditionalities or impositions. Instead, it is agreed that there must be a free exchange of information, knowledge and technologies, under the principles of solidarity, reciprocity, respect, complementarity, harmony, transparency, balance, permitting an inter-scientific dialogue of knowledge and skills.

50. We agree that early and rapid reduction of emissions requires the deployment of low-emission technologies on a massive scale and that developing countries particularly those with insufficient or no manufacturing capacity in environmentally sound technologies will have more difficulties in accessing adaptation and mitigation technologies and that measures shall be taken to facilitate and ensure their access to the technology.

51. We agree to establish effective mechanisms and enhanced means for the removal of obstacles to the scaling up of the development and transfer of technology to developing country Parties in order to promote access to affordable environmentally sound technologies.

52. New and additional financing from developed country Parties amounting to at least 1% of their GNP shall be provided in a manner that is adequate, predictable and sustainable to support technology development and deployment in and technology transfer to developing countries. This includes the establishment and operations of joint technology excellence centers in developing countries, to enable entities in these countries to do research and development on adaptation as well as mitigation technologies;

53. A mechanism for technology development and transfer is hereby established under the Convention that shall function under the authority, guidance of and be fully accountable to the Conference of Parties, to fully implement the commitments on technology development and transfer under the Convention, in particular Article 4, paragraphs 3, 5, 7 and 9, that comprises:

(i) A Technology Executive Board aimed at achieving the most effective implementation of technology transfer to developing country Parties including through *inter alia* develop strategy and policies, provide guidance, assess and elaborate on technology matters and develop a Technology Action Plan and its updated versions, comprising government representatives, elected by the Conference of Parties, which will have equitable regional representation. The Executive Board shall recommend to the COP international actions to support the removal of barriers to technology development and transfer, including those arising from intellectual property rights;

(ii) Technical Panels for adaptation and mitigation technologies to generate and compile expert information;

(iii) A Technology Action Plan to support concrete programs and actions to enable technology development and transfer, enhance endogenous technologies and capacities and enhance action in all sectors, and at all stages of the technology cycle (in accordance with Article 4.5). The TAP will define policies, actions and funding for relevant technology actions and programs under the following classification: public domain technologies, patented technologies and know-how and future technologies. The Technology Action Plan will have short, medium and long term actions and programs that covers all sectors;

(iv) A Multilateral Climate Technology Fund/window to meet the full and the full incremental costs of technology transfer (in accordance with Article 4.3). The fund will be part of the financial mechanism of the Convention. It shall provide financial resources for the activities agreed on by the Technology Mechanism, and shall be composed by Regional Groups of Experts in Investment and Development, with an equitable representation of different geographic zones of the world.

(v) A compliance mechanism for measuring and verifying commitments of developed country Parties for technology transfer, finance and development;

54. The technology mechanism shall among its objectives and functions have the following:

(i) Achieve access to affordable technology by developing country Parties, achieve removal of barriers to technology transfer, diffusion and development; support the enhancement and development of endogenous capacities and technologies of developing country Parties, develop technology action plans, coordinate actions and assess performance;

(ii) Formulate and promote the implementation of action plans on technology development and transfer;

(iii) Coordinate actions by different stakeholders at national, regional and international levels;

(iv) Remove barriers to technology transfer and enhance means to promote technology transfer;

(v) Promote the establishment and enhancement of national and regional technology innovation centers and networks;

(vi) Promote capacity building, including personnel training and information exchange, to enhance the capability of developing country Parties for the development, absorption and application of climate friendly technologies;

(vii) Monitor and assess the progress and effectiveness of the development and transfer of climate friendly technologies under the Convention;

(viii) Provide advice on and assess the appropriateness of technology, including the environmental, social and economic and developmental aspects on the technology aspects of developing countries voluntary national appropriate mitigation actions and adaptation activities and plans;

(ix) Accelerate further research, development and production of technologies in developing countries;

(x) Strengthen technical and institutional capacities including technology centers in developing countries;

(xi) Stimulate and enable the wide dissemination of existing technologies, including the traditional knowledge, technologies and practices of indigenous peoples.

55. Cooperation and joint development of current, new and innovative technologies shall be enhanced.

56. All Parties shall enhance cooperation to promote research, development, demonstration, deployment, transfer and diffusion of environmentally friendly technologies, and in particular to take effective measures to encourage and enable development and transfer of technology to developing country Parties, remove barriers including intellectual property rights in the context of making to technology development and transfer. Specific measures shall be established to remove barriers to development and transfer of technologies from the developed country to transfer environmentally sound technologies to developing country Parties arising from intellectual property rights protection.

57. We agree to take measures to ensure that international rights and obligations relating to intellectual property shall be supportive of and do not run counter to the objectives of the Convention.

58. Patents on climate-related technologies may be excluded by developing country Parties. Steps shall be taken to expand technologies in the public domain. Nothing in international intellectual property agreements shall be interpreted or implemented in a manner that limits or prevents any Party from taking measures to address climate change, in particular the development and transfer of technologies, including the development and enhancement of endogenous capacities and technologies of developing countries and transfer of, and access to, environmentally sound technologies and know-how.

59. Developing countries have the right to make use of the full flexibilities contained in the Trade Related Aspects of Intellectual Property Rights (TRIPS) agreement, including compulsory licensing.

60. Specific and urgent measures shall be taken and mechanisms developed to remove barriers to development and transfer of technologies arising from intellectual property rights protection, including:

(a) Creation of a Global Technology IPR Pool for Climate Change that promotes and ensures access to intellectual property protected technologies and associated know-how to developing countries on non-exclusive royalty free terms; This pool shall include modern and appropriate technologies and shall not have exclusions of any kind;

(b) Taking steps to ensure sharing of publicly funded technologies and related know-how, including by making the technologies and know-how available in the public domain in a manner that promotes transfer of and/or access to environmentally sound technology and know-how to developing countries on royalty free terms.

61. All necessary steps shall be immediately taken in all relevant forums to exclude from IPR protection and revoke existing IPR protection in developing countries and least developed countries on environmentally sound technologies to adapt to and mitigate climate change, including those developed through funding by governments or international agencies and those involving use of genetic resources that are used for adaptation and mitigation of climate change.

G. Policy approaches and positive incentives on issues relating to reducing emissions from deforestation and forest degradation in developing countries; and the role of conservation, sustainable management of forests and enhancement of forest carbon stocks in developing countries

62. Developed country Parties shall provide adequate, predictable and sustained financing, technology and capacity building in accordance with the relevant provisions of the Convention to enable and support national development needs and voluntary actions to be undertaken by developing country Parties consistent with their national circumstances in the context of reducing emissions from, inter alia, deforestation, forest and land degradation and to increase forest coverage, stabilize forest carbon stocks, enhance carbon sinks through forest conservation, sustainable management of forests, afforestation, reforestation, restoration of degraded ecosystems, improved land use and agriculture practices.

63. A framework for the delivery of financial resources for forest related actions is hereby established to fund the agreed full incremental costs for the implementation of developing countries' commitments under Article 4.1 (d) to promote sustainable management; and promote and cooperate in the conservation and enhancement of sinks and reservoirs of all greenhouse gases, including forests ecosystems.

64. The following principles and elements will apply to forest related actions and the proposed framework:

- A fund based mechanism that enables equitable distribution of funds.
- The framework will not allow for offset mechanisms.
- It will ensure environmental integrity.
- It will protect the rights of indigenous peoples and local communities, as there is no transfer of rights of carbon ownership to the market.
- Ensure sovereignty and national as well as local control over forest related activities. These activities must be framed under the national laws and policies.
- Forest conservation can be funded, including adaptation activities related to forests.

65. Under the proposed Multilateral Climate Fund established under the COP:

- A funding window or specialized fund should be established for forest related activities as set out under paragraph 1(b)(iii) of the BAP.
- In addition, an expert group or committee can be established to facilitate the implementation of such activities supported by a technical panel if needed.
- The establishment of such a funding window or specialized fund supported by an expert group or committee as above must ensure the predictable, adequate and timely access to financial resources for developing countries for the implementation of Article 4.1(d) of the Convention.

66. Eligibility criteria for funding forest related activities should include the following:

- Support for proposals that address the underlying causes of forest loss, including actions within but not limited to the forest sector;
- Support for proposals that guarantee lasting protection of natural forests and reduction of deforestation and degradation, enhanced forest law enforcement and improved forest governance, and strengthened recognition of Indigenous Peoples and community rights, regardless of whether the impact of these measures can be immediately quantified in terms of carbon emission units;
- Proposals shall not be considered that allow industrial-scale logging or that involve conversion of natural forests to plantations or other commercial or infrastructure activities and projects that damage the environment or violate the rights of local communities.
- Encouragement of proposals for activities that involve the full and effective participation of forest-dependent Indigenous Peoples and local commu-

nities. Measures must respect and promote the rights and interests of Indigenous Peoples and local communities, including the right to free, prior and informed consent (FPIC), in its design and implementation, in full compliance with relevant international human rights conventions and applicable national laws, including *inter alia*, the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and the Convention on Biological Diversity (CBD), as well as other relevant international, customary and national law;

- Support for the restoration and maintenance of the forests by indigenous peoples and their organizations, including through a global program to restore native forests and jungles, managed and administered by the communities and their organizations.
- Proposals and activities should promote good governance, in particular with respect to forest policies and law enforcement;
- Proposals and activities should contain transparent and participatory mechanisms to prevent or resolve conflicts over access, use, and ownership rights that could arise during the development and/or implementation of forest related activities.

67. The definition of forest used in the negotiations should not include plantations, as monoculture plantations are not forests.

68. The UN Declaration on the Rights of Indigenous Peoples and ILO Convention 169 shall be fully recognized, implemented and integrated in climate change actions. We agree that the best strategy and action to avoid deforestation and degradation and protect native forests and the forest is to recognize and guarantee the collective rights of the lands and territories, especially considering that most of the forests are in the territories of indigenous peoples and nations, and traditional farming communities. Parties also recognize the prior existence of the right of indigenous peoples over their territories, lands and natural resources to enable and strengthen their traditional ways of life and contribute effectively to solving the climate change problem.

69. Carbon market mechanisms are not appropriate for financing and implementing forest-related activities and should not be used. They are and have the potential to be against the principle of sovereignty and the rights and customs of indigenous people including free and prior consent. Instead, activities relating to forests shall be financed by payments and contribution in a fund or funding window referred to in paragraph 65.

70. The fund or funding window will finance the restoration and maintenance of the forests by indigenous peoples and their organizations. A global program shall be established to take and support actions to restore native forests and jungles, managed and administered by the communities and their organizations. The activities to be supported include maintaining biodiversity, the conservation and use of local seeds and seed varieties, fruit trees and native

flora. Commercial activities and infrastructure projects that are damaging to the forests, to climate, and to the rights of people in the forests or who depend on the forests should not be undertaken.

H. Economic and social consequences of response measures

71. An appropriate forum shall be established under the Convention to give full consideration to what actions are necessary to address the potential economic and social consequences and impacts of the design, selection and implementation of response measures.

72. Developed country Parties shall not resort to any form of unilateral climate related trade measures including border adjustment measures and tariffs against the goods and services of developing country Parties on climate-related grounds as such measures violate the principles and provisions of the Convention including those related to common and differentiated responsibilities (Article 3.5 of the Convention), to trade and climate change, and to the relation between mitigation actions of developing country Parties and provision of finance and technology by developed country parties (Articles 4.3 and 4.7 of the Convention).

73. In accordance with relevant international instruments, including the UN Declaration of the Rights of Indigenous Peoples, the Parties shall cooperate with the indigenous peoples through their own representative institutions to obtain their free, prior and informed consent before adopting and implementing measures that may affect them.

I. Various approaches, including opportunities for using markets, to enhance the cost-effectiveness of, and to promote, mitigation actions

74. There should not be use of an international carbon market or an international carbon market approach in the offsetting of Annex I Parties' mitigation commitments or in the financing of developing countries' climate actions as it has serious adverse effects.

J. Cooperative sectoral approaches and sector-specific actions in agriculture

75. We agree to phase out inappropriate forms of agriculture that are ecologically harmful and that are emission-intensive and to instead take measures to promote an environmentally sustainable model of agricultural production that also promote food security and food sovereignty and the livelihoods and rights of local communities and indigenous peoples. We agree to ensure that the small farmers in developing countries have the right to and can maintain or increase their control over their own seeds, land, water and food production. We agree that appropriate financing mechanisms be established for these purposes and that adequate financing be provided.

76. We recognize that emissions from certain forms of agriculture production are a major source of global warming and that mitigation actions relating to these forms of

agriculture while promoting ecologically-sound forms of agriculture (including traditional agricultural practices by many local communities and small farmers in many parts of the developing countries) are essential. The recognition and promotion of food sovereignty is also a vital part of agricultural transformation required to address the climate crisis. The concept of food sovereignty is to be understood as the right of people to control their own seeds, land, water and food production, ensuring, through production in harmony with Mother Earth.

77. It is essential that the policy framework for agriculture be appropriate for the purpose of addressing the climate crisis and to meet the interests of local communities and protect the environment. In this context we agree that there be a review of the global system of agricultural trade, the provisions of trade agreements and loan and aid conditionalities and the intellectual property regimes. Agricultural technologies and related technologies shall also be subject to assessment for their environmental, social and developmental impacts. Technologies that should be critically reviewed include industrial agriculture (with its dependence on agrochemicals, corporate-controlled seeds and intensive water use), genetic engineering, Terminator Technology, biofuels, nanotechnology, and geo-engineering.

78. We also agree to monitor and evaluate projects to prevent those projects or activities including in the infrastructure and extractive sectors that adversely affect the lands and rights of local farming and indigenous communities.

79. All Parties recognize the right of all peoples to have access to and enjoy clean water.

K. Enhanced action on capacity building

80. A Capacity building committee-mechanism shall be established to develop and support capacity building needs of developing country Parties that are vulnerable to the adverse effects of climate change, including through funding, focused training, mentoring and learning by doing approaches.

81. The committee/Mechanism shall enable developing country Parties to, inter alia:

- (i) Develop the capacity of institutions and human resources;
- (ii) Formulate strategies, policies and action plans;
- (iii) Enhance research and knowledge management;
- (iv) Strengthen endogenous capacities;
- (v) Strengthen the capacity for data collection and use and for modeling; and
- (vi) Build capacity for planning and decision-making including the participation of nongovernmental actors.

82. Developed Country Parties shall enable developing country Parties to implement the identification of activities (including national-level action plans), which shall be funded at full costs under Article 4.3 and 11.1 of the Convention amounting to at least 1% of the GNP of developed country Parties.

L. Other actions

83. *All Parties shall ensure* the full and effective implementation of the right to consultation, participation and prior, free and informed consent of Indigenous Peoples in all negotiation processes and in the design and implementation of measures relating to climate change.

84. We recognize the critical linkages between water and climate change, and the need to act urgently on water related issues. Climate change has serious adverse effects on people's access to water resources, for example through the reduced water supply caused by the melting of glaciers. We agree that dedicated action with adequate financing be planned to deal with water issues. We also recognize that all individuals have the right to have access to water resources to sustain life and that states have a responsibility to fulfill the basic human need for water.

85. Developed countries shall take responsibility for climate migrants, welcoming them into their territories and recognizing their fundamental rights through the

signing of international conventions providing for the definition of migrant climate that all States abide by its determinations. At present, environmental degradation and climate change will reach critical levels, one of the main consequences of internal migration and international. According to some projections in 1995 there were about 25 million climate migrants, this is estimated at 50 million and projections for 2050 are from 200 to 1000 million people will be displaced by situations resulting from climate change.

86. Parties shall promote the establishment of an International Court of Climate and Environmental Justice, whose aim is to contribute to preventing actions causing environmental pollution and climate change.

87. Parties agree to support and promote a world plebiscite or referendum on climate change open to the global public. The terms of this referendum will be considered by the COP.

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World People's Conference on Climate Change and the Rights of Mother Earth

April 22nd, Cochabamba, Bolivia

PEOPLES AGREEMENT

Today, our Mother Earth is wounded and the future of humanity is in danger.

If global warming increases by more than 2 degrees Celsius, a situation that the "Copenhagen Accord" could lead to, there is a 50% probability that the damages caused to our Mother Earth will be completely irreversible. Between 20% and 30% of species would be in danger of disappearing. Large extensions of forest would be affected, droughts and floods would affect different regions of the planet, deserts would expand, and the melting of the polar ice caps and the glaciers in the Andes and Himalayas would worsen. Many island states would disappear, and Africa would suffer an increase in temperature of more than 3 degrees Celsius. Likewise, the production of food would diminish in the world, causing catastrophic impact on the survival of inhabitants from vast regions in the planet, and the number of people in the world suffering from hunger would increase dramatically, a figure that already exceeds 1.02 billion people. The corporations and governments of the so-called "developed" countries, in complicity with a segment of the scientific community, have led us to discuss climate change as a problem limited to the rise in temperature without questioning the cause, which is the capitalist system.

We confront the terminal crisis of a civilizing model that is patriarchal and based on the submission and destruction of human beings and nature that accelerated since the industrial revolution.

The capitalist system has imposed on us a logic of competition, progress and limitless growth. This regime of production and consumption seeks profit without limits, separating human beings from nature and imposing a logic of domination upon nature, transforming everything into commodities: water, earth, the human genome, ancestral cultures, biodiversity, justice, ethics, the rights of peoples, and life itself.

Under capitalism, Mother Earth is converted into a source of raw materials, and human beings into consumers and a means of production, into people that are seen as valuable only for what they own, and not for what they are.

Capitalism requires a powerful military industry for its processes of accumulation and imposition of control over territories and natural resources, suppressing the resistance of the peoples. It is an imperialist system of colonization of the planet.

Humanity confronts a great dilemma: to continue on the path of capitalism, depredation, and death, or to choose the path of harmony with nature and respect for life.

It is imperative that we forge a new system that restores harmony with nature and among human beings. And in order for there to be balance with nature, there must first be equity among human beings. We propose to the peoples of the world the recovery, revalorization, and strengthening of the knowledge, wisdom, and ancestral practices of Indigenous Peoples, which are affirmed in the thought and practices of "Living Well," recognizing Mother Earth as a living being with which we have an indivisible, interdependent, complementary and spiritual relationship. To face climate change, we must recognize Mother Earth as the source of life and forge a new system based on the principles of:

- harmony and balance among all and with all things;
- complementarity, solidarity, and equality;
- collective well-being and the satisfaction of the basic necessities of all;
- people in harmony with nature;
- recognition of human beings for what they are, not what they own;
- elimination of all forms of colonialism, imperialism and interventionism;
- peace among the peoples and with Mother Earth;

The model we support is not a model of limitless and destructive development. All countries need to produce the goods and services necessary to satisfy the fundamental needs of their populations, but by no means can they continue to follow the path of development that has led the richest countries to have an ecological footprint five times bigger than what the planet is able to support. Currently, the regenerative capacity of the planet has been already exceeded by more than 30 percent. If this pace of over-exploitation of our Mother Earth continues, we will need two planets by the year 2030. In an interdependent system in which human beings are only one component, it is not possible to recognize rights only to the human part without provoking an imbalance in the system as a whole. To guarantee human rights and to restore harmony with nature, it is necessary to effectively recognize and apply the rights of Mother Earth. For this purpose, we propose the attached project for the Universal Declaration on the Rights of Mother Earth, in which it's recorded that:

- The right to live and to exist;
- The right to be respected;

- The right to regenerate its bio-capacity and to continue its vital cycles and processes free of human alteration;
- The right to maintain their identity and integrity as differentiated beings, self-regulated and inter-related;
- The right to water as the source of life;
- The right to clean air;
- The right to comprehensive health;
- The right to be free of contamination and pollution, free of toxic and radioactive waste;
- The right to be free of alterations or modifications of its genetic structure in a manner that threatens its integrity or vital and healthy functioning;
- The right to prompt and full restoration for violations to the rights acknowledged in this Declaration caused by human activities.

The “shared vision” seeks to stabilize the concentrations of greenhouse gases to make effective the Article 2 of the United Nations Framework Convention on Climate Change, which states that “the stabilization of greenhouse gases concentrations in the atmosphere to a level that prevents dangerous anthropogenic interferences for the climate system.” Our vision is based on the principle of historical common but differentiated responsibilities, to demand the developed countries to commit with quantifiable goals of emission reduction that will allow to return the concentrations of greenhouse gases to 300 ppm, therefore the increase in the average world temperature to a maximum of one degree Celsius.

Emphasizing the need for urgent action to achieve this vision, and with the support of peoples, movements and countries, developed countries should commit to ambitious targets for reducing emissions that permit the achievement of short-term objectives, while maintaining our vision in favor of balance in the Earth’s climate system, in agreement with the ultimate objective of the Convention.

The “shared vision for long-term cooperative action” in climate change negotiations should not be reduced to defining the limit on temperature increases and the concentration of greenhouse gases in the atmosphere, but must also incorporate in a balanced and integral manner measures regarding capacity building, production and consumption patterns, and other essential factors such as the acknowledging of the Rights of Mother Earth to establish harmony with nature.

Developed countries, as the main cause of climate change, in assuming their historical responsibility, must recognize and honor their climate debt in all of its dimensions as the basis for a just, effective, and scientific solution to climate change. In this context, we demand that developed countries:

- Restore to developing countries the atmospheric space that is occupied by their greenhouse gas emissions.

This implies the decolonization of the atmosphere through the reduction and absorption of their emissions;

- Assume the costs and technology transfer needs of developing countries arising from the loss of development opportunities due to living in a restricted atmospheric space;
- Assume responsibility for the hundreds of millions of people that will be forced to migrate due to the climate change caused by these countries, and eliminate their restrictive immigration policies, offering migrants a decent life with full human rights guarantees in their countries;
- Assume adaptation debt related to the impacts of climate change on developing countries by providing the means to prevent, minimize, and deal with damages arising from their excessive emissions;
- Honor these debts as part of a broader debt to Mother Earth by adopting and implementing the United Nations Universal Declaration on the Rights of Mother Earth.

The focus must not be only on financial compensation, but also on restorative justice, understood as the restitution of integrity to our Mother Earth and all its beings.

We deplore attempts by countries to annul the Kyoto Protocol, which is the sole legally binding instrument specific to the reduction of greenhouse gas emissions by developed countries.

We inform the world that, despite their obligation to reduce emissions, developed countries have increased their emissions by 11.2% in the period from 1990 to 2007.

During that same period, due to unbridled consumption, the United States of America has increased its greenhouse gas emissions by 16.8%, reaching an average of 20 to 23 tons of CO₂ per-person. This represents 9 times more than that of the average inhabitant of the “Third World,” and 20 times more than that of the average inhabitant of Sub-Saharan Africa.

We categorically reject the illegitimate “Copenhagen Accord” that allows developed countries to offer insufficient reductions in greenhouse gases based in voluntary and individual commitments, violating the environmental integrity of Mother Earth and leading us toward an increase in global temperatures of around 4°C.

The next Conference on Climate Change to be held at the end of 2010 in Mexico should approve an amendment to the Kyoto Protocol for the second commitment period from 2013 to 2017 under which developed countries must agree to significant domestic emissions reductions of at least 50% based on 1990 levels, excluding carbon markets or other offset mechanisms that mask the failure of actual reductions in greenhouse gas emissions.

We require first of all the establishment of a goal for the group of developed countries to achieve the assignment of individual commitments for each developed country under the framework of complementary efforts among

each one, maintaining in this way Kyoto Protocol as the route to emissions reductions.

The United States, as the only Annex 1 country on Earth that did not ratify the Kyoto Protocol, has a significant responsibility toward all peoples of the world to ratify this document and commit itself to respecting and complying with emissions reduction targets on a scale appropriate to the total size of its economy.

We the peoples have the equal right to be protected from the adverse effects of climate change and reject the notion of adaptation to climate change as understood as a resignation to impacts provoked by the historical emissions of developed countries, which themselves must adapt their modes of life and consumption in the face of this global emergency. We see it as imperative to confront the adverse effects of climate change, and consider adaptation to be a process rather than an imposition, as well as a tool that can serve to help offset those effects, demonstrating that it is possible to achieve harmony with nature under a different model for living.

It is necessary to construct an Adaptation Fund exclusively for addressing climate change as part of a financial mechanism that is managed in a sovereign, transparent, and equitable manner for all States. This Fund should assess the impacts and costs of climate change in developing countries and needs deriving from these impacts, and monitor support on the part of developed countries. It should also include a mechanism for compensation for current and future damages, loss of opportunities due to extreme and gradual climatic events, and additional costs that could present themselves if our planet surpasses ecological thresholds, such as those impacts that present obstacles to "Living Well."

The "Copenhagen Accord" imposed on developing countries by a few States, beyond simply offering insufficient resources, attempts as well to divide and create confrontation between peoples and to extort developing countries by placing conditions on access to adaptation and mitigation resources. We also assert as unacceptable the attempt in processes of international negotiation to classify developing countries for their vulnerability to climate change, generating disputes, inequalities and segregation among them.

The immense challenge humanity faces of stopping global warming and cooling the planet can only be achieved through a profound shift in agricultural practices toward the sustainable model of production used by indigenous and rural farming peoples, as well as other ancestral models and practices that contribute to solving the problem of agriculture and food sovereignty. This is understood as the right of peoples to control their own seeds, lands, water, and food production, thereby guaranteeing, through forms of production that are in harmony with Mother Earth and appropriate to local cultural contexts, access to sufficient, varied and nutritious foods in complementarity with Mother Earth and deepening the autonomous (participatory, communal and shared) production of every nation and people.

Climate change is now producing profound impacts on agriculture and the ways of life of indigenous peoples and farmers throughout the world, and these impacts will worsen in the future.

Agribusiness, through its social, economic, and cultural model of global capitalist production and its logic of producing food for the market and not to fulfill the right to proper nutrition, is one of the principal causes of climate change. Its technological, commercial, and political approach only serves to deepen the climate change crisis and increase hunger in the world. For this reason, we reject Free Trade Agreements and Association Agreements and all forms of the application of Intellectual Property Rights to life, current technological packages (agrochemicals, genetic modification) and those that offer false solutions (biofuels, geo-engineering, nanotechnology, etc.) that only exacerbate the current crisis.

We similarly denounce the way in which the capitalist model imposes mega-infrastructure projects and invades territories with extractive projects, water privatization, and militarized territories, expelling indigenous peoples from their lands, inhibiting food sovereignty and deepening socio-environmental crisis.

We demand recognition of the right of all peoples, living beings, and Mother Earth to have access to water, and we support the proposal of the Government of Bolivia to recognize water as a Fundamental Human Right.

The definition of forests used in the negotiations of the United Nations Framework Convention on Climate Change, which includes plantations, is unacceptable. Monoculture plantations are not forests. Therefore, we require a definition for negotiation purposes that recognizes the native forests, jungles and the diverse ecosystems on Earth.

The United Nations Declaration on the Rights of Indigenous Peoples must be fully recognized, implemented and integrated in climate change negotiations. The best strategy and action to avoid deforestation and degradation and protect native forests and jungles is to recognize and guarantee collective rights to lands and territories, especially considering that most of the forests are located within the territories of indigenous peoples and nations and other traditional communities.

We condemn market mechanisms such as REDD (Reducing Emissions from Deforestation and Forest Degradation) and its versions + and ++, which are violating the sovereignty of peoples and their right to prior free and informed consent as well as the sovereignty of national States, the customs of Peoples, and the Rights of Nature.

Polluting countries have an obligation to carry out direct transfers of the economic and technological resources needed to pay for the restoration and maintenance of forests in favor of the peoples and indigenous ancestral organic structures. Compensation must be direct and in addition to the sources of funding promised by developed countries outside of the carbon market, and never serve as carbon offsets. We demand that countries stop actions on

local forests based on market mechanisms and propose non-existent and conditional results. We call on governments to create a global program to restore native forests and jungles, managed and administered by the peoples, implementing forest seeds, fruit trees, and native flora. Governments should eliminate forest concessions and support the conservation of petroleum deposits in the ground and urgently stop the exploitation of hydrocarbons in forestlands.

We call upon States to recognize, respect and guarantee the effective implementation of international human rights standards and the rights of indigenous peoples, including the United Nations Declaration on the Rights of Indigenous Peoples under ILO Convention 169, among other relevant instruments in the negotiations, policies and measures used to meet the challenges posed by climate change. In particular, we call upon States to give legal recognition to claims over territories, lands and natural resources to enable and strengthen our traditional ways of life and contribute effectively to solving climate change.

We demand the full and effective implementation of the right to consultation, participation and prior, free and informed consent of indigenous peoples in all negotiation processes, and in the design and implementation of measures related to climate change.

Environmental degradation and climate change are currently reaching critical levels, and one of the main consequences of this is domestic and international migration. According to projections, there were already about 25 million climate migrants by 1995. Current estimates are around 50 million, and projections suggest that between 200 million and 1 billion people will become displaced by situations resulting from climate change by the year 2050.

Developed countries should assume responsibility for climate migrants, welcoming them into their territories and recognizing their fundamental rights through the signing of international conventions that provide for the definition of climate migrant and require all States to abide by determinations.

Establish an International Tribunal of Conscience to denounce, make visible, document, judge and punish violations of the rights of migrants, refugees and displaced persons within countries of origin, transit and destination, clearly identifying the responsibilities of States, companies and other agents.

Current funding directed toward developing countries for climate change and the proposal of the Copenhagen Accord are insignificant. In addition to Official Development Assistance and public sources, developed countries must commit to a new annual funding of at least 6% of GDP to tackle climate change in developing countries. This is viable considering that a similar amount is spent on national defense, and that 5 times more have been put forth to rescue failing banks and speculators, which raises serious questions about global priorities and political will. This funding should be direct and free of conditions, and should not interfere with the national sovereignty or self-

determination of the most affected communities and groups.

In view of the inefficiency of the current mechanism, a new funding mechanism should be established at the 2010 Climate Change Conference in Mexico, functioning under the authority of the Conference of the Parties (COP) under the United Nations Framework Convention on Climate Change and held accountable to it, with significant representation of developing countries, to ensure compliance with the funding commitments of Annex 1 countries.

It has been stated that developed countries significantly increased their emissions in the period from 1990 to 2007, despite having stated that the reduction would be substantially supported by market mechanisms.

The carbon market has become a lucrative business, commodifying our Mother Earth. It is therefore not an alternative for tackle climate change, as it loots and ravages the land, water, and even life itself.

The recent financial crisis has demonstrated that the market is incapable of regulating the financial system, which is fragile and uncertain due to speculation and the emergence of intermediary brokers. Therefore, it would be totally irresponsible to leave in their hands the care and protection of human existence and of our Mother Earth.

We consider inadmissible that current negotiations propose the creation of new mechanisms that extend and promote the carbon market, for existing mechanisms have not resolved the problem of climate change nor led to real and direct actions to reduce greenhouse gases. It is necessary to demand fulfillment of the commitments assumed by developed countries under the United Nations Framework Convention on Climate Change regarding development and technology transfer, and to reject the "technology showcase" proposed by developed countries that only markets technology. It is essential to establish guidelines in order to create a multilateral and multidisciplinary mechanism for participatory control, management, and evaluation of the exchange of technologies. These technologies must be useful, clean and socially sound. Likewise, it is fundamental to establish a fund for the financing and inventory of technologies that are appropriate and free of intellectual property rights. Patents, in particular, should move from the hands of private monopolies to the public domain in order to promote accessibility and low costs.

Knowledge is universal, and should for no reason be the object of private property or private use, nor should its application in the form of technology. Developed countries have a responsibility to share their technology with developing countries, to build research centers in developing countries for the creation of technologies and innovations, and defend and promote their development and application for "living well." The world must recover and re-learn ancestral principles and approaches from native peoples to stop the destruction of the planet, as well as promote ancestral practices, knowledge and spirituality to

recuperate the capacity for “living well” in harmony with Mother Earth.

Considering the lack of political will on the part of developed countries to effectively comply with commitments and obligations assumed under the United Nations Framework Convention on Climate Change and the Kyoto Protocol, and given the lack of a legal international organism to guard against and sanction climate and environmental crimes that violate the Rights of Mother Earth and humanity, we demand the creation of an International Climate and Environmental Justice Tribunal that has the legal capacity to prevent, judge and penalize States, industries and people that by commission or omission contaminate and provoke climate change.

Supporting States that present claims at the International Climate and Environmental Justice Tribunal against developed countries that fail to comply with commitments under the United Nations Framework Convention on Climate Change and the Kyoto Protocol including commitments to reduce greenhouse gases.

We urge peoples to propose and promote deep reform within the United Nations, so that all member States comply with the decisions of the International Climate and Environmental Justice Tribunal.

The future of humanity is in danger, and we cannot allow a group of leaders from developed countries to decide for all countries as they tried unsuccessfully to do at the Conference of the Parties in Copenhagen. This decision concerns us all. Thus, it is essential to carry out a global referendum or popular consultation on climate change in

which all are consulted regarding the following issues; the level of emission reductions on the part of developed countries and transnational corporations, financing to be offered by developed countries, the creation of an International Climate Justice Tribunal, the need for a Universal Declaration of the Rights of Mother Earth, and the need to change the current capitalist system. The process of a global referendum or popular consultation will depend on process of preparation that ensures the successful development of the same.

In order to coordinate our international action and implement the results of this “Accord of the Peoples,” we call for the building of a Global People’s Movement for Mother Earth, which should be based on the principles of complementarity and respect for the diversity of origin and visions among its members, constituting a broad and democratic space for coordination and joint worldwide actions.

To this end, we adopt the attached global plan of action so that in Mexico, the developed countries listed in Annex 1 respect the existing legal framework and reduce their greenhouse gases emissions by 50%, and that the different proposals contained in this Agreement are adopted.

Finally, we agree to undertake a Second World People’s Conference on Climate Change and the Rights of Mother Earth in 2011 as part of this process of building the Global People’s Movement for Mother Earth and reacting to the outcomes of the Climate Change Conference to be held at the end of this year in Cancun, Mexico.

CMPCC live from Cochabamba

April 21, 2010 in [Announcement](#) | Comments closed

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Climate Finance:

Document debated and approved in Conference on Climate Change

Document debated and approved in the working group on Climate Finance, during the World Conference of Peoples on Climate Change and the Rights of mother Earth

A. Financing Commitments under the UNFCCC

1. Developed country parties included in Annex 1 of the United Nations Framework Convention on Climate Change (UNFCCC) have committed to financing the costs incurred by developing country parties to cover the costs of mitigation, technology transfer and capacity building, including all adaptation costs. This financing constitutes an obligation in response to developed country parties historical emissions of greenhouse gases; and constitutes a part of reparations for their climate debt.
2. Developed country parties have failed to meet their climate finance commitments, in part because the current financing model - which includes both carbon markets and existing financial institutions outside the authority of the UNFCCC - is ineffective at meeting the needs of developing country parties to address climate change.
3. Under the UNFCCC climate finance must be new and additional to existing commitments to Overseas Development Assistance (ODA) toward the achievement of the Millennium Development Goals; however the vast majority of current climate finance by developed country parties is counted as both ODA and climate finance. This constitutes a double counting of financial assistance to developing country parties. In addition, this financing is channeled through financial institutions, the World Bank, and Regional Development Banks in the form of or attached to loans - even for adaptation, which increases the debt of developing country parties.
4. Financing for adaptation in developing countries must not be conditioned on mitigation actions.
5. All policy and program priorities, and eligibility criteria for funding must come from the parties to the UNFCCC.
6. Funding shall be available to all developing country parties without discrimination or conditionality, under the principles of common but differentiate responsibility and climate debt.
7. Financing must not undermine the sovereignty and self-determination of developing country parties. Financing must respond to country driven processes that involve communities in decision-making.

8. Funding priority must be given to those communities and countries most affected, that preserve nature, and that have contributed least to the emissions of greenhouse gases; and respond to the principles and provisions of the UNFCCC.

9. The outcome of the Ad Hoc Working Group on Long-term Cooperative Action at COP15 must be the basis for negotiations in Cancun (which continues the mandate established in the Bali Action Plan), and not the Copenhagen Accord, which is not a formal decision of the Conference of the Parties to the UNFCCC.

B. Scale and Sources of Financing for Climate Change

10. The scale of existing financial resources currently allocated to developing countries parties for addressing climate change plus the Copenhagen Accord proposal to mobilize (US\$10 billion per year between 2010 and 2012, and up to US\$100 billion by 2020 annually - which represents only 0.8% to 8% of developed countries' national defense budgets, respectively) is grossly inadequate.
11. Developed country parties must commit at least 6%^[1] of their annual GDP for climate finance in developing countries. The viability of mobilizing this amount of finance is evident - developed countries spend an equivalent amount each year on national defense. In addition, developed countries have mobilized trillions of dollars (equivalent to 5 times the 6% GDP proposed) to bail out failed banks and speculators. This is a question of political will, and the priority given to effectively combating climate change and protecting Mother Earth.
12. The finance required must be provided from public sources, and must be new and additional to ODA, to bilateral assistance, and to funds flowing outside the UNFCCC. Any funding provided outside the UNFCCC will not be regarded as meeting the commitments of developed country parties under the Convention.
13. The carbon market shall be eliminated as source of financing, because its capitalist logic promotes the paradox that those actors who will benefit most, are the same actors who have most harmed the environment. In addition, market mechanisms allow developed countries to

evade their commitments to reduce emissions, while at the same time benefitting economically from the climate crisis. Moreover, this model impedes the equitable distribution of resources, can not guarantee a predictability flow of resources at scale, nor the timely availability or direct access to financing for those most affected.

14. Financing for climate change must be delivered as grants, understood as a part of the reparations for climate debt between parties. Loans cannot be considered as fulfillment of financial commitments. In the same way climate financing does not signify a donor/recipient relationship between developed and developing countries.

15. All Annex 1 funding allocated to military purposes and subsidies for fossil fuel producers shall be redirected to climate change. C. Functions and Structure of the Financing Mechanisms 16. A new financial mechanism shall be established under the authority of the UNFCCC, replacing the Global Environment Facility and its intermediaries such as the World Bank and the Regional Development Banks.

17. This financial mechanism must be under the authority of, and accountable to, the COP of the UNFCCC. There must be equitable representation of developing countries in all decision-making and technical bodies, with specific representation of most affected countries. Affected communities, sectors, classes, women, social movements, and civil society groups must also be formally represented; not financial institutions.

18. The management and administration of the financial mechanism must be transparent, inclusive, participatory and democratic.

19. The financial mechanism must respect the sovereign control of each country to determine the definition, design, implementation of policy and programmatic approaches to climate change. In addition, the mechanism must uphold human rights, including economic, social, cultural and collective rights, and other rights enshrined in international covenants and agreements.

20. The financial mechanism must be an operational entity that ensures the flow of resources to developing countries to address climate change in a timely and efficient manner.

21. A system to monitor, report and verify the fulfillment of developed country financial commitments must be established. Information must be publicly disclosed, and allow for independent evaluation and systems for redress for civil society through the climate justice tribunal.

22. The financial mechanism shall be defined and approved at COP16, and be made operational at COP17. Until that time, climate financing for developing countries must be ensured and increased through greater fulfillment of existing commitments.

[1] Based on the most recent economic assessments (iisd, 2009; iied, 2009) and on the concept of reparations for climate debt.

"We demand the enforcement of the payment of climate debt"

Final documents debated and approved in the working group on Climate Debt, during the World Conference of Peoples on Climate change and the Rights of mother Earth.

CLIMATE DEBT CONCEPT

Climate debt is an obligation of compensation that is generated because of the damage done to Mother Earth by the irrational emissions of greenhouse gases. The primary responsible for these irrational emissions are the so-called "developed countries", inhabited by only 20% of the world population, and which emitted 75% of historical emissions of greenhouse gases.

These states, which stimulated the capitalist development model, are responsible for climate debt, but we shouldn't forget that within these states, there live poor and indigenous peoples which are also affected by this debt.

The most affected are the poorest developing countries, future generations and our Mother Earth. The colonization of atmospheric space has produced climate change, which poses a serious threat to the islands, coastal areas, glaciers in the Himalayas, the Andes and the mountains of the

world, the poles of the earth, hot regions like Africa, water sources, growing natural disaster-affected populations, plants and animals, and ecosystems in general, generating climate debt.

The UN Framework Convention on Climate Change recognizes that obligation by affirming that developed countries are historically responsible for those emissions, and in sustaining that they should take the initiative to combat climate change. This fact is expressed in the existence of the Kyoto Protocol, under which countries obligated to reduce greenhouse gases are the developed countries listed in Annex 1 of the Convention.

2. CLIMATE DEBT COMPONENTS

The responsibility for the climate debt of each developed country is established in relation to the level of emissions,

taking into account the historically emitted amount of tons of carbon per capita.

a-Emissions Debt We understand as the emissions debt the over-use of space atmospheric by greenhouse gases pollution by developed countries, taking into account the equal rights of all countries in the world to have access to the use and enjoyment of atmospheric space. Developed countries must compensate as follows:• They are required to reduce high concentrations of greenhouse gases they caused,• They also have to reduce their emissions and absorb greenhouse gases,• They must ensure a space for development for poor countries.We express our rejection of the fact that developed countries decide to choose freely how deep cuts they intend to do, as proposed in the Copenhagen Accord.

b-Development Debt

Developing countries are entitled to the same opportunities for development, to provide basic services to the entire population, and a degree of industrialization which allows the country's economic independence; But this development must not harm the environment and atmosphere. To achieve this development within a highly restricted access to the atmospheric space, they need access to all technologies -according to their worldview- for the development and funding required for its implementation.Among the technologies we require are: recycling of waste materials, improvement of traditional techniques with new technologies, access to clean energy sources – solar, wind and biogas digesters, forms of protection against natural disasters, research into vaccines and medicines enhanced by climate change, among others.

c- Adaptation Debt

The impacts of climate change make the rain lose its seasonality, loss of fresh water sources, increased hail, frost, droughts, floods. They decrease crop and livestock production. The population is suffering from an increase in various diseases.These impacts have many implications on economical and development level, wherefore those who caused the climate crisis have the responsibility to compensate all damages, through: investing (with funding and technology) in the prevention of major impacts, full compensation for the negative impacts that actually happen and compensating opportunity costs, which involve the deviation of development funds, among others.

d- Migration Debt

Due to climate impacts, millions of people find their own land uninhabitable, converting them into climate migrants. The compensation of the migration debt implies that the so called 'developed' countries must drop its restrictive migration policies, receiving them in their countries with dignity, and recognition of their human rights and cultural rights.

e- Debt to Mother Earth

The debt to Mother Earth is impossible to compensate completely, because the atrocities committed by humanity have been too terrible. However, the minimum compensa-

tion of this debt consists in:• In recognition of the damage done,• the restoration of harmony with Mother Earth• the adoption of the United Nations Declaration on the Mother Earth's Rights, to ensure that the same abuses will never be repeated in future.This is to ensure that capitalism and the drive for profit does not contravene the ultimate interests of Mother Earth and the peoples of the world.

3 .- HOW CAN DEBT BE COMPENSATED

Compensation for climate debt is to be done through multiple ways, which complement each other. Indispensable minimal elements are:

- The re-absorption and cleaning the atmosphere by developed countries
- Payment in technology (eliminating patents) and in knowledge according to our worldview for both clean development and for adaptation to developing countries• Financing,
- Changes in immigration laws that allow us to offer a new home for all climate migrants.
- The adoption of the Declaration on the Mother Earth's Rights.In addition we need to work on the structural causes that caused the climate debt, providing education for children, political awareness, and respect for Mother Earth.

Climate debt is part of a larger ecological debt, which in addition to gas emissions includes all environmental damages that were made in developing countries for the benefit of developed countries.

4 .- STRATEGIES TO ENSURE THE CLIMATE DEBT COMPENSATION

To ensure full compliance with the climate debt are needed:

- The establishment of an international body that determines the responsibilities of polluter countries
- The creation of an International Tribunal for Climate Justice, impartial, which has jurisdiction in cases of default of repayment of the debtTo encourage a research study the responsibilities of climate change, determining the climate debtTo promote international awareness that the fulfilment of the climate debt is an obligation on the part of developed countries, and is not aid granted us.

CONCLUSIONS

- We hold the capitalist system and the developed capitalist countries as the main cause of climate change generated climate debt
- From this pre-conference we demand the enforcement of the payment of climate debt
- We, who live in harmony with Mother Earth, and we are her main defenders; from here we call on all humanity to join the struggle for the preservation of life.

Final Conclusions working group 1: Structural Causes

April 30, 2010 in 01. Structural causes, Working Groups

We are faced with a profound structural crisis as a consequence of having reached the planet's limits. We are confronted with the terminal crisis of a patriarchal development model based in the slavery and destruction of human beings and nature. The climate crisis we live in isn't only a problem of rising atmospheric temperatures, but also the global destruction of conditions that make life possible on the planet and the harmonic relationship of humans with Mother Earth.

The looting/expropriation of the communal goods of all the peoples of the world was accelerated with the genocidal colonial expansion of capitalism more than 500 years ago. With the industrial revolution, a new jump in history occurred initiating a new production system of growth and overflowing global accumulation concentrated primarily in the most industrialized countries that have generated 75% of the cumulative greenhouse gas (GHG) emissions even though they represent only 20% of the world population.

This production pattern has led to the current climate crisis which translates into major effects primarily for countries in the global South^[1], with extreme climate events such as prolonged droughts, floods, etc.

The capitalist system has imposed on us an ideology of Progress and unlimited growth. This regime of production and consumption is guided by the search for maximum gain, forgetting completely the implications of an infinite growth pattern on a finite planet. This pattern of development has separated human beings from nature, establishing a rationale of domination over nature and leading to the destruction of nature.

This capitalist development model has created societies and ways of life that are incompatible with nature. Mother Earth is assumed to be a source of raw materials and human beings become a means for production and consumption. For this system, the logic of life is competition and the hunger for unlimited gain. The capitalist system turns everything into a commodity: water, earth, the human genome, ancestral cultures, biodiversity, justice, ethics, death and life itself. Everything must be extracted, transformed and consumed, thus negating the sacred character of nature. With this system, the spiritual relationship of the people with Mother Earth is broken.

The overexploitation and unequal appropriation of the planet's communal goods have benefited some sectors of the population to the detriment of others. For example, hundreds of millions of people lack access to clean water and other conditions for a dignified life, while others squander the abundance of communal goods and then profit from the shortage. This system has massacred and expelled the indigenous peoples and farmers from their

territories by taking control over their land, communal goods, germoplasm and ancestral knowledge.

Capitalism pretends to satisfy all the deficiencies and dissatisfactions of human beings through the consumption of things. The "first developed world" should be called instead the "hyper-consuming first world". For instance, the United States of America, because of its unlimited level of consumption, increased its GHG emissions by 16.8% during the period from 1990 to 2007. On average, this emits about 20 to 23 tons of CO₂ a year per person and represents more than 9 times the emissions of an inhabitant of the Third World, almost 8 times the emissions of a Latin-American and Caribbean per capita and more than 20 times the emissions of a person from Sub-Saharan Africa.

This capitalist logic places financial gain over people. Through commerce, the unlimited consumer identity is created and new patterns of consumption are established so that people are valued more by what they have than by who they are. For this system, profit and profitability are placed above everything else and the rights to access and the efficiency of basic services for the people are converted into commerce. Gain requires more gain.

Corporations and the governments of the most dominant developed countries, in complicity with a part of the scientific community, have shaped the climate change discussion as a problem of temperature increase, posing to us technical and commercial solutions that don't question the justification behind this type of production and development.

Today, "climate change" has become a business for the capitalist system. Governments and "developed" countries are promising so-called "green" reforms of the system. These mechanisms of technological innovation are directed by the creation of new sources of investment and business under the pretext that this technology will resolve the climate crisis. What these solutions really do is exacerbate the problems we face. These false solutions, called Clean Development Mechanisms (CDM), leave the responsibility of caring for the planet to the global South without taking on any real responsibility themselves.

The corporate pattern of production, distribution, wastefulness and consumption of food and all the mechanisms of agribusiness (factory farming of animals, monoculture, genetically modified foods, nanotechnologies, pesticides, biofuels, etc.) aren't just destroying the sustainable production of food, farm production and food sovereignty. They are also one of the fundamental causes of the destruction process of nature (CO₂ emissions, methane, nitrous oxide, deforestation, contamination of soil and overuse and contamination of the waters, etc.).

The political, economic, military and communications power structure, along with the current legal-institutional administration, legitimize, promote and deepen destructive ideologies. Current international financial and commercial institutions (WB, IMF, IDB, WTO and others) with their rules, regulations and secured funding systematically impose predatory growth. Mainstream media and the culture industry promote individualism and irrational and unsustainable consumerism, and help cement them as the only possible way to exist. These tendencies have been accentuated during the last decades of neoliberal globalization, free trade and the increased use of monoculture and extractivism. We are in the presence of an imperialistic system of re-colonialization of the planet.

Capitalism responds through militarization, repression and war to the resistance of the people. It requires a potent military industry, the militarization of societies and war as conditions necessary for its process of accumulation as well as for its control over territories, mineral and energy resources, and to suppress the struggles of the people. Wars, through their direct impact on the environment (massive consumption of combustible fossil fuels, oil spills, GHG emissions, impoverished uranium contamination, white phosphorus, etc.) have become one of the primary destroyers of Mother Earth.

The battle against global warming is not only about the urgent transformation of production and consumption, it is also a strong fight against paradigms and hegemonic models of colonial and Eurocentric knowledge. These hegemonic forms of knowledge and subjectivity are firmly instilled in education systems all over the world. Cultural patterns, personal opinions and the aspirations of the planet's populations have been greatly penetrated by the values of the individualistic capitalist consumer identity. Changes in production have to be

accompanied by a profound cultural revolution that alters current hegemonic behavioral patterns, strengthening other world visions of life like "Living Well" or "el buen vivir", which are in harmony with Pachamama.

What has failed is the model of trying to live as "a better consumer every time", of development without brakes, of unlimited industrialization, of modernity that scorns history, of cultures and the knowledge of others, of life based on the increasing accumulation of material things at the cost of others and of nature.

Capitalism as a patriarchal system of endless growth is incompatible with life on this finite planet. For the planet, every alternative for life must necessarily be anticapitalist. But not only this, it must be more than anticapitalist. The Soviet experience has shown us that a predatory production system with devastating conditions that make life similar to that of capitalism was possible with other ownership relationships. The alternatives must lead to a profound transformation of civilization. Without this profound transformation, it will not be possible to continue life on planet Earth. Humanity is faced with a huge dilemma: continue down the road of capitalism, patriarchy, Progress and death, or embark on the path of harmony with nature and respect for life.

Cochabamba, Tiquipaya, April 2010

[1] Global South: A geopolitical and cultural concept, not a geographic one, that describes human groups as having historically been confined to greater economic and environmental vulnerability than other human groups.

<http://pwccc.wordpress.com/2010/04/30/final-conclusions-working-group-1-structural-causes/#more-1775>

Final Conclusions working group 2: Harmony with Nature to Live Well

April 30, 2010 in [02. Harmony with Nature, Working Groups](#) | [1 comment](#)

The need for a new system

1. The model of capitalist development is a threat to life because it prioritizes consumerism and the generation of profits over common well-being and the satisfaction of basic needs, denying the interconnection that exists between human life and nature. This anthropocentric model based on the private accumulation of wealth and maximization of economic growth generates inequality, poverty, exclusion, and environmental destruction. It is a model that destroys communities as well as nature.

Principles of a new system

2. Given that capitalism is a threat to life itself, it is necessary to forge a new system that reestablishes harmony with nature and among human beings based on the principles of: equilibrium among all and with all things, complementarity, solidarity, equity, justice, collective consciousness, and respect for diversity and spirituality.

3. A new system should recognize that human beings are part of nature, that nature does not belong to us, and that we are interdependent with nature. In this sense, we must view respect for human rights and the Rights of Mother Earth as articulated, complementary, and reciprocal processes.

4. To achieve harmony with nature requires the recuperation and revalorization of the various forms of knowledge, ancestral technologies, and local systems of production, distribution, and consumption that promote the maintenance of the regenerative capacity of nature, as well as the fundamental principle of equality and peace between diverse peoples and living things based on the notion of Mother Earth as an integral entity.

5. Harmony with nature is not possible if equality does not exist between human beings, between communities, nations, and the environment. This means leaving aside capitalism, imperialism, colonialism, interventionism, and the predatory practices that have brought us to a situation in which one percent of the possibility controls 50% of wealth, and 20 percent of the population consumes 80% of the total resources.

Unlimited development versus harmony with nature

6. The division of the globe into “developed” and “developing” or even “under-developed” countries reflects paradigms that have now been relegated to history. Today, in the face of climate change and the persistent degradation of the environment, our principal need is to strengthen communities and recognize human beings for what they are, not what they have. This should occur in the context of the recuperation and revalorization of the history of humanity and our indigenous roots.

7. To achieve harmony with nature, peoples and their governments must demonstrate sufficient capacity, conscience, and political will to govern with a non-anthropocentric mindset that emphasizes life, thus eliminating predatory practices and replacing them with a vision of life in communion with nature. To achieve this, it is necessary to promote unity among the peoples of the planet so that all might watch over Mother Earth and life in harmony with nature.

8. Governments must generate investment and support for new and existing sustainable technologies and the recuperation of ancestral technologies, which transform the processes leading to the satisfaction of real human needs, adapting them to a framework of harmony with nature at a global level, and especially at the local level, in which environmental problems and the impacts of climate change primarily affect the most vulnerable populations. To achieve this, it is important to recognize the plurality of forms of knowledge and ancestral practices, and transform scientific paradigms based on control over nature toward paradigms oriented toward equilibrium with nature.

9. Because the Mother Earth is a living entity and subject to rights, Living Well requires the protection and restoration of the integrity of the ecosystems in order to Live Well, as well of the recognition of the existence of universal natural patrimonies such as the atmosphere, water, biodiversity, soil, subsoil, and the land, which should be respected and used appropriately, rather than seen as objects of merchandise. Living Well depends also on the satisfaction of basic, fundamental needs through equitable access to basic services such as water, sanitation, housing and knowledge, which should be under the control of society and never be privatized, with constant attention to equilibrium and respect for nature.

10. A new system requires action; a change of mindset and the consumerist practices of human beings, as well as the construction of a collective, critical consciousness based on a continual questioning of daily actions so that there may be adequate, balanced, and respectful use of the spaces and the universal natural patrimonies that belong to us all. For this to occur, we must sensitize, educate and teach everyone using new educational systems and new media that are based on the principle of harmony with nature to Live Well and the need to care for the spaces in which we live, including communities, countries, and the planet.

11. The construction of new paradigms such as Living Well and new forms of harmony with nature requires the examination of different forms of wisdom and experiences, and a collective evaluation of current realities using new indicators that allow us to measure the impact

of human activity on the planet. These indicators should permit not just knowledge of the present situation, but also serve as a basis for the application of new laws that permit the application of environmental and climate justice. These indicators may include the ecological footprint and the Human Development Index (HDI), as well as others based on ethical principles and Living Well.

12. Faced with the reality that the Earth's regenerative capacity has now been exceeded by more than 30% and that the current rate of over-exploitation, if continued, would require the resources of two planets by the year 2030, it is essential to generate a new model that is not one of unlimited and destructive development. Recognizing that countries require a certain level of development to satisfy the fundamental necessities of their populations, and that this should involve the use of Earth-friendly technologies, alternatives based on ancestral practices,

and endogenous development, a new model of harmony with nature can in no way be achieved if countries sustain the predatory capitalist paradigm that has caused the richest nations to have an ecological footprint five times larger than what the planet is capable of supporting. This situation jeopardizes the existence of Mother Earth and the survival and well-being of all peoples.

Cochabamba, Bolivia, April 21, 2010

Possibly related posts: (automatically generated)

- [**Pre-conference of the indigenous native peasants and social organizations o...**](#)
- [**Working Group 2: Harmony With Nature**](#)
- [**Eduardo Galleano welcomes historic first World People's Summit in Cochabamba**](#)

Working Group 2: Harmony With Nature

April 16, 2010 in [02. Harmony with Nature, Working Groups](#)

Recognizing that we are the children and not the owners of Mother Earth, and reasserting the principle of community, understood as unity among all living things, we declare:

- To achieve harmony with nature, we must put into practice the principles of reciprocity, complementarity, mutual respect for the sovereignty of our nations, justice, equality, and respect for cultural diversity.
- To achieve harmony with nature it is necessary to respect and ensure respect for the cycles of Mother Earth and the cosmos; and respect people's socio-economic and cultural systems in which common respect prevails. This harmony will be achieved through sensibility, creativity, and conscience.
- To achieve harmony with nature and to help restore the equilibrium of Mother Earth, it is necessary to overturn anthropocentric paradigms, eradicating the capitalist model in order to create a world without imperialism, colonialism, and consumerism.
- To achieve harmony among human beings, Mother Earth, and the cosmos, we recognize that each has equal rights that must be mutually balanced.
- Harmony with nature is not possible unless equity without exclusion and relations without hierarchies exist among all living beings who reside on Mother Earth.

- Recognizing the existence of basic services and Common Resources (atmosphere, water, biodiversity, knowledge, wisdom) within Mother Earth and the Universe; they should be respected, negotiated and handled in an appropriate way, without being commodified, in order for all to benefit in a balanced and fair manner.
- We respect and to give value to human beings for who they are, not what they have; respecting similarities, differences and cultural diversity.
- We revive the value of ancestral agricultural systems and technologies based upon common wisdom, respecting the cycles of nature and the cosmos; recovering traditional practices to Live Well.
- We recognize the diversity of all the ancestral indigenous people as a wealth and strength to recover Harmony with Nature.
- We demand that governments legally recognize the responsibility of the people of the world to care for Mother Earth within their corresponding territories.
- Mother Earth gives life, sustaining us and all living things, satisfying our needs, guaranteeing food sovereignty and security. We should not abuse her kindness, nor should we consider her as a resource to exploit or commodify, because she is part of our life.

Working Group 3: Mother Earth Rights

April 16, 2010 in 03. Mother Earth Rights, Working Groups

PRE CONFERENCE OF THE INDIGENOUS PEOPLES AND SOCIAL ORGANIZATIONS IN BOLIVIA ON CLIMATE CHANGE AND MOTHER EARTH'S RIGHTS

(Cochabamba, 29 and 30 March 2010)

The representatives of the following organizations: Confederación Sindical Única de Trabajadores Campesinos de Bolivia (CSUTCB), Confederación Nacional de Mujeres Campesinas Indígenas Originarias de Bolivia "Bartolina Sisa", (CNMCIOS "BS"), Consejo Nacional de Ayllus y Markas del Qollasuyo (CONAMAQ), Confederación de Pueblos Indígenas de Bolivia (CIDOB), Confederación Sindical de Comunidades Interculturales de Bolivia (CSCIB), Central Obrera Boliviana (COB), and other participants of Subgroup 3: MOTHER EARTH'S RIGHTS

Mother Earth being a living being, of which all life forms, both animate and inanimate are part, and aware of its benefits for living well-in good health-, we assume the responsibility and the generational role in cultivating balance and harmony in our lives and with our Mother Earth.

We call the world to regain our ancestral spiritual essence and raise community and universal awareness, practicing and generating:

- Acknowledgement and respect for Mother Earth's rights
- Actions in daily community life, in balance and harmony with Mother Earth
- The recovery of our Mother Earth's health for humanity, practicing the health principles and values of our ancestral peoples and putting into practice ancestral actions acknowledging and respecting our own forms of living, forms characteristic of the indigenous peoples, with respect to Mother Earth.
- Daily ancestral actions recognizing each other as brothers and sisters and acknowledging the duty to take care of Mother Earth in order to live well.

We put forward the following Draft Universal Declaration of Mother Earth's Rights, for the peoples, nations, States and governments in the whole world:

Preamble

We, the peoples and nations of the world:

Considering that all and everyone is part of a system and a community that is interdependent and interrelated;

Gratefully acknowledging that Mother Earth gives us life, nourishes and teaches us and provides us with all that we need to live well

Convinced that Mother Earth is an indivisible community of diverse and interdependent beings with whom the peoples and nations of the world share a common destiny;

Recognizing that human beings under the capitalist system of predation, exploitation, abuse and pollution of Mother Earth have caused great destruction, degradation and distur-

bance of harmony with nature by putting at risk LIFE as we know it, as a result of phenomena such as climate change;

Convinced that in an interdependent system it is not possible to acknowledge the rights of the human part only without provoking imbalances in the whole system;

Noting that in order to guarantee human rights it is necessary to recognize and guarantee the rights of Mother Earth and reestablish harmony with nature;

The General Assembly proclaims this Universal Declaration of Mother Earth's Rights as a common purpose that requires the endeavors of all peoples and nations of the world, regardless of their economic, social, religious and cultural rights must, so that both individuals and institutions, constantly being inspired by it, can promote, through teaching and creating awareness, respect for these rights and for them to guarantee, through measures and progressive mechanisms of national and international recognition, their universal and effective application, among peoples and nations of the Member States.

Article 1

Mother earth is a living system.

Mother Earth articulates everything to reproduce life. Mother Earth is an indivisible, self-regulated community of interrelated beings that are defined by their relationship with the system as a whole.

The fundamental rights of Mother Earth derive from the same source of existence and are inherent to all beings, and are therefore inalienable and unfringeable.

All the components that integrate the Mother Earth system have the right to all fundamental rights acknowledged in this Declaration, without any kind of distinction, or discrimination such as organic and inorganic beings, species, origin, use for human beings, or any other condition.

Just as human beings have rights, all the components of Mother Earth also have rights that are specific for their condition and appropriate for their role and function within the systems in which they exist.

The rights of each part of the system are limited by the rights of other parts as far as what is necessary to maintain integrity, balance and the health of the system they share.

FUNDAMENTAL RIGHTS OF MOTHER EARTH

Article 2

Right to life.

Article 3

Right to be respected, preserved, protected and looked after.

Article 4

Right to the regeneration of its biocapacity and the continuation of its cycles, structures and vital processes. Right to the respect of its essential processes. Each organism, according to its nature, has a place and a fundamental role in nature that must be respected for the adequate functioning of the system.

Article 5

Right to maintain their identity and integrity as differentiated, self-regulated and interrelated entities.

Article 6

Right to water as source of life.

Article 7

Right to clean air.

Article 8

Right to integral health.

Article 9

Right not to be contaminated, to be free of pollution, toxic and radioactive waste, not to be genetically altered and modified in its structure threatening its integrity or vital and healthy functioning.

Article 10

Right not to suffer destruction provoked by war and nuclear and chemical weapons.

Article 11

Right to life in harmony. Mother Earth and everyone that integrates her must live in balance with one another according to their nature.

Article 12

Right to fair repair for the infringements of human beings of her rights acknowledged in this Declaration.

II

FUNDAMENTAL DUTIES AND OBLIGATIONS OF HUMAN BEINGS OWED TO MOTHER EARTH

Article 13

Human beings and States have the responsibility of preventing from infringement of this Declaration and must:

1. promote the acknowledgement, application and execution of the rights and obligations established in this Declaration;
2. not affect the rights of Mother Earth through human actions;
3. ensure that the search of human well being contributes to the well being of Mother Earth, now and in the future;

4. elaboration and effective application of norms and laws for the defense, protection and preservation of Mother Earth;
5. protect, restore and preserve the integrity of ecological systems;
6. have the obligation not to cause damaging interruptions for the cycles, processes and vital ecological balances, that compromise genetic viability and continues survival of the species;
7. guarantee that the damages cause by human infringements of the fundamental rights in this Declaration can be rectified and that those responsible account for the restoration and preservation of the integrity and healthy functioning of the affected parts of Mother Earth as a whole;
8. allow and guarantee the right of people to defend the rights of Mother Earth and her different components.
9. guarantee the measure of precaution and restriction of activities that may lead to the extinction of species, destruction of ecosystems or permanent alteration of natural cycles;
10. promote production, protection and consumption systems in harmony with Mother Earth for living well;
11. guarantee peace to preserve the integrity of nature and balance with Mother Earth;
12. balanced, responsible management and no overexploitation of natural resources;
13. promote and receive integral education with regards to Mother Earth and how to live in accordance with this Declaration;
14. express acknowledgement of Mother Earth in accordance with their ways and means.
15. guarantee the well being of every living being, regardless of their species as well as the right to live free of torture, cruelty and/or punishment.

Article 14

Nothing in this Declaration may be interpreted in a way as to derogate from the acknowledgement of other fundamental rights, liberties and duties of all beings or any being in particular.

Possibly related posts: (automatically generated)

- [Proposal Universal Declaration of the Rights of Mother Earth](#)
- [Sign Up for Working Groups](#)
- [DRAFT UNIVERSAL DECLARATION OF THE RIGHTS OF MOTHER EARTH](#)
- [Rochelle Vicencio, Blog 5, Section A1](#)

Final Conclusions working group 4: Referendum on Climate Change

April 30, 2010 in [04. Referendum, Working Groups](#)

Need for a Global Referendum, plebiscite or popular consultation

Negotiations on Climate Change developed in Copenhagen showed that the representatives of developed countries seek to attribute the decision-making and the imposition of the same to all peoples, governments and countries on the planet without consultation of decisions that affect Mother Earth and the future of humanity, forgetting that the planet and its destination are not the exclusive property of a group of governments or international institutions. On the assumption that the human being is the brother who has the power to watch over other beings that are part of Mother Earth, its ability to affect compliance with the relationship we have with Mother Earth and its possibility to generate opportunities for discussion that enable the implementation of activities and actions to preserve that relationship, it must have the possibility to demonstrate by direct feedback, by making decisions and establishing lines of action for each government to generate rights to restore harmony with our Mother Earth.

It has been determined the existence of a consensus to pursue a world referendum, plebiscite or referendum, taking into account the realities of each country or region in favor of Mother Earth

Questions designed for the World Referendum, Plebiscite or Popular Consultation

In order to carry out the World Referendum, plebiscite or popular consultation, which will restore the relationship between Mother Earth and its inhabitants, the WPCCC suggests the following questions, knowing that the same should be put into consideration of the inhabitants of the planet through National Committees:

1. Do you agree to change the capitalist model of over-production and overconsumption and to restore harmony with nature, recognizing and respecting the rights of Mother Earth?
2. Do you agree that the countries and transnational corporations reabsorb and reduce its production of greenhouse gases in proportion to their historical responsibilities for emissions and to slow down global warming?
3. Do you agree to transfer all that is spent in wars and allocate it a higher budget in defense of Mother Earth?
4. Do you agree that our countries become territories of peace free of occupation of troops and foreign military bases?
5. Do you agree with the establishment of a Climate and Environmental Justice Tribunal to judge those who destroy Mother Earth?

When to develop the Global Referendum, Plebiscite or Popular Consultation

The referendum, plebiscite or referendum:

- To be announced on April 22nd, 2010, the day of Mother Earth, the possibility of global vote after the International Committee and National Committees ensures success in this development must be left open.

Mechanisms to develop the referendum, plebiscite or referendum

It supports the creation of an International Committee, respecting the establishment and empowerment of the National Committees, to address the referendum.

The method of voting can be developed through:

The creation on an International Committee is supported in order to carry out the Referendum, whilst respecting the conformation and autonomy of the National Committees.

The way of voting can be developed as following:

- The referendum will be officially developed in countries where it has the support of national governments and in countries where this is not possible it will be conducted by social organizations, student unions, social networks and other civil society organisms, in the form of a plebiscite or referendum.
- The voting forms will be defined by the National Committees according to the uses and customs

Commitments

- Those present are committed to promote the creation of national committees with greater involvement of organizations of each country to potentiate the actions of the Referendum, plebiscite or Popular Consultation through pedagogical processes for policy discussions and actions defined by this popular Conference.

Possibly related posts: (automatically generated)

- [**Pre-conference of the indigenous native peasants and social organizations o...**](#)
- [**Working Group 16: Strategies of Action**](#)
- [**Pre-conference of the indigenous peoples and social organizations in Bolivi...**](#)

Final Conclusions working group 5: Climate Justice Tribunal

April 30, 2010 in [05. Climate Justice Tribunal](#), [Working Groups](#) | [Leave a comment](#)

The peoples of the world have gathered at the World People's Conference on Climate Change and the Rights of Mother Earth in the city of Cochabamba, Bolivia, from 19 to 22 April, 2010. We, the Working Group of the Tribunal for Climate Justice, have made the following conclusions: [Read the rest of this entry »](#)

Working Group 5: Climate Justice Tribunal

April 16, 2010 in [05. Climate Justice Tribunal](#), [Working Groups](#) | [1 comment](#)

As Indigenous Organizations and social movements we have met in the context of the PRE CONFERENCE OF INDIGENOUS PEOPLES AND SOCIAL ORGANIZATIONS, held in the city of Cochabamba from the 29th and to the 30th of March 2010, and we have constituted as the Working Group N° 5 of Climate Justice Tribunal.

Facing the absence of an international legal framework to criminalize and punish all those crimes and climate crimes that attempt against the rights of Mother Earth and humanity, as indigenous peoples and social organizations of Bolivia, we demand the establishment of a Climate Justice Tribunal that has the binding capacity to judge and punish those states and companies that pollute and cause climate change.

We urge peoples to promote a profound transformation of the United Nations Organization (UNO), so that all member states are under the same conditions in order to exert the establishment of a Climate Justice Tribunal from this multilateral organism.

As a short-term strategy indigenous peoples and social organizations demand the extension of the International Criminal Court functions to charge, prosecute and punish climate crimes against Mother Earth and humanity, considered as crimes against humanity, therefore to condemn genocide for climate actions.

ENVIRONMENTAL COURT

April 16, 2010 in [05. Climate Justice Tribunal](#), [Press](#), [Working Groups](#) | [3 comments](#)

The case for the Environmental Court:

Dear activists, esteemed delegates, panelists and participants,

"The promotion, development and determination of international Environmental Law is based on the recognition that the principal causes and effects of the world's major environmental problems are international in nature and so

We demand the compliance of commitments undertaken by States under the UN Convention on Climate Change and the Kyoto Protocol.

As a means of strategy, we call on the peoples of the world to take into account existing legal mechanisms in their countries, to prosecute and punish those who attempt against Mother Earth and humanity, through actions or omissions that exacerbate climate change impacts.

The climate justice tribunal should become an instance that requires compliance with the historical climate debt payment, and forces the restitution of damages to Mother Earth and humanity, rejecting carbon credits as a compensation of climate debt.

We call the peoples of the world to join the struggle and mobilization for the consolidation of an Ethical International Tribunal of the Peoples on Climate Justice.

We support the call of the Plurinational State of Bolivia's President Juan Evo Morales Ayma, to build the Union of Indigenous Peoples and the Peoples of the World as a Multilateral International Organism.

We ratify the establishment of a binding Climate Justice Tribunal to prosecute and punish those responsible for climate change, and we call upon the peoples of the world to support its creation.

require solutions which are also international and based on an equitable sense of Justice for all.

Environmental Cooperation among the nations of this earth and the multinational institutions, can only be achieved if there is an inherent Justice in the centre of any response and a high regard for human rights as the over-

riding concern and main principle of the global response to Climate Change.”

Pano Krokos. Chairman – Environmental Parliament **COP15 and going on COP16 ad infinitum...**

Treaties, and agreements and rounds of negotiated settlements related to the Environment and Climate Change, must have a proper venue and a way for adjudicating the differences, arbitrating disputes and delivering justice and a constant defense of human rights.

Therein lays the need for an Environmental Court.

Anthony Giddens said that the current imbalance between global interdependence and global inter-governance led him to support the view that a new institution, namely an Environment Court is required, to enforce international environmental treaties.

Today it is the United Nations that acts like a Legislative Body in this set of agreements with the Executive branch being all the individual countries' governments acting uniquely and collectively.

Whether as a single national entity or within multinational alliances and trade blocks and as a part of a regional system – nation states execute their own self determining policies.

And today it is still the UN that sits in judgment even though its key members have a veto power over any and all issues. An obvious conflict of interest when open Justice is needed.

The UN is heavily polarized and its services burdened. Unfettered and blind justice cannot be delivered by the UN for the environment as hasn't been delivered for other lesser issues of national security and wartime conflicts or sovereignty disputes. The UN proper with its exclusive and self serving – Veto powers enhanced – Security Council cannot act as a court for the Environment. Because these five members of the Security Council all have many client states and the power of Veto to thwart discussion, let alone decisions they simply don't like.

The necessary Justice acceptable to the ones most vulnerable to the whims of the mighty ones (Usually the most responsible ones) could never get delivered this way.

Still the Security Council acts today like the last court of Appeal and as the Supreme Court in these International disputes without neither a mandate nor a brief to resolve any of these.

Further, it is the triangulation and the separation of executive, legislative and judicial powers into three poles of equilibrium and equitable powers that allows a functioning global balance to succeed in helping sort out the Human Rights issues and Justice stemming out of a warming and changing Climate and the stresses human and anthropogenic effects place on the Environment.

The Environmental Parliament has started the Environmental Court as an international body of law, administration and resolution of disputes and arbitration; similar to the International Court of Justice in Hague; to be the supreme legal authority on issues regarding the environment, climate and attendant human rights and justice.

Multiple and often conflicting actions by governments to create, negotiate and agree on treaties that reduce environmental damage and climate change, should be underpinned by an established, mandated court that provides access to justice in cases where biosphere, biodiversity, agriculture, fresh water access, habitats, livelihoods and health have been impaired.

Environmental degradation, Climate change adaptation and mitigation, financial obligations stemming from the ones most responsible to the ones most vulnerable, treaty adjudication, corporate arbitration and international as well as intranational conflict resolution stemming from shared resources and environmental agreement enforcement and the climate forcings are a new area of the law. Because of this, a new institution is needed.

The Environmental Court would exclusively sit, listen and adjudicate disputes arising out of the United Nations environmental treaties. Treaties like the Convention on Biological Diversity and its Framework Convention on Climate Change (circa 1992).

As a matter of fact the first role of the Environmental Court as the new body of Law administration and dispute resolution, would be to focus on maintaining the voluntary arbitration of issues facing us from the observance – or not – of the Kyoto protocol principles and the behavior of its participants. Secondly it is to strengthen, the successor agreements by focusing on voluntary arbitration, and enforcement of the international agreements on cutting greenhouse gas emissions agreed upon by the nations, signatories of the Copenhagen Accord effected last December and being collectively signed on this year.

But the court would also fine countries or companies that fail to protect endangered species or degrade the natural environment and enforce the “right to a healthy environment”.

It will also hear cases of Geo Engineering and Climate Engineering and decide the parameters that such experiments and potentially hostile to some people actions can be enjoyed or prevented. This based on need, demand and scientific merit alone and in an effort to protect the Peace of the global community.

First it was the Environmental Parliament that agreed to examine the concept and held meetings on the merits and demerits of the idea in 2007. And in the 2008 year the decision was taken to start the process. The innovative idea for the EC was presented first to an audience of politicians, scientists and public figures for the first time at a symposium at the British Library and then at the London School of Economics in 2007 and in 2008 respectively.

The Environmental Parliament held a series of meetings at the Old Building and in the Founders Room at the Shaw library of the London School of Economics over a space of a year to fine tune the details and objectives of an Environmental Court. A British High Court judge said that the threat of climate change means it is more important than ever for the law to protect the environment.

The UN Climate Change Conference in Copenhagen last year, led to a new agreement to replace the Kyoto Proto-

col. The signatories to the Copenhagen Accord are now almost 90 countries and rising. Developed countries are expected to commit to cutting emissions drastically, while developing countries agree to halt deforestation and although this isn't yet a legally binding treaty, the end result is a legal agreement far stronger than Kyoto or even the STAR treaties.

Gordon Brown, the UK's Prime Minister, has agreed to the creation of an Environmental Court and it will be taken into account when considering how to make these international agreements on climate change, as binding and legal treaties. The Environmental Court is also backed by a number of English MPs, climate change experts and public figures and climate campaign organizations and activists in both the United Kingdom and abroad.

A pre-agreed tariff of sanctions and penalties imposed by any Environmental Court would assist consensus where the court found that compensation should be levied. And, as the case might be, if an NGO would seek to establish that a government had breached environmental law – only the Environmental Court could call (and be heard) for an explanation – and eventually it could adjudicate the dispute.

An Environmental court will be needed to enforce and regulate any agreement. The time is now ripe to set this up and get it going. Its remit will be overall climate change and the need for better regulation of carbon emissions but at the same time the implementation and enforcement of international environmental agreements and instruments.

"As well as providing resolution between states, the court will also be useful for multinational businesses in ensuring environmental laws are kept to in every country. The court would include a convention on the right to a healthy environment and provide a higher body for individuals or non-governmental organizations to protest against an environmental injustice."

The court may be able to fine businesses or states but its main role will be in making "declaratory rulings" that influence and embarrass countries into upholding the law.

Of course regulations and sanctions alone cannot deliver a global solution to problems of climate change, but without such components the incentive for individual countries to address those problems – and to achieve solutions that are politically acceptable within their own jurisdictions – will be much reduced.

The court would be led by experienced judges, climate change expert scientists and publicly acceptable Environmental thinkers from all of the world's community. Its veracity will be tested with people from all nations represented within. It would also include a world consultative scientific body to consider evidence and provide access to any data on the environment, similarly made up of people from all nations. Any country that signs on to it will be represented.

Most importantly, an environment court would influence public opinion which in turn would force Governments to take the environment seriously.

"After all, if there are legal Environment Court bodies around that can give definitive legal rulings that are accepted as fair and reasonable; that has its own impact on public opinion" Mr Brown said.

Also many NGOs and civil society organizations and chapters of Greenpeace, EP, Climate Camp, Friends of the Earth and many others.

This as well as the many country leaders like Prime Minister Gordon Brown, the President of the European Council, Herman Van Rompuy and the President of the European Commission, José Manuel Barroso and President Evo Morales and others welcomed the idea.

A spokesman for FoE said: "We think any institution that is going to promote and help people enforce their right to a clean and healthy environment is a good thing."

UN COP OUT?

The UN has been a constant scene of inability to deal with the vast Climate Issues.

COP15 was a total Cop out

Global skepticism and fears of unilateral climate engineering is growing.

Need for an institution to address these is eminent.

Geo Engineering is opening up wide the Pandora's Box for all winds and ghosts to come hurtling out at us and our children.

Yet Geo engineering is where the people in power seem to be pointing their fingers at far more easily than they would administer a potentially lethal vaccine to their own child.

If one looks at such options more closely, all sorts of possible barriers begin to appear. I am at work on two publications that will explore the reasoning behind this more sanguine view of the world politics of Climate Engineering.

Geo Engineering types and the Nuclear lobby have re-branded themselves as Climate Engineering. Hoping that the new name might obfuscate their track record of being the proponents of blowing up nuclear bombs in the atmosphere to stimulate nuclear winter as a method to prevent global warming.

They are the Dr Strangeloves of the: "Head hurts – Cut head" garden variety of science pests. They are the fire and brimstone and nuclear bombs – kind of engineers – scientists with a huge dose of Asperger's syndrome illness. So the Security Council or better yet the Environment Court needs to look at those follies with a critical eye before it all goes out of control as it is poised to do so momentarily...

As to the Security Council, if a state wanted to appeal to that body in order to halt let's say a Geo engineering effort – by a neighboring country that is harmful – it could do so. Assuming that the state initiating the Climate Engineering was a Security Council member, or was a client

state of one, when push came to shove, that member would have a veto option. SO no decision would be even discussed let alone taken to bring the Geo Engineering perpetrator to justice. Because of that, I am sure nobody thinks that the UN's Security Council offers much of a restraint for errant governments with extra nukes to burn up the atmosphere...

The more basic point is that international regimes like the UN Security Council are not quasi-governments designed to thwart the plans of the great powers; rather, they are created by those powers as structures within which they can bargain with each other. An efficient structure would include all the states with power over the actions in question; the voting rules would reflect the extant distribution of power, and members would have incentives to practice straight dealing.

That the lion shall lie down with the lamb or the meek inherit the Earth are neither likely results nor even agenda items – although there may be reasons to list them as such for appearances' sake.

Or, alternatively, having the Security Council approve of the actions of the committee/commission that supposedly looks at things with a disinterested eye is another failed front. The defenses against Geo and Climate engineering would be even less effective since the climate engineering does not require hard decisions about the economics for the affected parties today. One of my reasons for coming back to the UN is that so many of the Geo-engineering, proponents and corporations and militaries or even Defense departments, that have gotten in this easy circus act, always bring up the unilateral/war scenarios that are likely to erupt for a variety of reasons. And knowing that the UN Security Council is a supportive mechanism of the great powers – they rest assured of indecision – and therefore no blocking action against their potentially very harmful or even devastating schemes.

And even with an Environmental Court, if another nation or NGO wanted to complain about the use of climate engineering, the Security Council would be the final authority. If there is time for sanctions for Serbia, there is time for something this important, if it should ever come up in the first place.

In setting up an international regime, it is often a good idea to make the formal legal structure match as closely as possible the relevant de facto power structures. The UN Security Council has some of the states that are likely to be major actors with regard to Climate Engineering {CE}, but it does not include others – Brazil, India, and Japan that could have Geo Engineering and Climate Engineering capacity but not the requisite says so at the UN. The rotating members broaden the base, but erratically. The Security Council vote weighting system is clearly very crude, and it may be poorly suited to many of the kinds of issues that might arise in managing Geo Engineering; further, the Security Council is a busy place. Do they have the agenda space for an issue like Climate Engineering? I think not. Finally, once something falls into the UN's purview, can it be safely insulated from encroachment by the General Assembly? If it could not be,

Climate Engineering, might become subject to the same lack of transparency that was evident at Bali and Copenhagen.

I think that, despite the UN's patent defects, something useful might still be done under its aegis, or at least believe that UN involvement is inevitable. The UN procedures and its judgments may be right, but the above cited problems are major; therefore, if there is a way to avoid UN involvement, I suspect that doing so would offer a large upside for any Climate Justice administration. That so astute and practiced a diplomat as Ambassador Benedict urges this course of the Environment Court, reinforces my belief in it.

And following along the lines set forth by the Ambassador, there is already an internationally constituted and accepted body for such decision making. It is called the UN Security Council. It approves wars, sanctions against rogue nations like against S. Africa during apartheid, N. Korea, Iraq, Iran, Serbia, etc and it even mediates disputes occasionally.

The Security Council has a rotating membership that includes developing nations as well as permanent members with veto power, although its decisions are generally nearly unanimous. While imperfect, this process has facilitated our advance from the ruins of WWII in Europe and Asia, the Cold War and now the more complicated multi-player world of the 21st century.

I'm a big fan of the UN, and I see no need to reinvent the wheel, especially regarding a matter that would eventually wind up in their lap anyway. So for all those people hoping to make a career or a buck off "governance," I suggest they visit the big building in NYC first and usefully explore it's procedures and mechanisms.

Yet, I certainly learned a great deal both in the Environmental Parliament sessions and from the off-line conversations about the creation of an Environmental Court. The meetings clearly advanced the discussion of many of the key issues surrounding climate adjudication of disputes and environmental damages as well as Policy engineering. As at all such expert gatherings, one heard some very insightful things, and, one also heard some things that were very needed and valuable in implementation.

In my view, proposals to subject Climate and Environment treaties to some form of global-scale participatory democracy fall in the latter category. Versions of this idea were voiced at the conference and, even more stridently, by some outside it. Essentially, all these demands rest on the same logic.

Climate impacts everyone; so everyone should have a voice. No one would trust most Third World governments to defend the interests of their citizens; yet that is their role. And the same can be argued effectively for others more developed who are short sighted on the long tail of the Environment and Climate deficits. Because of that, some more direct means, must be found to assess the global general will.

FIRST EXAMPLE

China's drought.

From the Bleeding Edge Blog:
<http://panokroko.wordpress.com>

Yunnan – the most beautiful and lush area of China – experiences the worst drought in its history. The biodiversity is suffering with many amphibian species becoming extinct and even human settlements threatened and people migrating already out of it.

Still – Record temperatures, low rainfall, accelerated development and cloud seeding are all stresses to the neighboring countries even before they harness the water of the mighty Life giver Mekong River with the biggest dams in history. A regional war is feared as neighbouring countries are starved of water, with the dams retaining vast manmade lakes within China and the unforeseen drought. And even the Chinese attempts at Geo-engineering and cloud seeding are seen as harmful to Vietnam and all other neighboring and Mekong river sharing nations, as they're claiming that China is effectively 'stealing' rainfall intended for their people too.

China in response to the drought has launched a massive weather modification operation. In a single week, the authorities fired over 10,000 silver nitrate shells and over 1,000 rockets into the clouds to induce rain, according to Zheng Guoguang, head of the China Meteorological Administration. As a form of Geo-engineering this cloud seeding technology has limited success. But having exploded upwards of one hundred thousand rockets against the skies [100K] in total, without discernible effect, the government utilizes an ever larger and constantly growing rocketry armory and constantly increasing the scale of its rockets and explosive firepower; fired towards the atmosphere. A new arms race against the skies has ensued with military munitions readily used as a Geo engineering methodology. When will they start exploding nukes is anybody's guess...

The cloud seeding or natural precipitation might have been at work when short bursts of rain mitigated the problem in some areas, but the overall picture remains grim and the causes contentious.

On stretches of the Mekong River, water levels are at 100-year lows, spurring criticism from downstream nations that China's hydro power expansion has siphoned off supplies that should be preserved for drinking water and fishing.

At the first hastily convened, summit this week, of the Mekong River Commission, which comprises Thailand, Cambodia, Laos and Vietnam, the Chinese vice minister, Song Tao, insisted climate change rather than his country was to blame.

"Statistics show that the recent drought that hit the whole river basin is attributable to the extreme dry weather and the water level decline of the Mekong River has nothing to do with hydro power development," he said.

Meanwhile, Vietnam has threatened China with war if necessary to ensure the undisturbed flow and normal levels of the Mekong River... vital for its survival.

Burma and Thailand haven't even been invited by the Chinese leadership to the Mekong river management

summit – causing added tensions – for those nations and their peoples.

And environment activists inside China say dams and other forms of accelerated development are taking an excessive ecological toll. "Dams and plantations are not to blame for the extreme weather, but they worsen the impact of the drought and the competition for water resources," said Yang Yong, an explorer and geologist. "The government now realizes the problems and should reconsider its plans for water resource management."

"In recent years, the focus of dam construction has been on power generation, but we have neglected the needs of flood prevention and irrigation," said Wang Yongchen of Green Earth Volunteers.

The drought has also raised fresh doubts about the wisdom of China's biggest hydro-engineering project, the South-North water diversion scheme, which is designed to channel billions of tonnes to arid northern cities such as Beijing and Tianjin.

This made sense while the south enjoyed more abundant water resources, but climatologists are now warning that north and south China could suffer simultaneous droughts. The National Climate Centre estimates 10 downpours will be needed to alleviate the water shortage in the south. This is not forecast for at least another month.

With the prospect of prolonged dry spells in the future, Liu Ning, vice-minister of water resources, told local Yunnan and national Chinese media, that it may be necessary to move people from the most vulnerable areas.

"They can go to cities, or places with more water. If droughts continue for several more years, we think we can use the nation's power to relocate them to other provinces."

This fresh water management issue that involves six neighboring countries and a shared river will be a good test for the Environmental Court. If the parties agree to arbitrate and discuss this issue, before it arrives at the UN as an expression of hostilities, a lot of time can be gained and lives spared...

SECOND EXAMPLE

Geo engineering or Climate Engineering.

From the Bleeding Edge Blog:
<http://panokroko.wordpress.com>

Here is a debate about a new branch of Earth Sciences Engineering called Geo-engineering or Climate Engineering, that threatens to bring a "voluntary" or forced upon us all; nuclear winter in order to cool the atmosphere in a hurry. Literally the proposal is to explode nuclear warheads in the upper atmosphere to simulate and bring on a limited form of nuclear winter... is called plan B.

In the face of it as a last resort to Environmental extremes and a greenhouse warming climate – it appears to have some merits. But its demerits are far more serious and numerous than the eager beaver Geo engineers bother to think about. The Environmental Court is needed to manage this process.

Because today; who is going to decide on this Geo engineering nuclear explosion in the atmospheric Commons action as a right or wrong? What of the human Rights of the world's population that does not wish to be subjected to Chernobyl level radiation and fallout for many years due to the Geo engineering schemes of the nations possessing nukes in the first place?

Bellow are some debate examples of the merits and demerits of Geo engineering and it's attendant issues for or against deployment.

The proposed standard simply cannot be met through the offices of the United Nations alone.

Let's play Devil's advocate here for a minute...

The Geo engineering community wants to get free rein to play with our atmosphere at will.

And they have this to say:

Since Aristotle's time, philosophers have been trying to identify the general will, often with untoward results, and this case is an especially daunting one. About 40 percent of the world's population, mostly those in very poor countries, has not even heard of climate change; thus, insisting on proof of global informed consent as a precondition for testing Climate Engineering and Geo Engineering solutions; amounts to saying that Geo engineering can never be tested – doubtless the desired outcome for some, but not necessarily the one that best serves the interests of the people in whose names the demands are made.

Further, governments of the industrialized states have concrete obligations to their own peoples. The US constitution enjoins governments to promote the general welfare of the people, and the context is clearly a national one. A US official that allowed abstract notions of global informed consent to block action needed to protect Americans from harm would soon find himself out of a job – and rightly so.

Yet today the same goes for the Chinese Premiere and the Russian prime Minister etc...

At the same time, Post WW II history also makes clear that the United Nations and the powerful American lobbies, all else being equal, prefer to achieve their own ends in ways that further those of other nations. Then too, growing global interdependence acts to reinforce US interest in the wealth, stability, and welfare in other nations. This trend impels other open societies in the same direction. In effect, global trade, linked markets, and mobile populations broaden the definition of enlightened national self-interest.

However today this same view is shared and practiced by China and Russia as well as many others, keen to practice exceptionalism for its simply parochial, short term and selfish benefits.

And the counter argument to this:

All of the civil society organizations and those of You who have participated in the Conference of the parties (COP) whether in Bali or Copenhagen or Potsdam and Bonn – You would know – that Geo-engineering and the

Climate Engineering isn't well received by the NGOs and general civil society. It isn't even discussed as a formal method of mitigation and adaptation for good reasons. Mainly because it lacks any legitimate consensus and also because it's negative effects are far reaching – and through the laws of unintended consequences – Climate Engineering always causes grievous health harm to many more people than it purports to help...

Case in point is the debate about Climate Engineering and the insistence of Geoeengineers that they have magic bullets to solve all of Earth's problems, already causes governments to drag their feet.

Based on the mistaken belief and constant Plan B advertisement of the Magic bullets to solve all the warming climate problems with Geo engineering we are behind the schedule for stopping Greenhouse effects. Misinformed and over eager polluting country government leaders justify their policies of not taking any action to reduce Greenhouse gases from the atmosphere; claiming – or even worse believing – that Geo engineering will solve the problem for them without their countries making any sacrifices...

As one can see from these acrimonious debate statements above the case for or against Geo engineering is one of gravity that needs to be decided in a court of Law. And both sides would agree that the Environmental Court is that institution.

The Future is an increasingly obscure Environmental Law vacuum. The need for the Environmental Court to apply existing bodies of law and interpret the needs of Justice and Human Rights is imminent and deafening.

Everyone's in favour of the environment these days, even the Tories and the Republicans.

Yet the planet continues to suffer appalling degradation and biodiversity is being compromised at an alarming rate. Of course, some of this is due to natural causes, but most is anthropogenic and the result of the activities of human-kind — whatever the climate change deniers might say. Yet at present there is no global mechanism to bring many of the worst ecological abusers to book (with certain exceptions such as oil spills), particularly if they are sovereign states and powerful multinational lobbies and global corporations.

Hence the need for an Environment Court, whose remit shall include arbitration of disputes and management of runaway Geo- Engineering issues.

CHALLENGES

There are two main challenges facing the Environmental Court in its infancy: One is how to produce an appropriate enforcement mechanism, and secondly, how to persuade governments to recognize an authority of international stature well above their own courts and national sovereignty.

Fortunately the Court of Human Rights in Hague has smoothed the road for such an institution ever since its creation. In 1995, the Coalition for the International Criminal Court (ICC) was established.

Only 3 years later, in July 1998 – at a UN General Assembly in Rome – the Rome Statute of the International Criminal Court was signed.

By March 2009, more than half of the United Nations – 108 countries – had ratified the International Criminal Court. It is located in The Hague, Netherlands and it has heard many international cases and it has famously even brought to justice heads of state like Slobodan Milosevic for genocide and war crimes and several others for crimes against humanity. All that in fifteen short years.

OPPORTUNITIES

Many governments now recognise the need to show their electorates that they take environmental treaties seriously, and that EC willingness to facilitate best practice – through the creation of a scientific panel – would demonstrate a constructive approach, alongside the EC's role as a juridical enforcer. Societies throughout the world now know that, when it comes to environmental issues, we are at a tipping point. It is a good moment to approach governments to join the EC, and to get them to sign onto it. Overall, with human rights so much on the agenda, there is a big shift in governments' consciousness. As a result, there is a desire to introduce compliance mechanisms.

SOLUTIONS

The Environmental Court will have to interpret all the existing environmental and climate treaties. And that alone is a huge effort.

WORKING MECHANISMS

Most centrally the EC would adopt a judicial review, and court of appeals role, initially. Such a step would help govern both domestic and transnational issues. In this way, the EC could function as a first port of call. Claimants could challenge the activities of commercial companies authorised by any state, and the actions of any state as it regulates companies as well.

Additionally funding mechanisms and the re-purposing of assistance aid, food aid and foreign direct aid, based on states environmental voting record is what the Swedes and Norwegians and the Germans started in order to force developing countries to follow their lead and vote to their liking in the UN forums such as Copenhagen's COP15. This is a blatant case that should be reviewed by the Environmental Court. Because that practice as well as the funding mechanisms for mitigation and adaptation funds established by treaties to aid developing economies should be judicially reviewed by the Environmental Court where they pertain to Climate Change, since they impose a vision that, currently, cannot be challenged. And this vision and application of treaties is rife with privateering "gun-boat diplomacy," coercion, profiteering speculation and actual forcings by the major powers – regional and international – to obtain economic benefit, UN votes and curry favours, much like the practices of old. And an EC could be an arbiter of codes of practice, such as the Equator Principles, challenging them where necessary. Overall, national courts of every kind have a significant role to play as they elevate the disputes to the purest forms of law to be gleaned.

As an example a smart policy can be reviewed and examined before implementation by national partners of the court. Because wide reaching legislation as is the UK's Climate Change Act needs to be reviewed independently. It is here where a government claims its legislation will solve a problem, and the claim should be thoroughly examined and found appropriately. Or where Geo engineering is involved. All the options can be examined and tested before anyone is allowed unilaterally to start nuking the atmosphere...

REASONING

Currently, there is a huge lack of transparency where governmental interference and even Geo engineering is concerned as is the case of the Mekong river basin drought and it's aftereffects for peace and stability across six nations of SE Asia with disproportional water drawing rights and military power imbalances.

Differing options – including the role of tribunals, and arbitration – can establish the best route forward, offering states, NGOs, individuals and corporations a service. It is possible, with a tribunal operating initially by consent, and voluntary arbitration, to avoid the need for a treaty to get the Environment Court running.

The EC would need to harness and mobilize civil society opinion, principally through the media and activist organizations, NGOs and civil society.

Decisions made by the EC would be enforceable through sanctions – possibly including fines – and, along the lines of the EC Environmental Liability Directive (2004/35/EC) would include restoration and rehabilitation orders in relation to damaged habitats.

It is also envisaged that the ICE would have the power to make declarations of incompatibility in instances where signatory states' legislation appears to conflict with UN environmental rules.

At present, the global Environment Court is just a division of the EP and is actively seeking a new home. It will take an enlightened city to host this and it will one day be the HQ of an organization to rival the UN in global significance. Certainly it will be a far more powerful institution to settle Climate and Environment Disputes globally. But it will also provide the basic safeguards of justice away from the UN as being the balance of power away from the legislative powers of the United Nations and away from the Executive Powers of each nation state. Urgently we would require an International Treaty to establish and ratify the Environmental Court and we can start with a resolution here in Cochabamba. One institution alone, the UN, cannot in a plurinational dispute both legislate the framework of laws and administer justice. There is an obvious conflict there. The Environmental Court brings the needed balance of powers. A triangular balance of power is needed in the global arena to be able to have fair and widely accepted results for the future of Humankind's cradle that this earth's environment and Climate represent.

Naturally in the early years, of the Environmental Court, many countries would doubtless be reluctant to sign up to

it, as is already the case with the International Court of Justice in Hague. But as the usefulness of the Environmental Court becomes evident by the abuse being inflicted on the environment daily, and the diminishing global Commons; even the naysayers will be convinced of its usefulness.

IN CONCLUSION

WE NEED AN ENVIRONMENTAL COURT TO ARBITRATE AND ADJUDICATE ALL EXISTING INTERNATIONAL AND PLURINATIONAL LAWS RELATING TO THE ENVIRONMENT AND CLIMATE CHANGE.

We need an Environmental Court to monitor and enforce, commitments made by nations for emission reductions

International Climate Justice Tribunal

February 7, 2010 in [05. Climate Justice Tribunal, Working Groups](#) | [3 comments](#)

Objectives of the group in terms of debate and product:

- Assess whether an International Climate Justice Tribunal or alternatively an International Environmental Court is necessary or appropriate as a means to enforce states' commitments to reduce greenhouse gas emissions.

- Analyze the strengths and weaknesses of the existing environmental tribunals.

- Agree on the creation of an international mechanism that can legally enforce the commitment of countries to comply with their responsibilities to humanity and to nature, including the commitment to reduce greenhouse gas emissions.

§ Agree on a strategy toward establishing such mechanism under the UN framework.

Principal questions:

- Is an International Climate Justice Tribunal necessary or appropriate?

- Should the tribunal's jurisdiction be limited to enforcing commitments under the UNFCCC or should it also have the authority to enforce other multilateral environmental treaties? Alternatively, should its jurisdiction be limited to serious crimes against nature that are considered equivalent to a violation of human rights?

- Should the tribunal have universal jurisdiction or territorial jurisdiction, limiting jurisdiction to those crimes committed by a national of a state party or on the territory of a state party?

- Should the tribunal follow the complementarity principle of the ICC whereby the case may only be brought to the international tribunal if the state party is unwilling or unable to try the crime in a domestic court?

based on the Kyoto Protocol and the Copenhagen Accord and to arbitrate the myriad of disputes to safeguard the Peace. Secondary is the need to bring some of the worst violators to justice and prevent abuses of the atmosphere and climate.

And third is the obvious need to make the Environmental Agreements the enforceable law of the land by the global community.

And that simple enough mission should not stop us from accepting the greater mantle, that is the need to balance the legislative UN powers and the national and corporate Executive might and accepted habits, with the need to judge what is acceptable to maintain a tolerably livable and sustainable planetary atmosphere.

- Who should be able to bring complaints? Only states, or also non-state actors such as individuals, companies, and NGOs? If only states, then should non-state actors be allowed to express their opinion on a particular dispute?

- Should the tribunal set up an independent commission or public prosecutor, linked to a UN organization such as UNEP, to trigger procedures against a particular state or number of states?

- Should the tribunal be constituted as a UN body, or should it be an independent body?

- How should the tribunal be composed and who should decide its composition?

- How should the tribunal be financed?

- What relief can the tribunal grant and how should its decisions be enforced?

Rationale

- Under international law, States have an obligation to ensure that activities within their jurisdiction and control respect the environment of other States and areas beyond national control. This obligation is contained in many of the present international environmental treaties.

- Unfortunately, many of these international environmental treaties lack the mechanisms to enforce state party obligations.

- The UNFCCC contains no mechanisms for trying or sanctioning countries that fail to comply with their commitments to reduce greenhouse gas emissions.

- The polluter and user of natural resources should be held accountable for the environmental harm caused by their activities.

- The scale of legal responses must correspond to the scale of the problem.

Precedents : existing legal enforcement mechanisms of International Environmental Law

Various tribunals and dispute resolution mechanisms currently exist to solve international environmental disputes. Below is a list of the most relevant mechanisms:

International Court of Justice (ICJ)

o The ICJ is the judicial arm of the United Nations and the only international court with universal jurisdiction. All UN member states may bring a case for all subject matters involving a dispute between states. However, both states must agree to its jurisdiction *ex ante* or *ad hoc*.

o Non-state actors can be neither complainant nor defendant. However, states may take up the case of an individual before the ICJ.

o The role of the ICJ is to settle legal disputes submitted to it by States and to give advisory opinions on legal questions referred to it by authorized UN organs and specialized agencies.

o In 1993, the ICJ appointed a Chamber for Environmental Matters, composed of 7 of the 15 ICJ judges. Use of the Chamber requires the agreement of both parties and the ICJ can appoint assessors and scientific experts to assist with scientific questions related to the environment. The Chamber has yet to be used.

o Some decisions and advisory opinions relating to the environment include the Advisory Opinion on the Legality of the Threat or Use of Nuclear Weapons, ICJ Reports 1996, and Judgment in the case Concerning Gabcikovo-Nagymaros Project (Hungary v. Slovakia), ICJ Reports 1997, on the Danube Dam Project.

o Under the UNFCCC, Art. 14, a State Party may submit their disputes to the ICJ.

o In 2002, the Pacific island nation of Tuvalu contemplated suing the United States in the ICJ for its refusal to ratify the Kyoto Protocol. It decided not to do so after recognizing the difficulties of winning such a case.

Permanent Court of Arbitration (PCA)

o The PCA is neither a standing court nor a judicial organ. It is an arbitration body whose dispute resolution rules are based closely on the 1976 UN Commission on International Trade Law (UNCITRAL) Arbitration Rules and the 1980 UNCITRAL Conciliation Rules. The PCA has 110 member states.

o The PCA is independent from any environmental organizations and conventions.

o In 2001, member states adopted the Optional Rules for Arbitration of Disputes Relating to Natural Resources and/or the Environment. They can be used by and against states, intergovernmental organizations, NGOs, multinational corporations, and private parties, as long as the

parties agree that their dispute would be referred to arbitration under the Optional Rules. The Rules are based on UNCITRAL Arbitration Rules but also allow for the participation of environmental experts. PCA has handled several environmental cases including disputes under the UN Convention for the Law of the Sea (UNCLOS).

o Under the UNFCCC, Art. 14, State Parties may arbitrate in accordance with procedures adopted by the PCA.

World Trade Organization (WTO) Dispute Settlement system

o Where parties fail to seek a consensus solution, the WTO Dispute Settlement Body (DSB) establishes a panel to hear the dispute. If a measure is found to be inconsistent with WTO obligations, the member has to comply with the ruling and the recommendations, typically by removing the offending measure.

o The DSB can impose retaliatory trade sanctions for non-compliance.

o Environmental disputes have included the Shrimp-Turtle Case (1998) and Beef-Hormones case.

UN Convention on the Law of the Sea (UNCLOS)

o UNCLOS, which governs virtually all aspects of the law of the sea, provide a range of dispute settlement mechanisms in Part XV, some of which are compulsory and binding.

o Where parties fail to reach a consensus, they are obligated to settle the dispute through the International Tribunal for the Law of the Sea (ITLOS), the ICJ, or an arbitral tribunal.

o Environmental disputes have included the Southern Bluefin Tuna case.

Regional Forums

o Inter-American Court of Human Rights and the Inter-American Commission on Human Rights

- In 2005, the Inuit Circumpolar Conference (ICC) submitted a petition to the Commission seeking relief from violations of the human rights of Inuit resulting from global warming caused by greenhouse gas emissions from the United States. The petition urged the Commission to recommend that the United States adopt mandatory limits to its emissions of greenhouse gases and co-operate with the community of nations to prevent dangerous anthropogenic interference with the climate system. The petition also requested the Commission to declare that the United States has an obligation to work with Inuit to develop a plan to help Inuit adapt to unavoidable impacts of climate change, and to take into account the impact of its emissions on the Arctic and Inuit before approving all major government actions. The Petition was dismissed for insufficient evidence of harm.

o African Court on Human and Peoples' Rights

- o European Court of Human Rights (ECHR)
- o Court of Justice of the European Community (ECJ)

Ethical Opinion Tribunals

- o Permanent People's Tribunal
- o Latin American Water Tribunal

Preliminary Proposals

- Establishment of an International Environmental Court

o The idea of an International Environment Court (IEC) was first proposed in 1989, at the conference of the National Academy of Lincei in Rome. A draft Statute of the International Environmental Agency and the International Court of the Environment was presented at the UNCED Conference in Rio in 1992. See http://www.icef-court.org/base.asp?co_id=51.

o More recently, an IEC has been promoted by the UK group ICE Coalition, advocating for the creation of an environmental court molded on the ICJ, which will be able to enforce binding targets, enforce the right to a healthy environment, and "fine countries or companies that fail to protect endangered species or degrade the natural environment".

o The risks associated with creating an entirely new tribunal is the potential for overlapping jurisdiction with existing international tribunals and the lack of financial resources to ensure an effective institution.

- Establishment of an International Climate Justice Tribunal

o In October of 2009, a preliminary hearing of the International Climate Justice Tribunal was held in Cochabamba, Bolivia, to hear seven cases regarding the impact of climate change and the violation of communities', peoples' and Mother Earth's rights. The tribunal is a response to the absence of mechanisms and institutions that sanction crimes related to climate change. It originates from organized civil society rather than the State, and its rulings seek to have moral, ethical, and political implications. The tribunal aims to construct the necessary force to convince governments and multilateral entities to assume their responsibilities with regard to equity and justice.

o In October of 2009, climate justice tribunals were also held in other parts of the world, including the Asian People's Climate Tribunal in Bangkok, where the aim was to examine the culpability of developed countries for global warming and claim damages for the hardships inflicted on the people of Asia.

- Reform of the International Court of Justice (ICJ)

o The newly established environmental chamber could be used to enforce environmental obligations; however the ICJ has limited enforcement powers due to need for parties to agree to its exercise of jurisdiction and the lack of

monitoring authority to ensure compliance with the decisions.

- o The ICJ statute could be reformed in order to strengthen its enforcement powers.

- Reform of the International Criminal Court (ICC)

o The ICC allows the prosecution of individuals for the commission of the most serious crimes of concern to the international community: the crime of genocide, crimes against humanity, war crimes, and the crime of aggression.

o The jurisdiction of the ICC could be expanded to cover environmental crimes.

o However, critiques have noted that the inclusion of environmental crimes might water down the seriousness of other human rights violations. Nor does the ICC have particular expertise in international environmental law.

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Final Conclusions working group 6:

Climate Change and Migrations

April 30, 2010 in 06. Climate Migrants, Working Groups

CONTEXT: Causes and consequences of climatic migration

Climatic migrations happen in the context of the developmental pattern associated with the capitalist system. In one hand, this pattern enables the states and transnational entities to overexploit natural resources and to degrade the environment, forcing persons and families to emigrate. A good example of this situation are massive projects that utilize basic resources like soil, fauna, and local flora (like mining and dams), and that happen with the permission of governments.

Several different places of the planet are turning into ejecting zones as a consequence of climate change, this situation forces the displacement of people because of the shortages in the regular supply of food and water, as well as the increase in the frequency and severity of floods, or storms, or on the contrary of droughts.

In the other hand, the developmental pattern of capitalism is benefited by the overexploitation of immigrant labour. Even though this overexploitation situation is shared by the economically impelled immigrants, those who we would consider climatic immigrants are a byproduct of the degradation of the planet, situation that forces them to look for new places to live. Among the main environmental causes that determine migration we find: climate change (desertification, deforestation, soil degradation, water contamination, hurricanes or floods) and human-generated disasters (industrial accidents, radioactivity and many others)

Both situations imply violations to human rights of migrant people, and the worsening of inequity; mainly in the southern countries; their population is forced to move with dramatic impacts in the environment in the places that receive them too, closing a mean rights violation cycle.

First of all, people's right not to migrate and to stay in their own territory is being violated, hence the fact that degradation of their own territories is generating the abandonment of rural communities, where occasionally only elders are left. Second, in the cities, the ones that migrated rely on low wages and exploitation conditions, with their right to a dignifying job violated, making the poverty levels even worse and therefore denying the access to basic rights like household, health and education. This reality is most times boosted by persons trafficking networks, which can turn people into merchandise. Third, through the militarization of borders, and the criminalization of migrants, abuses against them are institutionalized and high levels of discrimination are generated, this as a matter of fact, eventually turns into another obstacle for the access to all of their rights. Fourth and last, the developmental pattern of capitalism, is imposing migration to people from their own land, this violates the basic right to move freely.

At a global scale, migration that is imposed by climate causes increases the pressure over basic services, damaging economic growth and increasing the risk of conflicts. Furthermore, climatic migration contributes to the unmeasured growth of cities where millions of people live; and where migrants will live in poor and not privileged zones, with scarce and deficient drinking water services and limited access to economic, social and cultural rights. Some other consequences of forced migration

induced by climate causes are the chaos in production systems (this affects farmers, indigenous peoples, folk-fishers among many others) and the weakening of the internal market. Aside the loss of "human capital", in the form of work force and education investment, migration contributes to an even worse limited economic opportunities scenario, which will generate future migration as well. Besides the evictions itself, this stands for many people to lose bonds with their ancestral knowledge and customs, given that these are related to their territory, and while being forced to lose these bonds they will have to adopt a completely different way of life. The great-scale displacement of people may rearrange the ethnic maps of many different countries, shortening the distance between groups that once lived separated, and forcing them to compete for the same resources.

We must take notice that this situation is even worse for specific groups of the migrating population; this is the case of indigenous women, children, and youth.

As summary, environmental degradation and climate change reach nowadays a critical level, turning internal and international migration into one of the main consequences. In spite of only being provided with an approximation, according to some projections in 1995 there were 25 million climatic migrants, today it is estimated that there are 50 million, and projections for 2050 go anywhere from 200 to 1000 million people to be displaced because of situations derived from climate change. This will provoke supplies to be scarcer, e.g. water and food, as well as the increase of the frequency and severity of floods and storms, this entire scenario will worsen the cycle in which climatic migrants will find themselves with no shelter unless we start acting now.

Facing these considerations, the definitions that try to reflect these realities are as follows:

- **Climatic refugees:** Those people who are forced to evacuate their territory because of climate change. If there is no international right, particularly in the Geneva statutes, it is necessary to insert this category so that the countries assume their responsibilities when it comes to this situation. This consideration is in the same line as the one stated by Jean Ziegler, special rapporteur in the right to food on his 2007 report, where he states that there is little to none difference between a person that is facing death because of famine and a person that is threatened by arbitrary execution to their political convictions. He proposed the creation of a legal instrument to protect these people, acknowledging them as famine refugees, and providing them with the right to temporary protection and no forced return, with the intention for them not to be returned to a country where hunger and famine threaten their lives.
- **Forced migrants:** Those people who are forced to migrate not only because of climate change related reasons, but also because of economic factors. The

term climatic migrant narrows the problematic leaving out workers that have been forced to leave their countries because of working reasons and may distract of the underlying structural reasons as a global phenomenon. The term “forced migrant” will oppose the one from a migrant that moves freely.

- **Climatic displaced people**, those who were forced to displacement because of climatic reasons, both inside and outside their own countries. There is a need to create a legal status to protect those who find themselves in this situation, due to the lack of international recognition of the people in displacement, aside from the ones that migrate or ask for refuge.

PROPOSAL

1. We demand all international covenants, both the ones that are subscribed in the frame of the UN through complimentary protocols or alternate amendments, and those subscribed in other instances, e.g. ALBA, UNASUR, Comunidad de los estados de Latinoamérica y Caribe, to contemplate the definition of climatic migrants ⁽¹⁾, both for people as for communities, in a fashion that all the states of the world glimpse the rights of these people in their definitions and considerations.
2. There must be a design of global and local policies to face climate change, that incorporates and respects democratic participation of all of the countries, and a wide participation of peoples and territories involved in the defense of their communities and the rights of Mother Earth.
3. We demand political, economic, social and cultural patterns, in which the right move and displace freely is respected, also a pattern that respects the right not to migrate and not to be displaced by force, recovering the ancestral technologies and cosmovision when to build a pattern of development framed in peoples' vision of living well, that implies respect and harmony with Mother Earth, patterns that should oppose to “developmental” and extractivistic practices of the capitalistic world system, that determine poverty, inequity, misery, deterioration of Mother Earth and migration.
4. The promotion of a human rights treaty for climate migrants, recognized and applicable at a global scale, one of binding character and therefore claimable. So that climatic migrants have the same rights and obligations as the citizens of the country of destination.
5. The creation of an international instance or institution of the peoples that promotes permanent research on current political, social, cultural and economic situation of climatic migrants.
6. To demand the creation of an economic fund, funded mainly by the countries on the center of capitalism and huge transnational corporations, that are held main responsible for climate change, destined to meet the needs of both internal and international climatic migrants. This fund will be administrated by de Climatic justice Court, or by another instance constituted by the peoples and communities affected by climate change; there must be a respect for the principles of differentiated responsibilities of the countries, according to the size or seriousness of the damage caused.
7. As an international policy, technology transfer must be generated from the capitalist countries as part of the recognition and honor to their historical climate debt, this technology must be compatible with the rights of Mother Earth and must encourage food and energy sovereignty, as well as other economic alternatives that have communities and their harmonious relationship with Mother Earth as their axis.
8. Creation of a People's commission for the monitoring and follow-up of the agreements on climatic migration adopted by this World peoples' conference on climate change and rights of Mother Earth.
9. Support for the constitution of an International Conscience Court to denounce, make visible, document, judge, and punish the violations to the rights of migrants, refugees, and displaced people, in their own countries, while in transit, or in destination.
10. The respect for the right to previous consultation and free consent of the communities, which as a consequence of natural disasters are forced to migrate or to displace from their original territory. The right of communities and peoples not to migrate or displace unfairly and forcedly from their territories by eviction or plundering means exerted by States, transnational corporations and other armed actors.

⁽¹⁾ The term climatic migrant, is also a figure in which the terms climatic displaced, climatic refugees, or forced migrants are included

Final Conclusions working group 7: Indigenous Peoples

April 30, 2010 in [07. Indigenous Peoples, Working Groups](#) | [Leave a comment](#)

INDEGENOUS PEOPLES' DECLARATION

Mother Earth can live without us, but we can't live without her.

We, the Indigenous Peoples, nations and organizations from all over the world, gathered at the World Peoples' Conference on Climate Change and the Rights of Mother Earth, from April 19th to 22nd, 2010 in Tiquipaya, Cochabamba, Bolivia, after extensive discussions, express the following: We Indigenous Peoples are sons and daughters of Mother Earth, or "Pachamama" in Quechua. Mother Earth is a living being in the universe that concentrates energy and life, while giving shelter and life to all without asking anything in return, she is the past, present and future; this is our relationship with Mother Earth. We have lived in coexistence with her for thousands of years, with our wisdom and cosmic spirituality linked to nature. However, the economic models promoted and forced by industrialized countries that promote exploitation and wealth accumulation have radically transformed our relationship with Mother Earth. We must assert that climate change is one of the consequences of this irrational logic of life that we must change.

The aggression towards Mother Earth and the repeated assaults and violations against our soils, air, forests, rivers, lakes, biodiversity, and the cosmos are assaults against us. Before, we used to ask for permission for everything. Now, coming from developed countries, it is presumed that Mother Earth must ask us for permission. Our territories are not respected, particularly those of peoples in voluntary isolation or initial contact, and we suffer the most terrible aggression since colonization only to facilitate the entry of markets and extractive industries.

We recognize that Indigenous Peoples and the rest of the world live in a general age of crises: environmental, energy, food, financial, ethical, among others, as a consequence of policies and attitudes from racist and exclusionary states.

We want to convey that at the Copenhagen Climate Conference, the peoples of the world demanded fair treatment, but were repressed. Meanwhile the states responsible for the climate crisis were able to weaken even more any possible outcome of negotiations and evade signing onto any binding agreement.

They limited themselves to simply supporting the Copenhagen Accord, an accord that proposes unacceptable and insufficient goals as far as climate change action and financing to the most affected countries and peoples.

We affirm that international negotiation spaces have systematically excluded the participation of Indigenous Peoples. As a result, we as Indigenous Peoples are making ourselves visible in these spaces, because as Mother Earth has been hurt and plundered, with negative activities taking place on our lands, territories and natural resources, we have also been hurt. This is why as Indigenous Peoples we will not keep silent, but instead we propose to mobilize all our peoples to arrive at COP16 in Mexico and other spaces well prepared and united to defend our proposals, particularly the "living well" and plurinational state proposals. We, Indigenous Peoples, do not want to live "better", but instead we believe that everyone must live well. This is a proposal to achieve balance and start to construct a new society.

The search for common objectives, as history shows us, will only be completed with *the union of Indigenous Peoples of the World*. The ancestral and indigenous roots shared by the whole world must be one of the bonds that unite us to achieve one unique objective.

Therefore we propose, require and demand:

1. The recovery, revalidation and strengthening of our civilizations, identities, cultures and cosmologies based on ancient and ancestral Indigenous knowledge and wisdom for the construction of alternative ways of life to the current "development model", as a way to confront climate change.
2. To rescue and strengthen the Indigenous proposal of "living well", while also recognizing Mother Earth as a living being with whom we have an indivisible and interdependent relationship, based on principles and mechanisms that assure the respect, harmony, and balance between people and nature, and supporting a society based on social and environmental justice, which sees life as its purpose. All this must be done to confront the plundering capital-

ist model and guarantee the protection of life as a whole, through the search for inclusive global agreements.

3. We demand States to recognize, respect and guarantee the application of international standards of human rights and Indigenous Peoples' rights (i.e., The UN Declaration on the Rights of Indigenous Peoples, ILO Convention 169) in the framework of negotiations, policies, and measures to confront climate change.

4. We demand States to legally recognize the preexistence of our right to the lands, territories, and natural resources that we have traditionally held as Indigenous Peoples and Nations, as well as restitution and restoration of natural goods, water, forests and jungles, lakes, oceans, sacred places, lands, and territories that have been dispossessed and seized. This is needed to strengthen and make possible our traditional way of living while contributing effectively to climate change solutions. Inasmuch, we call for the consolidation of indigenous territories in exercise of our self-determination and autonomy, in conformity with systems of rules and regulations.

At the same time we demand that states respect the territorial rights of Indigenous Peoples in voluntary isolation or in initial contact, as an effective way to preserve their integrity and combat the adverse effects of climate change towards those peoples.

5. We call on States not to promote commercial monoculture practices, nor to introduce or promote genetically-modified and exotic crops, because according to our people's wisdom, these species aggravate the degradation of jungles, forests and soils, contributing to the increase in global warming. Likewise, megaprojects under the search for alternative energy sources that affect Indigenous Peoples' lands, territories, and natural habitats should not be implemented, including nuclear, bio-engineering, hydroelectric, wind-power and others.

6. We demand changes to forestry and environmental laws, as well as the application of pertinent international instruments to effectively protect forests and jungles, as well as their biological and cultural diversity, guaranteeing Indigenous Peoples' rights, including their participation and their Free, Prior, and Informed Consent.

7. We propose that, in the framework of climate change mitigation and adaptation measures, states establish a policy that Protected Natural Areas must

be managed, administered and controlled directly by Indigenous Peoples, taking into account the demonstrated traditional experience and knowledge towards the sustainable management of the biodiversity in our forests and jungles.

8. We demand a review, or if the case warrants, a moratorium, to every polluting activity that affects Mother Earth, and the withdrawal of multinational corporations and megaprojects from Indigenous territories.

9. We urge that states recognize water as a fundamental human right, avoiding its privatization and commodification.

10. We demand the application of consultations, participation, and the Free, Prior and Informed Consent of Indigenous Peoples and affected populations in the design and implementation of climate change adaptation and mitigation measures and any other intervening actions on Indigenous territories.

11. States must promote mechanisms to guarantee that funding for climate change action arrives directly and effectively to Indigenous Peoples, as part of the compensation for the historical and ecological debt owed. This funding must support and strengthen our own visions and cosmovisions towards "living well".

12. We call for the recovery, revalidation and strengthening of Indigenous Peoples' technologies and knowledge, and for their incorporation into the research, design and implementation of climate change policies. This should compliment Western knowledge and technology, ensuring that technology transfer processes do not weaken indigenous knowledge and technologies.

13. We propose the recovery, development and diffusion of indigenous knowledge and technology through the implementation of educational policies and programs, including the modification and incorporation of such knowledge and ancestral wisdom in curricula and teaching methods.

14. We urge States and international bodies that are making decisions about climate change, especially the UNFCCC, to establish formal structures and mechanisms that include the full and effective participation of Indigenous Peoples. They must also include local communities and vulnerable groups, including women, without discrimination, as a key

element to obtain a fair and equitable result from climate change negotiations.

15. We join in the demand to create a Climate Justice Tribunal that would be able to pass judgement and establish penalties for non-compliance of agreements, and other environmental crimes by developed countries, which are primarily responsible for climate change. This institution must consider the full and effective participation of Indigenous Peoples, and their principles of justice.

16. We propose the organization and coordination of Indigenous Peoples worldwide, through our local, national, regional, and international governments, organizations, and other mechanisms of legitimate representation, in order to participate in all climate change related processes. With that in mind, we call for an organizational space to be created that will contribute to the global search for effective solutions to climate change, with the special participation of Elders.

17. We propose to fight in all spaces available to defend life and Mother Earth, particularly in COP16, and so we propose a 2nd Peoples' Conference to strengthen the process of reflection and action.

18. The ratification of the global campaign to organize the World March in defense of Mother Earth and her peoples, against the commodification of life, pollution, and the criminalization of Indigenous and social movements.

Created in unity in Tiquipaya, Cochabamba, Bolivia, the 21st day of April, 2010.

GROUP 7: INDIGENOUS PEOPLES

February 7, 2010 in [07. Indigenous Peoples, Working Groups](#) | [1 comment](#)

To confront climate change, humanity must reconnect with its origins. There are an estimated 370 million Indigenous peoples throughout the world, distributed in perhaps 5,000 communities scattered across more than 70 countries, all of which have maintained different ways of life in harmony with nature.

The only way we can contribute to the future of humanity and our planet is through recuperating our origins, strengthening our cultural practices and our forms of collective organization for the sustainable use and management of natural resources, guaranteeing the rights of Indigenous peoples, and promoting traditional knowledge and notions about living in harmony with Mother Earth.

This Working group is a space in which to channel the voices, wisdom, and reclamation of our origins that are present today in Indigenous and First Nations peoples.

We aim to encourage and promote Indigenous visions, practices, and relationships of harmony with nature, and to share proposals regarding climate change and the defense of Mother Earth.

Indigenous Peoples

February 7, 2010 in [07. Indigenous Peoples, Working Groups](#) | [3 comments](#)

Objective of the Group in Terms of Debate and Product

- Retrieve and revalidate our indigenous and native roots to confront climate change issues and contribute to restoring harmony with nature.
- To agree on measures for ensuring the rights of indigenous peoples in the negotiations, policies and measures to face climate change.

Main topics to be discussed by the group

- What are the visions, lifestyles and traditional knowledge that we must recover and reevaluate from our indigenous origin to address climate change issues?
- What measures are necessary to ensure the rights of indigenous peoples in negotiations and climate change policies?

Antecedents

- In 1989 the General Conference of the International Labor Organization in Geneva, Switzerland, adopted the **Indigenous and Tribal Peoples Convention** referred to guarantee their respect for its integrity, as collective subject of rights.

The ILO 169 Convention defines that are "regarded as indigenous on account of their descent from populations which inhabited the country, or a geographical region to which the country belongs, at the time of conquest or colonization or the establishment of present state boundaries and that, irrespective of their legal status, retain some or all of their own social, economic, cultural and political institutions, or part thereof."

This recognizes labor rights, human and fundamental freedom of indigenous and tribal peoples, values, social practices, cultural, religious and spiritual.

<http://www.ilo.org/ilolex/cgi-lex/convde.pl?C169>

- On December 21, 1993 the UN Resolution 48/163 proclaimed the International Decade of the World's Indigenous People. This decade tries to strengthen international cooperation for the problems the people will suffer with respect to their human rights, environment, development, education and health. Beginning with this decade, the International Day of Indigenous People is observed every August 9th. The second decade is declared by Resolution 59/175 in 2004.

[http://daccess-dds-](http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N94/089/77/PDF/N9408977.pdf?OpenElement)

[ny.un.org/doc/UNDOC/GEN/N94/089/77/PDF/N9408977.pdf?OpenElement](http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N94/089/77/PDF/N9408977.pdf?OpenElement)

- By means of Resolution 2000/22, on July 28th, 2000 the Economic and Social Council of the United Nations establishes a ***Permanent Forum on Indigenous Issues***. The forum was created as a subsidiary body of ECOSOC, and advisory body to review topics related to economic and social development, culture, environment, education, health, human rights.
http://www0.un.org/spanish/indigenas/2004/res_2000_22.html
- From October 28 – 30 of 2000, 36 Indigenous Organizations from throughout the Americas participated in the Continental Indigenous Summit. In this meeting they issued the Teotihuacan Declaration, which calls for the unity of all indigenous peoples to strengthen organization and solidarity to safeguard the rights of our peoples and future generations.
<http://www.cumbreindigenabyayala.org/primerateotihuacan.html>
- On September 13th, 2007 The General Assembly of the United Nations adopted the United Nations Declaration on the Rights of Indigenous Peoples.
<http://www.un.org/esa/socdev/unpfii/es/drip.html>
- In the World Summit of Indigenous Peoples on Climate Change from April 20 to the 24 of 2009, in Alaska, the Anchorage Declaration was adopted in which a set of proposals on the issues is developed.
<http://www.indigenoussummit.com/servlet/content/declaration.html>
- The Permanent Forum on Indigenous Issues of the United Nations, during the seventh session from April 21 to May 2 of 2008 in New York, has addressed as a special issue “Climate change, biocultural diversity and the livelihood: the role of custody exercised by indigenous peoples and new challenges.” In which it states that the survival of the lifestyle of indigenous peoples depends in great part on the commitments and agreements on climate change. It indicates that indigenous peoples must carry the heaviest burden of adaptation and their way and of living, their food sovereignty, health, integrity, traditional knowledge, culture and their own existence are being affected.

http://www.un.org/esa/socdev/unpfii/es/session_seventh.html

http://www.un.org/esa/socdev/unpfii/documents/background_under%20climate_ESP_FORMATTED.pdf

- On January 14th, 2010 the United Nations publishes the current state of world’s indigenous peoples. This report indicates that one the most important threats that confront the indigenous peoples is the displacement of their lands, territories and resources, violation and human rights abuses.
http://www.un.org/esa/socdev/unpfii/documents/SOWIP_web.pdf

Projects and Proposals

- Indigenous peoples in the world summit in April 2009 in Alaska, proposed that the negotiations on climate change will maintain the spirit and standards of the United Nations Declaration on Indigenous Peoples Rights.
- The IV Continental Summit of Indigenous Abya Yala, May 31 2009, proposes the construction of community plurinational states and Climate Justice Tribunal. At this meeting, they agree to make demonstrations in defense of mother earth.
- During the Fifteenth Conference of the Parties to the UN Convention on Climate Change, Copenhagen in December 2009. The Indigenous Caucus decided to present its proposals on climate change and indigenous peoples’ rights through the President of Bolivia, Evo Morales. These proposals are referred to the implementation and observation of the United Nations Declaration on the Rights of Indigenous Peoples, their rights of their traditional knowledge and others.

Proposes the full participation of indigenous peoples in the process and decision making on climate change. The rights to their lands, territories and resources, respect free and informed consent. To ensure their participation as holders of forest and land possession. Also, they called to take into account the rights of mother earth and all natural beings.

<http://unfccc.int/resource/docs/2009/awglca8/eng/17.pdf>,
http://maindb.unfccc.int/library/view_pdf.pl?url=http://unfccc.int/resource/docs/2009/awglca8/eng/107a06.pdf,
http://unfccc.int/meetings/ad_hoc_working_groups/lca/items/5243.php

Reference documents:

- United Nations Declaration on the Rights of Indigenous Peoples 1994.
- Indigenous and Tribal Peoples Convention of 1989.
- The Anchorage Declaration in April 2009.
- Report of the Ad Hoc Working Group on Action of long-term cooperation under the Convention. Copenhagen 7 at 15 December 2009.
- Klimaforum09 Declaration “System changed not climate change” December 2009.

Final Conclusions working group 8: Climate Debt

April 30, 2010 in [08. Climate Debt, Working Groups](#) | [Leave a comment](#)

We, the people attending the World People's Conference on Climate Change and the Rights of Mother Earth in Cochabamba, Bolivia, demand to the countries that have over-consumed the atmospheric space to acknowledge their historic and current responsibilities for the causes and adverse effects of climate change, and to honor their climate debts to developing countries, to vulnerable communities in their own countries, to our children's children and to all living beings in our shared home – Mother Earth. Climate change threatens the balance of life on Earth. The poor have contributed least to the climate crisis but are its first and worst victims. At greatest risk are small island states, coastal ecosystems, and vulnerable groups; among which are women, children, elders, indigenous peoples, rural and urban communities, small-scale farmers, fisher-folk and forest communities, youth, biodiversity and future generations and other groups.

The causes of climate change are clear. Developed countries have appropriated the Earth's atmospheric space by emitting the vast majority of historical greenhouse gas emissions, while they only represent 20% of the world's population. Their excessive consumption, lifestyles and emissions have induced climate change, and are turning the Earth's capacity to absorb greenhouse gases into a scarce and limited resource.

The way to solve the climate crisis in a fair, effective and scientifically sound way is to honor climate debts. This approach provides a methodology for assigning and sharing responsibilities to address climate change based on principles of equity and common but differentiated responsibilities established in the UN Climate Convention.

It focuses not merely on financial compensation, but on restorative justice – on “making whole” those people and members of the community of life on Earth that are adversely affected by climate change, and by restoring the balance, integrity and harmony of the Earth and its climate system.

It provides a means by which all peoples – particularly those who are mainly responsible for causing climate change and with the capacity to correct it – can honor their historical and current responsibilities, as part of a common effort to address a common cause. Ultimately, the compensation of climate debt is about keeping all of us safe

As the starting point for climate justice, those who are the main cause of climate change must embrace and address their responsibilities. Developed countries must address

their climate debt in all its dimensions as the basis of a fair, effective and scientifically sound solution to climate change. We therefore demand that they:

- Return the atmospheric space that is occupied by their greenhouse gas emissions causing adverse effects to all countries and peoples. They must decolonize the atmosphere by reducing and removing their emissions, to ensure a fair distribution of atmospheric space among all countries according to their population, taking into account both historical and current emissions and the need for adequate development space and equilibrium with Mother Earth.
- Honor debts reflecting the loss of development opportunities due to the costs and technological demands to developing countries to live within a restricted atmospheric space. Even in the case of the deepest possible emission reductions and removals by rich countries, poor countries will face climate-related challenges to their development that were not faced by the developed countries in the process of their own development.
- Honor debts relating to the adverse effects of climate change, to the hundreds of millions of people who will be forced to migrate due to the loss of livelihoods, floods, fires, famines and other adverse effects. They must assume their responsibilities to these people, by eliminating their restrictive migration policies and offering climate migrants homes and lives with dignity in their countries.
- Honor adaptation debts related to the impacts of climate change within developing countries – including impacts on water, forests, agriculture and on peoples lives and livelihoods. They must provide the means required by all people – including indigenous peoples, women, rural communities and other vulnerable communities – to prevent and minimize harms, and they must address their responsibilities for the damages arising from their excessive emissions and from the lost opportunities of people to “live well” and in harmony with nature.
- Honor these debts as part of a broader ecological debt to Mother Earth, reflecting the growing damage to the integrity, balance and harmony of life and all species and elements of our planet. We call on all countries to accept and implement at the United Nations a Universal Declaration on the Rights of Mother Earth.

The responsibility to honor these climate debts belongs to the governments and States of the developed countries, which bear the collective responsibility of those who have traditionally exploited poor countries, and whose patterns of production and excessive consumption, reliance on fossil fuels, and ideologies of unlimited economic growth and militarization are the main cause for climate change. They also have the practical capacity and moral and legal responsibility to honor their climate debt and to restore equilibrium and harmony. Other entities, such as transnational corporations and financial speculators, also bear responsibility to compensate for the disasters that they provoked. All countries and people must take their responsibility to live in harmony with Mother Earth.

To fulfill their responsibilities we call on the developed countries to:

- Rapidly and radically reduce and remove their greenhouse gases from the atmosphere, to ensure the equitable allocation of atmospheric space and restore balance to Mother Earth;
- To implement fast-acting mitigation strategies to restore the atmospheric space, including the reduction of short-lived emissions, to reduce the risk of reaching tipping points, which put the entire climate system of the planet in risk of abrupt climate changes that could potentially run out of control.
- To provide the means required by developing countries to facilitate adequate responses to climate change and to meet the costs its adverse effects;
- To develop and provide appropriate technologies and knowledge to improve local technologies and capacities. Also to remove barriers such as intellectual property rights;
- To provide additional unconditional financial resources to enable technology transfer, capacity building and adaptation in developing countries;
- To alter their domestic policies, including those related to migration;
- To protect and preserve human rights, the rights of indigenous peoples and of Mother Earth;
- To review structural relations causing climate change, by altering their patterns of life and development, immediately cancelling external debt, stopping the production of armaments, shifting from fossil energy to renewable energy, and changing the international financial, economic and social systems that perpetuate these patterns;
- To undertake all necessary actions to address their historical and current responsibilities for the climate crisis in a holistic manner.

We reject the so called “Copenhagen Accord”, which was negotiated behind the back of the Conference, as it fails to provide real solutions to the climate crisis. The proponents of this “Accord” offer inadequate pledges for mitigation and financing and seek to eliminate the commit-

ment undertaken in the Kyoto Protocol, putting in danger the existence human species and Mother Earth.

An effective effort to solve the common challenge of climate change must be based on equity, social justice, science, and ancestral knowledge and know-how, as well as the agreed principles and legal commitments. Our attention must focus on solutions – identifying the responsibilities and specific actions required to address climate change. Success will require a shared effort to build a way of life, which will allow people to live well and in harmony with nature.

The fulfillment of these responsibilities must be assured through the creation of an International Tribunal to address debt and climate justice, and through multidisciplinary efforts to gather information, analyze impacts, and assess responsibilities. We oppose the intrusion of the World Bank’s, the IMF, and other international financial entities. We demand new and improved institutions, and debate spaces to be accountable in front of the countries and peoples.

Finally, our common journey to restore the integrity of Mother Earth reflects the wisdom of many peoples and generations that have lived in harmony with nature. The rights of all people and all of the members of the community on this planet must be protected. The future of the unborn must be secured. Resolving the climate crisis will be possible if we listen with open hearts and minds to the concerns of our children, to the lessons of our ancestors, to the cries of our Mother Earth, and fulfill our responsibilities. Acknowledging and honoring climate debts is the first main step in this journey.

Possibly related posts: (automatically generated)

- [**PEOPLES AGREEMENT**](#)
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[Working Group 8: Climate Debt](#)

April 16, 2010 in [08. Climate Debt, Working Groups](#) | [2 comments](#)

1. CLIMATE DEBT CONCEPT

Climate debt is an obligation of compensation that is generated because of the damage done to Mother Earth by the irrational emissions of greenhouse gases. The primary responsible for these irrational emissions are the so-called “developed countries“, inhabited by only 20% of the world population, and which emitted 75% of historical emissions of greenhouse gases. These states, which stimulated the capitalist development model, are responsible for climate debt, but we shouldn’t forget that within

these states, there live poor and indigenous peoples which are also affected by this debt. The most affected are the poorest developing countries, future generations and our Mother Earth.

The colonization of atmospheric space has produced climate change, which poses a serious threat to the islands, coastal areas, glaciers in the Himalayas, the Andes and the mountains of the world, the poles of the earth, hot regions like Africa, water sources, growing natural disaster-affected populations, plants and animals, and ecosystems in general, generating climate debt.

The UN Framework Convention on Climate Change recognizes that obligation by affirming that developed countries are historically responsible for those emissions, and in sustaining that they should take the initiative to combat climate change. This fact is expressed in the existence of the Kyoto Protocol, under which countries obligated to reduce greenhouse gases are the developed countries listed in Annex 1 of the Convention.

2. CLIMATE DEBT COMPONENTS

The responsibility for the climate debt of each developed country is established in relation to the level of emissions, taking into account the historically emitted amount of tons of carbon per capita.

a-Emissions Debt

We understand as the emissions debt the over-use of space atmospheric by greenhouse gases pollution by developed countries, taking into account the equal rights of all countries in the world to have access to the use and enjoyment of atmospheric space. Developed countries must compensate as follows:

- They are required to reduce high concentrations of greenhouse gases they caused,
- They also have to reduce their emissions and absorb greenhouse gases,
- They must ensure a space for development for poor countries.

We express our rejection of the fact that developed countries decide to choose freely how deep cuts they intend to do, as proposed in the Copenhagen Accord.

b-Development Debt

Developing countries are entitled to the same opportunities for development, to provide basic services to the entire population, and a degree of industrialization which allows the country's economic independence; But this development must not harm the environment and atmosphere. To achieve this development within a highly re-

stricted access to the atmospheric space, they need access to all technologies -according to their worldview- for the development and funding required for its implementation.

Among the technologies we require are: recycling of waste materials, improvement of traditional techniques with new technologies, access to clean energy sources – solar, wind and biogas digesters, forms of protection against natural disasters, research into vaccines and medicines diseases enhanced by climate change, among others.

c- Adaptation Debt

The impacts of climate change make the rain lose its seasonality, loss of fresh water sources, increased hail, frost, droughts, floods. They decrease crop and livestock production. The population is suffering from an increase in various diseases.

These impacts have many implications on economical and development level, wherefore those who caused the climate crisis have the responsibility to compensate all damages, through: investing (with funding and technology) in the prevention of major impacts, full compensation for the negative impacts that actually happen and compensating opportunity costs, which involve the deviation of development funds, among others.

d- Migration Debt

Due to climate impacts, millions of people find their own land uninhabitable, converting them into climate migrants. The compensation of the migration debt implies that the so called 'developed' countries must drop its restrictive migration policies, receiving them in their countries with dignity, and recognition of their human rights and cultural rights.

e-Debt to Mother Earth

The debt to Mother Earth is impossible to compensate completely, because the atrocities committed by humanity have been too terrible. However, the minimum compensation of this debt consists in:

- In recognition of the damage done,
- the restoration of harmony with Mother Earth
- the adoption of the United Nations Declaration on the Mother Earth's Rights, to ensure that the same abuses will never be repeated in future.

This is to ensure that capitalism and the drive for profit does not contravene the ultimate interests of Mother Earth and the peoples of the world.

3 .- HOW CAN DEBT BE COMPENSATED

Compensation for climate debt is to be done through multiple ways, which complement each other. Indispensable minimal elements are:

- The re-absorption and cleaning the atmosphere by developed countries
- Payment in technology (eliminating patents) and in knowledge according to our worldview for both clean development and for adaptation to developing countries
- Financing,
- Changes in immigration laws that allow us to offer a new home for all climate migrants.
- The adoption of the Declaration on the Mother Earth's Rights.

In addition we need to work on the structural causes that caused the climate debt, providing education for children, political awareness, and respect for Mother Earth.

Climate debt is part of a larger ecological debt, which in addition to gas emissions includes all environmental damages that were made in developing countries for the benefit of developed countries.

4.- STRATEGIES TO ENSURE THE CLIMATE DEBT COMPENSATION

To ensure full compliance with the climate debt are needed:

- The establishment of an international body that determines the responsibilities of polluter countries
- The creation of an International Tribunal for Climate Justice, impartial, which has jurisdiction in cases of default of repayment of the debt

To encourage a research study the responsibilities of climate change, determining the climate debt

To promote international awareness that the fulfilment of the climate debt is an obligation on the part of developed countries, and is not aid granted us.

CONCLUSIONS

1. We hold the capitalist system and the developed capitalist countries as the main cause of climate change generated climate debt
2. From this pre-conference we demand the enforcement of the payment of climate debt
3. We, who live in harmony with Mother Earth, and we are her main defenders; from here we call on all humanity to join the struggle for the preservation of life.

GROUP 8: CLIMATE DEBT

February 6, 2010 in [08. Climate Debt, Working Groups](#) | [1 comment](#)

Historically, 75% of greenhouse gas emissions have been produced by the so-called "developed" countries in which only 20% of the world's population resides. Now that we are facing the impacts of global warming, those most affected will undoubtedly be the poorest; "developing" countries, future generations, and the Mother Earth.

The UN Framework Convention on Climate Change recognizes that obligation by affirming that developed countries are historically responsible for those emissions, and in sustaining that they should take the initiative to combat climate change. This fact is expressed in the existence of the Kyoto Protocol, under which countries obligated to reduce greenhouse gases are the developed countries listed in Annex 1 of the Convention.

What are the components of climate debt? To whom do developed countries owe this debt? How can we compensate for or repair the damage incurred? The mission of this working group is to produce a text that systematizes and expands upon the concept of climate debt, enumerating its components, its creditors, and forms of compensation.

Climate Debt

February 6, 2010 in [08. Climate Debt, Working Groups](#) | [1 comment](#)

Debate and result objectives for the group

- To build a joint vision regarding climate debt
- To discuss possible incentives for the compensation of climate debt.
- To discuss the difference between Climate Debt and the Copenhagen Accord.

Main questions to be discussed

- What is Climate Debt?
- Why is it that climate change cannot be discussed without considering equity?
- What elements make up Climate Debt?
- How should Climate Debt be compensated?
- What is the relationship between historical responsibility and climate debt?
- How are the Climate Debt and the Ecological Debt related?
- How are Climate Debt and the Copenhagen Accord related?

Background

Ecological Debt

As a concept, ecological debt was first discussed by Fidel Castro during the 1992 Rio Earth Summit. Castro superposed the external financial debt against the ecological plundering of southern countries in benefit of northern consumption.

As the article “What is ecological debt?”

<http://www.ecologicaldebt.org/What-is-Ecological-Debt/> reads, the Southern People’s Ecological Debt Creditors Alliance affirms that the responsibility for the ecological debt lies essentially in the northern industrialized countries, their institutions and economic elite. It is their gradual appropriation and control of natural resources as well as the resultant planet destruction of their consumption and production patterns that affects local sustainability and the future of humanity. Based on this definition, the peoples of the South are creditors of this debt and the Northern countries the debtors.

Ecological Footprint and Carbon Footprint

The ecological footprint is an indicator defined as “the area of ecologically productive territory (farming, pastures, forests or water ecosystems) necessary to produce resources and at the same time assimilate the resultant residues by a given population with a specific way of life in an indefinite way”

It is through this concept that it is clear that some nations use multiple parts of their territories whilst others use only part of it; thus allowing the expansion of the ecological footprint of other nations.

<http://www.footprintnetwork.org>

The carbon footprint is a component of the ecological footprint. It measures how many hectares of natural resources are necessary to absorb the greenhouse gas emissions emitted by the entity of which the footprint is being taken.

The origins of climate change and its responsibility.

The excessive emission of greenhouse gases leads to climate change problems, but who is responsible for the excessive emissions of these gases?

If every country in the world would have historically emitted the same amount of greenhouse gases (GHG) per capita as that released by developing countries, the world would not be facing climate change problems today. Nevertheless, developing countries suffer greater consequences than developed nations since they are affected by both the negative impacts of climate change and the impossibility of attaining an economic level that permits to eradicate poverty. It is known that there is a direct relationship between emissions and development, which is prevalent in developing countries.

Historical Responsibility

Climate change is a result of the historical and current emission of greenhouse gases. 75% of historical greenhouse gases have been produced by developed nations, in countries where only 20% of the world population lives. Their current per person emissions continues to exceed those of developing countries by a factor of four.

Figure 1 shows historical emissions; Figure 2 shows what the division would have been like if emissions would have been emitted equally by developed and developing nations. In the following figures, “Annex 1” refers to developed countries and “Non Annex 1” to developing countries, by the United Nations Framework Convention on Climate Change (UNFCCC) terminology. It is in this way that earth has surpassed its capacity to absorb greenhouse gases; therefore atmospheric space has been overutil-

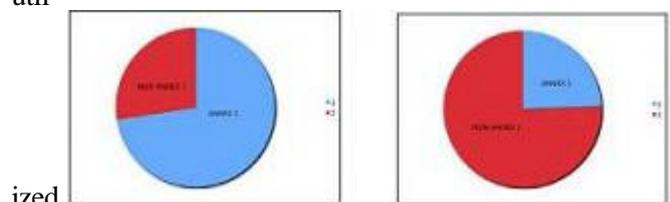


Figure 1:

world emissions

Figure 2:

world population.

These facts are reflected in the preamble of the Convention, where it is established that “the largest share of historical and current global emissions of greenhouse gases has originated in developed countries, that per capita emissions in developing countries are still relatively low and that the share of global emissions originating in developing countries will grow to meet their social and development needs”

However, developed nations deny that their historical overconsumption of atmospheric space implies a responsibility which that should attend.

There are different ways of demanding developed nations to assume their historical responsibility; climate debt is certainly the most referenced one.

Main Concepts:

1. Atmospheric Space

The atmospheric space is a limited natural resource, which instead of being consumed is being invaded by greenhouse gases. It is difficult to establish what the invasion limit that the atmosphere can tolerate is. Pre-industrial levels – that is to say natural levels – of greenhouse gas emissions were 275 particles per million (ppm). Scientists have established that going over 350 ppm implies serious risks that the world will face disastrous and irreversible impacts. Today, greenhouse gas emissions are of 390ppm.

The greenhouse gas emissions of a country imply that another country is unable to emit, on the contrary the atmosphere will be saturated and Mother earth will experience the foreseen consequences.

The other particularity of atmospheric space is that it is shared between all humanity, and all of nature, not only in the present but also with future generations. The inequity and injustice with which atmospheric space has been invaded are what caused Climate Debt.

2. Climate Debt

Climate debt is the equivalent to the over exploitation of atmospheric space by developed nations, both in relation with as historical levels of greenhouse gas emissions per capita and in relation with the maximum levels of concentration that Mother Earth can healthily tolerate (300 ppm).

Climate debt is growing day by day since developed countries are only committing to reduce a set percentage based on their past high greenhouse gas emissions, so giving themselves the right to keep on emitting a higher quantity of greenhouse gases per capita than developing nations.

Now, the over utilization of atmospheric space has different kinds of consequences, that result in different kinds of debt:

2. Emission Debt

Climate debt is the difference between the real emissions of developed countries and what they should have emitted according to equitable levels per capita.

Considering that everyone in the world has the same historical right of atmospheric space access, developed countries must compensate their over consumption through negative emissions until equitable historical levels are attained, levels that should also be sustainable for Mother Earth.

2. Development Debt

Developed countries are so because of their technological advancement never took into consideration greenhouse gas emissions and their nuisance. This is why they have achieved a position where they count on the necessary technological advancements to not rely on greenhouse gas emissions to continue their development.

In developing countries there are still direct ties between economic development and GHG emissions, since they do not count with the appropriate technology and necessary investments to develop clean energy economies.

In this respect, even after the compensation of the emission debt, developing nations would still be at a disadvantage point regardless of counting with an equally distributed atmospheric space. In order to compensate this inequality, developed nations should transfer clean technology, free of patents and the necessary requirements to implement this technology. In such way, all the world inhabitants would gain access to the same resources to live with under limited atmospheric space.

3. Adaptation Debt

Excessive greenhouse gas emissions are already causing many disasters in the lives of peoples today, especially in the lives of the poorest and most vulnerable. Here are some examples:

- Between 75 and 250 million people are susceptible of suffering major water problems until 2020 because of climate change.
- Some countries that survive on agriculture have already seen themselves affected by droughts that leave millions of people without food.
- Indigenous and local communities across the planet are harmed by the change in ecosystems and the threats to their traditional ways of living.
- The health of millions of people is affected by malnutrition, which also causes diseases to spread.
- Extreme meteorological phenomena are causing the loss of human life, health and millionaire loses in infrastructure.
- In the effort of dealing with the resulting impacts, developing nations have to spend part of their already scarce resources in disaster relief and prevention.

Considering that these problems are caused by developed nations, and that the most affected are developing nations, it is ethically clear that the one responsible for the problem should be held accountable and pay for all damages; this is defined as the debt of adaptation.

The payment of the debt of adaptation should reimburse all damages that result from climate change: the past, current and the future damage as well as those involving events of chronic and extreme impact besides all of the investment and required technology to prevent greater disasters.

4. Migration Debt

Several of the devastating impacts caused by Climate Change will cause – and to a certain degree are already causing – people from certain countries or regions to abandon their native lands and migrate to other countries. A few examples include those countries that no longer see any precipitation during the year or the small insular states that with the rising of sea level will soon be flooded.

One of the ways in which migration debt might be settled is suggested by the study “Social Science Research Network: Providing New Homes for Climate Change Exiles”. The authors propose that instead of dealing with the problem when state of emergency is declared, countries should already establish a formula through which they receive “climate migrants” in proportion to their individual Historical Responsibility for the emission of greenhouse gases. Reference:

http://papers.ssrn.com/sol3/papers.cfm?abstract_id=950329

5. Debt with Mother Earth

Besides the existence of climate debt to developing countries and their population, a higher debt with Mother Earth and the natural beings has been created. The loss of biodiversity, the extinction of animal species, desertification, the loss of coral reefs, etc. cannot be compensated in any way; for those affected do not take any benefit from money nor can they received compensations for the damages suffered.

The compensation of this debt first implies the recognition of the harm done and the guarantee that Mother Nature will be respected in the future. This can take place with the approval and the fulfillment of the “Declaration of Rights of Mother Earth” by the United Nations.

3. Debt Compensation

Besides of the mentioned elements, climate debt compensation should consider the different essential fields to fight climate change. In this respect, it should at a minimum:

- Produce deep, effective and significant domestic reductions that guarantee the stability of the climatic system in a way that the lost atmospheric space is compensated, temperatures are stabilized and enough free space is reserved for the growth that developing nations require now and in the future. In order to achieve this, developed nations should produce negative emissions or in other words become carbon reservoirs.
- Additional, sustainable and predictable financial resources should be generated, which foresee the double limiting of living with hostile environments and a restricted atmospheric space.

It is important to point that the financial resources that concern climate debt are not the same as those of official international development sector; these resources should be awarded in addition to current development aid.

Climate debt and solutions for climate change

In order to face climate change, integral solutions that assure the wellbeing of all worlds’ inhabitants are necessary. In this sense it is very important that solutions for

climate change take into consideration equity between peoples. The concept of climate debt regards equity in its notion of shared use of atmospheric space, which restores and ensures suitable greenhouse gas emissions to sustain the wellbeing of humanity and the preservation of Mother Earth rights.

Climate debt in the current climate change negotiations.

Bolivia and a block of countries have proposed a framework for international negotiations regarding the United Nations Framework Conventions on Climate Change and its Kyoto Protocol and the recognition and payment of climate debt. This concept was exposed in a technical briefing and later several countries picked up the concept in its official discourses.

The concept was introduced in the texts of Shared Vision, Adaptation and Mitigation for developed countries.

The current way to negotiate the restrictions on greenhouse gas emissions is based on the right to keep emissions as a high percentage of those emitted during 1990, year during which the usage of atmospheric space was unjust. The concept of achieving an equal division of atmospheric space is taken into consideration by very few countries. Developed nations are resistant to the concept of climate debt and they continuously block its apparition in official texts.

Climate Debt and the Copenhagen Agreement

	Climate Debt	Copenhagen Agreement
Division of the atmospheric space	Countries responsible for climate change should pay back their excessive use of atmospheric space.	“All countries are responsible and we should all cut back in the measure of our possibilities”
Historical Responsibility	Climate debt averages the total of historical responsibility and measures the diversity of its impact.	There is no recognition of historical climate debt.
Mitigation	Developed countries must mitigate their emissions until obtaining negative levels, to ensure that developing nations are able to continue their growth. The concept strings from equal emissions per capital and historic terms.	Every country should be committed to compromising somehow the mitigation of emissions. Mitigation is a percentile reduction in yearly emissions which implies that those with high emissions in the past still hold the right to produce a high percentage of emissions.
Development	So that developing countries can grow sustainably they are in	It recognizes that “social and economic development and pov-

	need of financial support, technology transfers and capacity building in a way that their development does not compromise Mother Earth in the same way developed countries did.	erty eradication are first priorities to developing countries and that a development strategy with low levels of emissions is indispensable for sustainable development”, but does nothing about it.
Adaptation	The debt of adaptation implies that developed nations must compensate the climate change damage in all developing countries, including the cost of investment to prevent disasters, the compensation of past damage and the opportunity cost.	Funds are only foreseen to take care of damages up until 1,5°C approximately, at the same time due to mitigation actions, we would achieve more than 3°C. Therefore, there is no financing available for the 1,5°C impact, which is exponential. Financing caters to Less Developed Countries and the Small Developing Insular States
Mother Earth Rights	However possible, it is necessary to compensate the damage already done to Mother Earth and in the future respect her by obeying MOTHER EARTH RIGHTS.	The current development model is applied and Mother Earth is not taken into consideration.
Migrants	Countries responsible for climate change should receive all climate refugees.	The Agreement does not touch on the subject of climate migrants.

- The UNFCCC organized a technical briefing on Historical Responsibility on April 4th, 2009 (referenced on the official UNFCCC website http://unfccc.int/meetings/ad_hoc_working_groups/lca/items/4811.php). During this conference Bolivia officially presented the concept of Climate Debt: (http://unfccc.int/files/meetings/ad_hoc_working_groups/lca/application/pdf/4_bolivia.pdf)
- ALBA: Cumana Declaration
- ALBA: Cochabamba Declaration
- ALBA: La Habana Declaration

Reference Documents:

- Bolivia’s submissions for KP and LCA on April 24th, 2009: <http://unfccc.int/resource/docs/2009/awglca6/eng/misc04p01.pdf#page=44>
- Different pathways up the same mountain: viewpoints on historical responsibility
- Why Rich Countries Should Pay Reparations To Poor Countries For The Climate Crisis, Naomi Klein: http://www.democracynow.org/2009/11/23/naomi_klein_on_climate_debt_why
- “Climate debt – Bolivia calls for justice” Jubilee South: <http://www.jubileedebtcampaign.org.uk/Climate%20debt%20Bolivia%20calls%20for%20justice+4855.twl>
- “Climate Debt: A Primer”, TWN, briefing paper n° 2 sesión de Junio de la CMNUCC <http://www.twinside.org.sg/title2/climate/briefings/Bonn03/TWN.BPjune2009.bonn.02.doc>
- ‘La deuda climática debería costar un 6% del PIB a los países desarrollados’ <http://calentamientoglobal.posterous.com/la-deuda-climatica-deberia-costar-un-6-del-pi>

Topic development and main background considerations

- During the preparatory phases of the Copenhagen conference, developing countries started to award growing amounts of importance to the notions of historic responsibility.
- Bolivia organized a parallel event on climate debt, on April 2nd, 2009.

Jubilee South:

<http://www.jubileedebtcampaign.org.uk/Debt%20and%20Climate%20Change+3337.twl>

<http://www.jubileedebtcampaign.org.uk/Climate%20debt%20Bolivia%20calls%20for%20justice+4855.twl>

The Appropriation of The Atmosphere

February 6, 2010 in 08. Climate Debt, Working Groups

(Roque Pedace) The climate system is a (global) ‘commons’ with different environmental roles. Up to the industrialization era it was considered a public good, since in practice it was infinite (it didn’t wear out with use) and non exclusive (use does not prevent others from using it). As greenhouse gases (GHG) have accumulated, the latter

property was lost, since the current and future users no longer enjoy the possibility of emitting these gases without restrictions, since we are running the risk of a climate catastrophe for all. The system can now be compared to a road or a bridge, that wear out insignificantly when used, but which have a limited transportation capacity (in this case, the capacity of the atmosphere to absorb and recycle emissions in a stable way). Consequently, past and pre-

sent emitters that exceed their quota (be it States, companies or individuals) have appropriated themselves of the system at the expense of others. In other terms, they occupy the environmental space of others. This happens as a result of obtaining de facto property rights, since the emitters are not the owners of the system in the same way that someone owns water or forests once he or she has obtained that right through the processes of privatization of goods and services. In fact, they do not appropriate themselves of the air as such, but of the right to contaminate it without taking responsibility for their polluting action.

The overall quantity of emissions that should be eliminated to recover the environmental integrity of the climate system is regardless of these considerations. But the future distribution of these reductions (mitigation) is not. The past emissions have an accumulative effect in the atmosphere and make up a climate debt that should be paid to those who were and are being de facto expropriated of their environmental space.

Meanwhile, to estimate the amount of that debt, the environmental space should be accurately defined, so many proposals have considered that we are all equal in the eyes of the atmosphere and therefore everyone has the same right of use (per capita equality principle). The Kyoto Protocol has not adopted this principle, but the one of 'grandfathering' (or acquired rights), by which those who polluted the most, could continue doing so as long as they accepted progressive reductions, whilst those who polluted the least, did not have reduction obligations. Currently, despite the mandatory reductions assigned to them by the Protocol, the former (be it States, companies or individuals) continue obtaining most of the benefits from the exploitation of fossil fuels and continue transferring proportionally their environmental impacts caused by climate change to the entire human kind, at negligible costs .

This unlawful appropriation of the atmosphere is at the root of the conflict, regardless in which way the reductions that were agreed under the Protocol are implemented. In fact, it would still be an unfair distribution, even if there were no market mechanisms involved and if the reductions were only applied at source, where the emissions originated. Thus, there is no cause-effect relation between both. Nonetheless, it can be rightfully argued that the Clean Development Mechanism (CDM), one of the Kyoto Protocol's market mechanisms, is unfair from the outset, since the largest polluters are trading emission rights to which they are not legitimately entitled (regardless of other CDM injustices, such as the commodification of forests, the increase in the climate debt,[1] etc.).

The solution agreed in the Protocol was actually the acceptance of a de facto situation, that is, that those that are historically responsible (for climate change) were not willing to apply justice criteria to burden sharing. Besides rejecting the assignment of per capita rights—which result from considering the atmosphere as a (global) commons—other criteria, such as the differentiated ability of the parties to act, were not duly taken into account, for instance, owing to the unequal wealth of the nations (also to some extent linked with the unequal current and past usage of the climate system).

The United Nations Framework Convention on Climate Change (UNFCCC), in contrast, includes principles such as the differentiated historical responsibility, which can be advocated as the basis for a solution based on justice. Also, the shared management approach (ideally exercising solidarity) of (global) commons such as the atmosphere is accepted in the UN, as opposed to grandfathering the access to the resources in it .

Demand for climate justice has been targeted primarily against this appropriation of the quota of space in the climate system, which the governments who bear the greatest share of responsibility have attributed to themselves based on (ad hoc) power relations, instead of on explicit criteria of equity. It has also focused on urging them to take responsibility for the damages caused by their impacts, i.e. the reparation and compensation costs, besides the costs of the urgently needed energy transition (ie adaptation and mitigation costs).

It should also be taken into account that if the historical responsibility promoted by the Convention is taken seriously (see various documents on climate debt, eg Bolivian submission) , some countries should have inmissions, that is, negative emissions. One way to accomplish this is through domestic biological carbon sinks , but these are plagued with a variety of problems, both political and practical., eg the commodification of nature through plantations projects as proposed in the CDM or now in REDD. A better approach entails emissions reductions abroad which they should somehow pay for. This means an obligation to pay for sustainable activities without fossil fuels in the countries with the least share of responsibility. This is a big challenge for developing countries since they must adopt a zero emission target and at the same time fight for the recognition of this debt.

[1] The countries where the CDM projects are implemented get very little income out of that, and they sell their cheapest reduction options, which have little effect for a long term clean development and a more doubtful contribution to sustainability.

GROUP 9: SHARED VISION

February 6, 2010 in 09. Shared Vision, Working Groups

The concept of a “shared vision” for action was introduced by developed countries under the Bali Action Plan adopted at the 2007 UN Climate Change Conference with the objective of defining common goals for stabilizing the rise in temperature to help pressure all countries to reduce greenhouse gas emissions. The discussion about a “shared vision” became a central part of the negotiations because a rise in average global temperature of 2°C would entail the disappearance of various islands, glaciers, and species of animals and plants. The Alliance of Small Island States (AOISIS), the African Group, and the Least Developed Countries proposed that the goal should be far below a rise in temperature of 1.5°C. Meanwhile, the Plurinational State of Bolivia proposed that the objective should be under 1°C in order to save humanity and have the least possible effect on the Mother Earth.

During the course of negotiations, the Plurinational State of Bolivia put forth that the “shared vision” could not be limited to a goal for a minimum rise in temperature, but that it should include an integral discussion of financial and technological mechanisms and the model of “development” that should be shared in order to reach an agreed-upon goal.

What are the dangers of accepting a temperature increase of 2°C? What are the limits to the rise in temperature and the concentration of greenhouse gasses in the atmosphere that we should strive for on a global level? What should we understand as a “shared vision”? This working group will analyze these questions and formulate related proposals.

Final Conclusions working group 9: Shared Vision

April 30, 2010 in 09. Shared Vision, Working Groups

1. This shared vision is premised in our collective knowledge. Our collective knowledge includes the know-how of our ancestors, traditional knowledge, practices of our indigenous peoples, and the science that is not responsible to vested interests and is directed at improving the safety, stability, health and well being of the Earth.
2. The shared vision is to confront climate change as the urgent priority for all humanity. Our world is going through a climate and environmental emergency. This must be recognized by all, including states. Human induced climate change is a real and present threat to the life of Mother Earth and all living beings. The shared vision is integral, it seeks to define all the elements of a successful solution to climate change, and their relationship to each other. It addresses the historical and structural causes of climate change – including the climate debts that the developed countries owe to the world’s poor and vulnerable communities – while offering a vision in which all people are part of the solution and do not repeat the mistakes of ‘developed countries.’
3. The evidence provided by the Intergovernmental Panel on Climate Change, particularly in their fourth Assessment Report, leaves no question that the climate crisis is a product of the of development and production patterns, which are provoking a massive disruption of natural ecosystems. There are recent scientific reports that provide more alarming data on the impacts of climate change that will be caused if we do not change our lifestyles. This scientific data must be noted in international agreements and public policies aimed at addressing climate change. Similarly, drawing on our collective knowledge, we have the means to overcome the climate crisis. The traditional knowledge of indigenous cultures, the experiences of farmers and local communities will be central to finding solutions.
4. The shared vision is to stabilize greenhouse gases concentrations to give effect to Article 2 of the United Nations Framework on Convention Climate Change which states that the “stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system...”. Our vision is based on the principle of common but differentiated historical responsibilities, to demand that developed countries commit to quantified targets for reducing emissions that allow concentrations of greenhouse gases in the atmosphere to return to 300 ppm and thus limiting the increase in global mean temperature to a maximum level of 1 C. Stressing the need for urgent action to achieve this vision, and with the support of the peoples, movements and countries, developed countries must commit to ambitious targets for reducing emissions to achieve short-term objectives, while sustaining our vision for balance in the Earth’s climate system, according to the ultimate objective of the Convention.
5. It is not acceptable for global temperatures to increase by more than 2 degrees as was proposed in the undemocratic “Copenhagen Accord”, or for concentrations of greenhouse gases to approach 450ppm, as was proposed by the G8. The “Copenhagen Accord” in fact threatens upwards of 3.9 degrees of global warming, it ignores historical responsibility and includes inadequate developed country commitments on mitigation, adaptation, technology and finance, and undermines the agreement of a science-based aggregate target for developed countries, binding individual targets and effective compliance. These proposals threaten the stability of the Earth’s climate system and thus risk massive and systemic disaster for Mother Earth and humans across the world. It will see food production reduced by 40% globally. Between 20% and 30% of all species will be in danger of disappearing. Large tracts of forest will be affected, droughts and floods will affect ecosystems across regions of the planet, deserts

will spread and the melting of polar icecaps, and glaciers in the Andes and the Himalayas will worsen.

An increase of global temperatures to 2°C accepts the disappearance of several small island countries. In Africa the increase of temperature will be even greater than the world average, and many of their countries will reduce their crops by up to 50%. Between 70 and 250 million additional people will have more difficulty accessing to drinking water services by 2020, and the costs of adaptation to sea level rise will reach between 5 and 10% of gross domestic product in those countries. The impacts of climate change will see millions of people forced to leave their homes and migrate to new towns, cities and countries.

With an increase of 2°C rise in temperature there is a 50% possibility that the damage caused to the Earth system will be completely irreversible. Those who promote this goal must be held responsible for the consequences.

6. The shared vision is a world in which all people “live well” in harmony with Mother Earth and other human beings. This vision rejects the capitalist model of life and development that is premised on the supremacy of human beings over nature and the compulsive accumulation of material possessions by human beings. It is this system, the underlying structural root cause of climate change, that has seen developed countries pollute the atmosphere and cause climate change, giving rise to their historical responsibility and climate debts. Thus the shared vision is of a world where all countries and people meet their differentiated responsibilities and in which we enhance the well being of all peoples and maintain the stability, integrity and health of our home – Mother Earth.

7. The shared vision of “living well” is of societies that respect the principles of interdependency and responsibility and therefore practice reciprocity, complementarity, solidarity, equity and live in harmony with Mother Earth and each other. It is a global society of peoples and social movements, who stand in solidarity to change the system that is putting the planet in peril. This change will come from revaluing traditional knowledge that respects nature in all parts of the planet. The survival and the right to live in harmony and balance with Mother Earth is the primary objective of all nations and peoples, as it ensures equity for present and future generations.

8. The colonization of atmospheric space by developed countries, causing climate change and its impacts, are affecting and paralyzing people’s right to “live well” and in harmony with nature. The perpetrators of this crime must assume their moral and legal responsibilities and must urgently reduce greenhouse gases emissions within their countries without using carbon markets. These reductions will allow the peoples of developed countries to ‘live well’, and to improve their lives in harmony with nature.

9. The shared vision is of a massive and global-scale mobilization of peoples, movements and knowledge to address climate change. To be effective, this vision is of specific and measurable goals to be achieved, including the following:

a) The equitable and fair distribution of the Earth’s atmosphere, reversing the historical concentration of the right to the atmosphere in the hands of a few. This colonization of the sky has privileged their economies and development while the majority of the world’s population remains in poverty. Hence there will be the decolonization of the atmospheric space by developed countries and their elites, in order to recognize and honour their climate debts.

b) The deepest possible reduction of GHG emissions from domestic sources by developed countries.

c) There will be quantified changes to the unsustainable patterns of consumption and production. This will involve capacity building for developed countries to enable them to reduce their high per-person greenhouse gas emissions, to live in harmony with nature and to reduce their climate and ecological debts to developing countries and Mother Earth.

d) The promotion and sharing of knowledge and know-how held by our ancestors respecting Mother Earth, and not to be the object of intellectual property laws.

e) The international legal recognition of the rights of Mother Earth.

f) Provision of financial resources by developed countries to developing countries amounting to at least 6% of the value of GNP of developed countries, for adaptation, technology transfer, capacity building and mitigation

g) Provisions by developed countries of means of implementation to developing countries to facilitate adequate adaptation to climate change, to meet the costs of its adverse effects and to repay adaptation debts including through the provision of financial resources by developed countries equivalent to at least 3% of their GNP;

h) The transfer of environmentally sound technologies to developing countries and enhancement of their endogenous capacities and technologies including through the provision of financial resources by developed countries equivalent to at least 1% of their GNP;

i) Capacity building to enable the upgrading of developing countries institutional capacities to address climate change and its adverse effects including through the provision of financial resources by developed countries equivalent to at least 1% of their GNP;

j) Measures by developing countries to mitigate climate change, including nationally appropriate mitigation actions supported and enabled by developed countries including through the provision of financial resources by developed countries equivalent to at least 1% of their GNP

k) The identification and removal of all barriers to access the solidarity transfer of technologies without cost, including the exclusion of patents on climate related technologies to all countries.

10. The shared vision rejects false solutions such as nuclear power, genetic engineering, geo-engineering, bio-fuels and mega-dams that further threaten Mother Earth and our vision to live in harmony with nature and other people. Like these dangerous technologies, the carbon market is

not a solution. Carbon market mechanisms only concentrate more wealth and power in the hands of transnational corporations, those most responsible for climate change.

11. The shared vision of a common future is based on the goals and principles set out here, in the context of an effort that addresses the structural causes of climate change. One in which the benefits of the Earth's atmosphere and climate system are shared fairly. One in which the means

to "live well" – including ecologically and socially sound technologies, financial resources and capacities based in our collective knowledge – are shared among all peoples. A vision in which we build and share a new model of life and development that is premised on recognizing and defending the rights of Mother Earth and the rights of every living being.

Working Group 9: Shared Vision

April 16, 2010 in [09. Shared Vision, Working Groups](#)

Climate change is not something that may happen in the future, indeed it represents a *real threat* to Mother Earth's life and all beings that live in it, because we are already experiencing its impacts. Therefore, the elimination of the origins of this phenomenon is one of the greatest challenges and responsibilities of States, Governments and peoples of our time.

A strong commitment is required in order to succeed in a long-term stabilization goal of greenhouse gases concentrations below 300 ppm (parts per million) and the maximum increase in temperature must be less than 1 degree Celsius. Any increase above these limits will be strongly rejected because, among other things:

- You can not endanger and destroy the very existence of humanity and Mother Earth.
- The impacts caused by climate change such as droughts, floods, disease, loss of several species and biodiversity, risks of food security and sovereignty, melting glaciers and poles, among others, are very strong even with the current temperature increase.
- It would endanger food for humanity (security – food sovereignty)
- There are several damages and impacts totally irreversible.

The concept of a "shared vision" should not only involve the proposal of a limit in the increase of temperature and greenhouse gases concentration in the atmosphere, but must comprehensively understand a set of financial measures, adaptation technologies, and a necessary capacity building to achieve that goal.

Building a shared vision requires attacking the structural causes of the capitalist system, which is leading to climate change crisis and is necessary to change production, distribution and consumption patterns that promote concentration and accumulation of capital in a few hands, as well as the indiscriminate use of natural resources and life commodification.

Survival and development are rights of all nations and peoples, involving equity conditions for present and future generations. A fair and equitable distribution of atmos-

pheric space is required; for many years this space has been concentrated in a few hands, privileging its benefit and development while the majority of the population remains in poverty. In this sense, we demand the decolonization of atmospheric space by developed countries and their elites, in order to allow the development of our peoples through recognition and compensation of climate debt.

Climate change impacts are affecting and paralyzing the progress of fundamental priorities in developing countries, such as the development in harmony with nature and the fight of our peoples against poverty. Therefore, we demand those who historically caused this phenomenon to assume their responsibilities and drastically reduce greenhouse gases emissions within their own states and not through the carbon market.

Developing countries not responsible for the historical pollution should revalue their ancestral knowledge, preserving the atmospheric space to live well in order to avoid the past mistake of industrialization's destructive process, which has led to the current situation. To ensure this process, developed countries should provide funding without conditions and transfer environment-friendly new technologies to developing countries; our countries are now forced to spend more resources in order to achieve development in balance with Mother Earth.

As representatives and delegates gathered at the "PRE CONFERENCE OF INDIGENOUS PEOPLES AND SOCIAL ORGANIZATIONS OF BOLIVIA ON CLIMATE CHANGE AND THE RIGHTS OF MOTHER EARTH", we demand developed countries to take responsibility for climate change; we strictly denounce and reject attempts to assert the "Understanding of Copenhagen," so-called "Copenhagen Agreement", since it doesn't take into account the main elements of this statement ever since life of humanity and Mother Earth have no price.

Possibly related posts: (automatically generated)

- [**PEOPLES AGREEMENT**](#)
- [**Peoples Agreement**](#)
- [**Working Group 8: Climate Debt**](#)

Final Conclusions working group 10:

Kyoto Protocol and Emission Reduction Commitments

April 30, 2010 in 10. Kyoto Protocol, Working Groups

Listening to the international call in defense of Mother Earth, the peoples and nations of the world have gathered at this conference to generate different proposals such as this one presented by Working Group No. 10 on the Kyoto Protocol and greenhouse gas (GHG) emission reduction commitments by developed countries: Taking note that this conference was noticeably infused with values such as Harmony with Nature, "Living Well", and the Rights of Mother Earth; essential values not considered in the Kyoto Protocol,

Being conscious of the fact that climate change is a problem for all and can only be resolved by all, it is not possible to ignore us and our thinking and worldview, as a part of humanity that demands the balance of nature. The equilibrium has been grossly altered primarily by the uncontrolled anthropogenic GHG emissions due to a capitalist development model based on the extraction of fossil fuels,

We reaffirm the principle of common but differentiated responsibilities and it is in this context that we demand that developed countries take the lead in combating climate change and its adverse effects, We note the Kyoto Protocol has established the market mechanisms as one of the ways for developed countries to avoid their domestic GHG emission reduction obligations, and this demands its profound revision. We cannot and must not forget that developed countries adopted this legally binding instrument, nevertheless we alert the world to the fact that these countries' emissions grew by 11.2% between 1990 and 2007, despite their commitments assumed in the Kyoto Protocol. It is evident that their commitments will be violated,

We deplore the attempts by a group of countries to terminate the Kyoto Protocol, the only legally binding instrument for the specific GHG emission reductions by developed countries,

We reject the intent to compel us to adopt the mis-named "Copenhagen Accord" which allows developed countries to offer insufficient GHG emission reductions based on individual and voluntary commitments, which manifestly and evidently violate the environmental integrity of Mother Earth and transgresses the international legally binding rules set by the Kyoto Protocol,

Aware that the outcome of this Conference will instruct the next UN Climate Change Conference in Mexico, We, the Peoples and Nations assembled in the city of Cochabamba as defenders of Mother Earth, raise our voice to: Declare developed countries primarily responsible for the slow death of Planet Earth.

Call on the peoples and civil society of the developed world to demand that their governments respect and comply with their commitments under the Kyoto Protocol.

Denounce the mockery by developed countries in proposing a system under the Copenhagen Accord that, in the way that things occur in nature, would result in an insufficient reduction of GHG emissions, at a maximum of 12-19% by 2020 in reference to 1990 levels. This would be even less if we take into account carbon markets and other legal loopholes, in this way selling our Mother Earth.

It is necessary that at the next UN Climate Change Conference in Mexico, the amendment to the Kyoto Protocol be adopted for its second commitment period from 2013 to 2017 in which developed countries must commit to significant domestic GHG emission reductions of at least 50% in reference to 1990 levels. The emission reductions of developed countries must be achieved domestically, without the use of carbon markets or any other offsetting mechanisms that allows them to avoid the adoption of real measures to reduce emissions.

Any just and effective solution to determine the future GHG emission reductions by developed countries must consider their historic responsibility and climate debt, based on per capita emissions. It must also consider the liberation of atmospheric space needed by developing countries for their growth, the loss of benefits to developing countries reflecting the unavailability of their fair share of atmospheric space, and the damage caused to Mother Earth.

Developed countries' GHG emission reduction commitments under the Kyoto Protocol must be an adequate contribution towards achieving a limit on global emissions sufficient to return GHG concentrations to well below 300 ppm CO₂eq and limit average temperature rise to well below 1°C with a view to returning concentrations and temperatures as

close as possible to pre-industrial levels in the longer term. The current pledges under the Copenhagen Accord would lead to a global temperature rise of around 4°C.

The GHG emission reduction commitments must permit the return to the natural equilibrium leading to the environmental integrity necessary for Planet Earth. This requires establishing a target for the group of developed countries and later each country's individual assignment permitting the comparison of efforts between each one of them, and maintaining the system of the Kyoto Protocol for emission reductions.

The establishment of timely and effective sanctions against developed countries for not meeting their GHG emission reduction commitments could generate funds to compensate for the damage caused to developing countries. This will generate financial resources that do not originate from the carbon market, or the financial obligations currently established by the UNFCCC.

We propose the creation of a Global Council in Defense of Mother Earth as a Control Mechanism, to verify the effective and real compliance of developed countries to their GHG emission reduction commitments, to be led by the least polluting countries, indigenous peoples, rural communities and social organizations.

The United States of America being the only developed country on the planet that has not ratified the Kyoto Protocol and with the sufficient capacity to cause climate change on its own, has a significant responsibility to all nations of the world, including its own people. It must therefore work with the international community by ratifying the Kyoto Protocol, committing itself to respect and fulfil economy wide GHG emission reduction targets.

We demand that the Kyoto Protocol respects the Universal Declaration on the Rights of Indigenous Peoples, and permits their effective participation in voice and vote.

Education policies must create effective mechanisms to combat climate change. This is the reason why we call on world governments to generate massive education actions so that each citizen knows about climate change, and knows which measures to take to combat it.

Final Conclusions working group 11: Adaptation

April 30, 2010 in 11. Adaptation, Working Groups

1. As Peoples gathered at the “World People’s Conference on Climate Change and the Rights of Mother Earth”, collaborating with the Work Group No 11, Adaptation: Confronting Climate Change, we propose the following conclusions so that they are considered in the process towards the COP16 of Mexico and fundamentally to protect Mother Earth.

Vulnerability and climate change impacts

2. Mother Earth and all forms of life that exist are every day more vulnerable to climate change due to the effect of an historical industrial wild development generated by the developed countries and that put in high risk the survival of the species.

3. The Peoples are vulnerable because of their geographical place, their development condition, their level of exposition to events caused by climate change and their capacity to confront the impacts.

4. The fresh water is every day scarcer, the glaciers of the whole world are disappearing, in particular in mountain range zones, which implies the lack of healthy water for life, for ecosystems, for food production and for all forms of life. Likewise, droughts are putting in risk the food sovereignty of the Peoples.

5. The level and temperature increase of the sea are causing: the death of reefs, species and seashores’ extinction, with big economic losses for the Peoples that live near those areas.

6. Floods are more frequent and severe and affect human safety, infrastructure loss, and complete displacement of Peoples and species. The cyclical events deepen these impacts.

7. Agriculture, in particular the one for rural and indigenous communities’ subsistence, is in real danger because of climate change, and the changes in seasons, also due to a greater presence of plagues and illness, which will deeply affect the mother-child nourishment levels and will also affect the increase of climate migrants. The damages caused to forests and ecosystems, and the loss of biodiversity are impacts with an increasing frequency, which particularly affect the rural and indigenous communities that have these ecosystems as part of their livelihood. Likewise, the communities themselves are seeing how their bioindicators are affected and the erosion of their ancestral knowledge.

8. The appearance and re-emergence of transmissible illness are every time greater, malaria, dengue, diarrhea and

respiratory illnesses, are increasing the morbidity and mortality rates, especially infant mortality, and extreme events are causing a greater number of human injuries and loss, including impacts at psychological level. At the same time, social and gender vulnerability are present.

9. Urban and peri-urban communities, which are the result of rural exodus, are also object of the impacts of climate change due to conditions of high poverty and lack of services. Also, new forms of consumption are determinant factors that influence the impacts.

10. In general, the economic, social, cultural and human development of developing[1] countries are seriously impacted by climate change, compromising the well-being of future generations, placing living beings in a risk point of serious consequences. Also, the economic – social inequality itself is a generator of vulnerability towards climate change.

Facing the impacts of climate change

11. The Peoples reject the notion of adaptation to climate change understood as the resignation to the impacts of climate change not provoked by our countries. This change is caused by the capitalism model and consumption since the industrial revolution. It is the developed countries[2] who must adapt their lifestyles and consumption to confront this planetary emergency. As real responsables for this problem, they must mitigate the impact to Mother Earth changing their economic models of development, production and consumption with fewer emissions of greenhouse effect gases. The responsibility of providing with the necessary resources so that the Peoples can confront these impacts and defend life and Mother Earth relies on the developed countries, who now force us to face inevitable changes.

12. Considering these impacts, caused by this model of consumption, the Peoples, including those in the developed countries, are forced to confront climate change, without resigning themselves to accepting the impacts, but instead considering adaptation as a process and not an imposition, and also as a tool that should be used to resist these impacts and especially to protect and to defend Mother Earth and all forms of life, demonstrating that it is possible to live in harmony with life under a different life model. The adaptation cannot be considered to be the solution in itself. Mother Earth and the Peoples cannot live eternally adapting themselves to an irresponsible life style by a minority of the Planet.

13. It is urgent that our developing countries establish policies and strategic lines to confront climate change so

that these allow the possibility to be defined also at global, regional, local and community levels and through the integral management of: climate risks, natural resources, water, basins including glaciers, soils, agricultural biodiversity, energy, waste management, territory planning, environmental and strategic education, capacity building strengthening at all levels, free access to information and revaluation of ancestral knowledge, in search of a fundamental change of paradigm that allows us to protect and to take care of Mother Earth and all its forms of life.

14. To work in contingency and prevention plans, recognizing amongst others; the vital role of women, in order to confront climate risks, forced migrations of living beings, the loss of crops and illnesses, as well as to work towards nature's balance, must be of international priority. To promote measures to transfer climate-risk from developing countries to developed countries through the States.

15. It is established that the recovery and revaluation of the ancestral knowledge, engineering and techniques, the ceremonial centers, and rituality allow to confront the impacts of climate change in complementarity with scientific knowledge.

16. Our countries, as an example of sensibility towards Mother Earth, ratify the commitment to implement actions to face climate change, to work on the development of our own technologies and to promote autonomous processes of capacity building and investigation.

The costs and financing responsibility

17. The industrialized countries have the moral and legal obligation to pay the totality of the historical and future adaptation debt with the urgent and immediate provision of financial resources and technology transfer and application, without conditions, to developing countries to confront the impacts of climate change and to provide economic resources, technology for prevention and strengthening of response capacities, to cover the cost of lost and diminished opportunities, and to strengthen the role of women, the rural, indigenous communities and of the children towards climate change. They must compensate the damages for the impacts that already took place and the ones that will occur in the future and for the loss of development opportunities, cultural and services loss; compensation for extreme, climate and gradual events, considering the additional costs that might arise if our planet exceeds the ecological thresholds for the projected warming that threatens the biocapacity of Mother Earth, as well as those impacts that are hindering the development right to "living well" in harmony with the nature that Peoples have.

18. Also, the payment of the Adaptation Debt (which is part of the Climate Debt) by the developed countries is not a permission so that they can keep unsustainable systems of consumption that continue affecting life negatively.

19. The Adaptation Fund must be maintained with the minimal contribution per year of 2 % of the yearly GDP of the total 6% defined in the financing section^[3] of the developed countries to exclusively confront the impacts of climate change. These funds will have a character of compensation and additional to the Official Development Assistance and applicable until the developed countries reduce their emissions and climate stabilizes.

20. It is necessary to strengthen the Adaptation Fund as an exclusive fund for confronting climate change impacts and that is part of a financial mechanism managed and led in a sovereign and equitable way by our States, without Development Banks and Multilateral Financial Organisms. It should also handle a mechanism for the compensation for damages to Mother Earth as it is described in paragraph 17 to guarantee that all countries have the same protection right against the impacts and to proactively confront climate change.

21. This Fund should assess: the impacts and their costs in the developing countries and the needs that these impacts derive, register and monitor the support of developed countries, including the transfer and development of suitable technologies and the fulfillment of the funds provision as part of a just compensation.

Equitable opportunities to confront climate change

22. It is recognized that all countries have the same right to protection against impacts and to proactively confront climate change. It is inequitable that enormous quantities of resources for protection are spent in developed countries, whereas to our Peoples the sums that want to be assigned are minimal, knowing that we are more vulnerable.

23. We admit also that the economic model of development based on the consumption is originating in the developed countries poor communities with high levels of vulnerability to climate change, which should be attended by their own States.

24. It is urgent to strengthen research capacities and the transfer of environmentally suitable and socially healthy technologies, as well as the development itself of technologies in and for the developing countries, to monitor, predict and to assess the impacts of climate change at all levels. The provision of resources must be undertaken by the developed countries to cover the totality of these processes and in particular the development, transfer and adequacy of technologies for the monitoring of the impacts and of concrete adaptation actions and measures. Also, these resources must strengthen participatory mechanisms and processes of prevention and risks reduction of climate disasters through early warning systems and adaptation at all the levels, especially towards the most vulnerable sectors. Local stakeholders and the Peoples must be privileged with analysis of the impacts and adaptation, for

which their knowledge and endogenous capacities must be considered.

25. We recognize the efforts and proper measurements that our Peoples do for protecting Mother Earth and all forms of life.

A criticism to an irresponsible Accord

26. The “Copenhagen Accord”, imposed over the developing countries by some States, beyond offering insufficient resources, pretends by itself divide and confront the Countries for economic resources and to force them to the actions of adaptation without fully guaranteeing the necessary resources. Also, they try to grant 10,000 million dollars per year over next years, although more than 300,000 million dollars per year are required for adaptation. In the same way, we alert that the “Accord” claims that funds serve more for mitigation than to confront the impacts of climate change.

27. This irresponsible “Accord” tries to extort developing countries conditioning access to adaptation resources in exchange for mitigation measures. In the same way the “Accord” tries to force developing countries to adaptation, forgetting that the responsibility of the costs and expenses are exclusively from the developed countries.

28. Additionally, it is established as unacceptable that in the processes of international negotiations it is attempted to categorize the developing countries by their vulnerability to climate change, generating disputes, inequalities and segregation between them.

Working Group 11: Adaptation

April 16, 2010 in [11. Adaptation, Working Groups](#)

The Pre-Conference of Bolivian Indigenous Peoples and Social Organizations on Climate Change and the Rights of Mother Earth was held in the city of Cochabamba from the 29th to the 30th of March. The Pre-Conference drafted in 17 Working Groups proposals to be submitted by Bolivia to the CMPCC to be held from the 19th to the 22nd of April. The plenary of the Pre-Conference discussed and adopted the following conclusions. It is noteworthy that these documents are still preliminary in terms of form and compatibility by a drafting committee composed at the Pre Conference.

IMPACTS

The impacts of climate change are generating irreversible and invaluable damages to Mother Earth affecting peoples’ lifestyles, their human rights, their natural and cultural resources, as well as the future of new generations.

Climate Justice

29. Unfulfillment by the developed countries to compensate the costs of impacts and those from the climate change adaptation debt must be subjected to the climate justice tribunal.

[1] This criticized term will be used, for being the category of language used in the international negotiation. It is also understood that this development must be a development that means harmony with nature and with regards to Mother Earth and all the living beings.

[2] This term will be used although it is highly criticized. They are categories used in the International Negotiation. It is understood that this development has been achieved following a model of consumption and production that have been determinant factors in the current crisis of our planet.

[3] This amount is based on several studies and of different sectors and also considering studies from different organizations. The financing section and climate debt has more details respectively.

Possibly related posts: (automatically generated)

- [**Pre-conference of Bolivian indigenous peoples and social organizations on c...**](#)
- [**Working Group 11: Adaptation**](#)
- [**NEWSLETTER #1, January 25, 2010**](#)

Climate change is threatening the substantive basis of life by affecting the agricultural sector, food sovereignty, water resources, health, ecosystems and biodiversity. Extreme accelerated events by climate change are strongly deteriorating human security, infrastructure and settlements, thus limiting economic development of poor countries on the planet.

These impacts are much more evident on indigenous populations, whose livelihoods and natural resources are affecting the use of biomarkers, making them even more vulnerable, thus increasing the number of climate migrants.

ADAPTATION

Peoples do not accept the term “adaptation” because it represents an imposition, and is insufficient since it leads to a process of actions and costs required in front of an impact not generated by us. Climate change adaptation is understood by peoples as the tool to fight climate change

impacts and to protect and defend Mother Earth. It also means the healing of damaged natural resources, and the compensation of damages, social and cultural conflicts. The actual adaptation is the one that developed countries should accomplish, changing their lifestyles, development models and excessive consumerism.

It is proposed, in the context of the UNFCCC, that developed countries and those with emerging economies with large footprints, must learn to live with less opulence and lower GHG emissions.

MONITORING AND IMPACTS ASSESSMENT

- We demand the need of monitoring and assess impacts that poor countries suffer as a consequence of climate change effects, which requires developed countries to provide technology transfer in order to measure these impacts establishing the evidences of climate change impacts and their compensation, which should not represent a new debt for our states.

- We demand the strengthen of investigative capacities and technology transfer to universities in developing countries to build capacity to monitor, predict, and assess impacts of climate change on every level. To accomplish this, it is mandatory to demand resources from developed countries that cover all of these processes.

- We propose a record of each and every one of the impacts and costs that our countries are suffering and will suffer due to climate change. Local actors and indigenous peoples should be privileged to analyze impacts, prioritizing ancestral knowledge. Based on these records within the UNFCCC, a fair compensation for impacts' costs should be established. It must be stated that the costs of impacts include lost opportunity costs of our development, cultural and services losses, replacement of losses due to climate events, and intrinsic losses.

- The failure of developed countries to resolve these impact costs and climate change adaptation should be the subject of the Climate Justice Tribunal.

CLIMATE DEBT AND FINANCING

The **Climate adaptation debt** should be assumed entirely by developed countries, and it is necessary to establish a binding mechanism for these countries to assume their economic responsibilities. In this sense, we demand:

1. The establishment of an adaptation fund as part of a financial mechanism operated through our own countries, and which it is vitally important.

2. That the application of this fund's resources must be managed and conducted by our states with sovereignty, without following the conditioning process through international banks.

3. That this fund's resources must be designed to cover the damage compensation for climate change impacts already occurring and for those impacts that are hampering the right of peoples to "living well" and to strengthen the role of women in relation to climate change.

4. That the Adaptation Fund must be sustainable over time. In this sense, it is demanded that this fund is consolidated with 2 to 3% annual GDP growth in developed countries. These funds should imply compensation and be additional to Official Development Assistance.

5. That under any point of view, adaptation funds should be used to subsidize corporations and companies; however, these companies must contribute with resources to the adaptation fund.

6. That resource's transfers from people to people within countries can be complementary generated.

EQUAL RIGHTS PROTECTION TO THE IMPACTS OF CC

- To disqualify the Copenhagen Accord because it is limited; it addresses adaptation to climate change insufficiently since it does not fully cover the components of the Bali Action Plan, which provides an integral view of Adaptation. This Accord is intended to generate obligations in adaptation to our countries, ignoring all the responsibility of impacts and adaptation costs lying in developed countries.

- The offer of the Copenhagen Accord in terms of economic resources is minimal since at least 300,000 million dollars are annually required to address adaptation to climate change. In addition, the fact that the Copenhagen Accord involves adaptation and mitigation in a single fund is disapproved, distorting the needs of our peoples. This Accord intends to divide and confront the peoples for economic resources.

- We oppose any attempt to categorize our countries by their vulnerability to climate change, which generates disputes, inequality and segregation. We also report that is intended to extort our states, forcing emissions reductions (mitigation) in exchange of adaptation funds.

- Adaptation can not be considered as its own solution. Mother Earth and peoples can not live adapting themselves forever; therefore, developed and emerging countries must change their economic development model, Consumption Patterns and Life System.

- Peoples have equal rights to access the protection and technology systems for the impacts of climate change. We demand mandatory compensation for climate refugees and migrants. We reject the adaptation measures, such as the use of transgenic or biofuels because they violate peoples' lives.

Final Conclusions working group 12: Financing

April 29, 2010 in [12. Financing](#), [Working Groups](#) | [Leave a comment](#)

A. Financing Commitments under the UNFCCC

1. Developed country parties included in Annex 1 of the United Nations Framework Convention on Climate Change (UNFCCC) have committed to financing the costs incurred by developing country parties to cover the costs of mitigation, technology transfer and capacity building, including all adaptation costs. This financing constitutes an obligation in response to developed country parties historical emissions of greenhouse gases; and constitutes a part of reparations for their climate debt.

2. Developed country parties have failed to meet their climate finance commitments, in part because the current financing model – which includes both carbon markets and existing financial institutions outside the authority of the UNFCCC – is ineffective at meeting the needs of developing country parties to address climate change.

3. Under the UNFCCC climate finance must be new and additional to existing commitments to Overseas Development Assistance (ODA) toward the achievement of the Millennium Development Goals; however the vast majority of current climate finance by developed country parties is counted as both ODA and climate finance. This constitutes a double counting of financial assistance to developing country parties.

In addition, this financing is channeled through financial institutions, the World Bank, and Regional Development Banks in the form of or attached to loans – even for adaptation, which increases the debt of developing country parties.

4. Financing for adaptation in developing countries must not be conditioned on mitigation actions.

5. All policy and program priorities, and eligibility criteria for funding must come from the parties to the UNFCCC.

6. Funding shall be available to all developing country parties without discrimination or conditionality, under the principles of common but differentiated responsibility and climate debt.

7. Financing must not undermine the sovereignty and self-determination of developing country parties. Financing must respond to country driven processes that involve communities in decision-making.

8. Funding priority must be given to those communities and countries most affected, that preserve nature, and that have contributed least to the emissions of greenhouse gases; and respond to the principles and provisions of the UNFCCC.

9. The outcome of the Ad Hoc Working Group on Long-term Cooperative Action at COP15 must be the basis for negotiations in Cancun (which continues the mandate established in the Bali Action Plan), and not the Copen-

hagen Accord, which is not a formal decision of the Conference of the Parties to the UNFCCC.

B. Scale and Sources of Financing for Climate Change

10. The scale of existing financial resources currently allocated to developing countries parties for addressing climate change plus the Copenhagen Accord proposal to mobilize (US\$10 billion per year between 2010 and 2012, and up to US\$100 billion by 2020 annually – which represents only 0.8% to 8% of developed countries' national defense budgets, respectively) is grossly inadequate.

11. Developed country parties must commit at least 6% [1] of their annual GDP for climate finance in developing countries. The viability of mobilizing this amount of finance is evident – developed countries spend an equivalent amount each year on national defense. In addition, developed countries have mobilized trillions of dollars (equivalent to 5 times the 6% GDP proposed) to bail out failed banks and speculators. This is a question of political will, and the priority given to effectively combating climate change and protecting Mother Earth.

12. The finance required must be provided from public sources, and must be new and additional to ODA, to bilateral assistance, and to funds flowing outside the UNFCCC. Any funding provided outside the UNFCCC will not be regarded as meeting the commitments of developed country parties under the Convention.

13. The carbon market shall be eliminated as source of financing, because its capitalist logic promotes the paradox that those actors who will benefit most, are the same actors who have most harmed the environment. In addition, market mechanisms allow developed countries to evade their commitments to reduce emissions, while at the same time benefitting economically from the climate crisis. Moreover, this model impedes the equitable distribution of resources, can not guarantee a predictability flow of resources at scale, nor the timely availability or direct access to financing for those most affected.

14. Financing for climate change must be delivered as grants, understood as a part of the reparations for climate debt between parties. Loans cannot be considered as fulfillment of financial commitments. In the same way climate financing does not signify a donor/recipient relationship between developed and developing countries.

15. All Annex 1 funding allocated to military purposes and subsidies for fossil fuel producers shall be redirected to climate change.

C. Functions and Structure of the Financing Mechanisms

16. A new financial mechanism shall be established under the authority of the UNFCCC, replacing the Global Environment Facility and its intermediaries such as the World Bank and the Regional Development Banks.

17. This financial mechanism must be under the authority of, and accountable to, the COP of the UNFCCC. There must be equitable representation of developing countries in all decision-making and technical bodies, with specific representation of most affected countries. Affected communities, sectors, classes, women, social movements, and civil society groups must also be formally represented; not financial institutions.

18. The management and administration of the financial mechanism must be transparent, inclusive, participatory and democratic.

19. The financial mechanism must respect the sovereign control of each country to determine the definition, design, implementation of policy and programmatic approaches to climate change. In addition, the mechanism must uphold human rights, including economic, social, cultural and collective rights, and other rights enshrined in international covenants and agreements.

Working Group 12: Financing

April 16, 2010 in [12. Financing, Working Groups](#) | [1 comment](#)

THE PRE CONFERENCE OF BOLIVIAN INDIGENOUS PEOPLES AND SOCIAL ORGANIZATIONS ON CLIMATE CHANGE AND THE RIGHTS OF MOTHER EARTH (PCPCDDT), emphasizes that there are funding commitments assumed by Annex 1 countries of the UN Framework Convention on Climate Change (UNFCCC) that come from these countries responsibility on their greenhouse gases historical emissions, which have caused climate change and its adverse effects, threatening the survival of Mother Earth and condemning millions of people to a poor and deprived life.

It emphasises the failure of the model implemented to accomplish the commitments to finance climate change costs in developing countries leading to a non-fulfilment by developed countries.

It stresses that the amount of financial and technological resources addressed so far to the funding commitment is minimal and inadequate in relation to what is actually needed in developing countries to tackle climate change.

It reasserts that carbon market is not a source of financing for developing countries given that it does not ensure:

an equitable distribution or a continuous flow of resources

a necessary scale of resources to fight climate crisis

a convenient availability or direct access to resources.

This has given rise to promote economic interests of a few at the expense of the greater good of the peoples of the World and the fast increase of climate change and its negative impacts.

20. The financial mechanism must be an operational entity that ensures the flow of resources to developing countries to address climate change in a timely and efficient manner.

21. A system to monitor, report and verify the fulfillment of developed country financial commitments must be established. Information must be publicly disclosed, and allow for independent evaluation and systems for redress for civil society through the climate justice tribunal.

22. The financial mechanism shall be defined and approved at COP16, and be made operational at COP17. Until that time, climate financing for developing countries must be ensured and increased through greater fulfillment of existing commitments.

[1] Based on the most recent economic assessments (iisd, 2009; iied, 2009) and on the concept of reparations for climate debt.

It demands developed countries to comply with their financing commitments and the compensation of their historical climate debt to developing countries in defense of the Culture of Life and Mother Earth.

It demands the provision of new, additional, adequate and predictable financial resources from public source equivalent to a minimum of 6% of GDP from developed countries to ensure the availability, timeliness and adequacy of resources in a flexible and transparent way towards developing countries to cover the costs they incur in order to fight climate change.

It highlights that the implementation of a new and effective financial mechanism is required to ensure compliance with the commitments assumed by Annex 1 countries, referring to the financing of new and additional resources to cover costs incurred by developing countries to tackle climate change and allow the payment of historical climate debt.

- This mechanism must operate under the authority and guidance of the Conference of Parties to the UNFCCC (COP) in order to ensure equality of sovereign countries when making decisions about the use of resources.
- The mechanism should have an equitable presentation of the UNFCCC Parties, with a special participation of developing countries that are most affected by climate change without causing this problem.

The role of this mechanism should have advisory and operational functions, in a way that permits a dynamic

and appropriate flow of resources to fight climate change in developing countries.

A binding Monitoring, Review and Verification system should be established in order to comply with funding commitments, according to the principle of common but differentiated responsibilities.

All financial resources managed within the financial mechanism fund, must come from developed countries, which assumed their respective commitments under the UNFCCC.

It requires the quantification of climate debt through the Climate Justice Tribunal.

It demands to strengthen, improve and streamline channels of bilateral and multilateral cooperation, to finance the costs involving climate change until the financial mechanism works effectively.

It stresses that the provision of these resources should be based on donations and subsidies, not on loans or carbon market, demanding direct access to them by developing countries because financing is an obligation of developed countries.

It rejects the pre-allocation of resources based on conditions and indicators developed outside the UNFCCC.

GROUP 12: FINANCING

February 5, 2010 in [12. Financing, Working Groups](#) | [Leave a comment](#)

In the fifteen years since the UN Framework Convention on Climate Change entered into force, developing countries have failed to meet their commitments to setting aside additional, ongoing financial resources to help developing nations confront the impacts and costs of climate change. Additionally, there have been a series of institutional problems affecting the administration of the scant resources that have so far been gathered to address the needs of developing countries.

What should be the amount of financial resources set aside by developed countries to provide support to developing countries? How to ensure that these resources are stable and sustainable over time? What might be the structure of a new and efficient mechanism for the management and transfer of these resources? How can they be administered in a transparent, efficient, and sustainable way? Why does Copenhagen represent an insufficient proposal in terms of financing?

This working group will consider the size and source of financial resources necessary for confronting the effects of climate change in developing countries, as well as strategies for the efficient and effective management of funds aimed at mitigation, adaptation, development, transfer of technology and capacity-building in developing countries.

Financing

February 5, 2010 in [12. Financing, Working Groups](#) | [1 comment](#)

It demands that funds for militarism, war and arms build-up are re-directed to fight climate change, thus promoting the Culture of Life.

It rejects the process that is being followed to legitimize the document known as "Copenhagen Accord", which is not a decision of the COP, but a document simply noticed in the Danish capital.

It emphasizes that the elements referred to funding contained in the "Copenhagen Accord" do not respond to the real needs of developing countries to tackle climate change. It rejects as well any attempt to stream financial resources to fight climate change through this document.

It demands to all UNFCCC Parties to seek compliance with the funding commitments of Annex 1 Parties, through the 'Route' of the Bali Action Plan process under the UNFCCC and deplores other exclusivist and non-transparent processes outside the Convention already denounced in Copenhagen, which will not be recognized.

It emphasizes that financial resources used to accomplish funding commitments will be used for culture of life and in defense of the rights of Mother Earth.

Objectives of the group in terms of debate and product

- Agree on the scale and source of funds necessary for confronting climate change in developing countries.
- Agree on a proposal for the institutional structure and functions of a financing mechanism.
- Analyze the proposal regarding financing in the so-called "Copenhagen Accord."

Principal questions

- What should be the amount of financial resources set aside by developed countries to provide support to developing countries?
- How to ensure that these resources are stable and sustainable over time?
- What might be the structure of a new and efficient mechanism for the management and transfer of these resources?
- How can they be administered in a transparent, efficient, and sustainable way?
- Why does Copenhagen represent an insufficient proposal in terms of financing?

Precedents

Financing Under the Convention on Climate Change

Article 4 paragraph 3 of the UN Framework Convention on Climate Change (UNFCCC) states: “The **developed country Parties** and other developed Parties included in Annex II shall provide **new and additional financial resources to meet the agreed full costs incurred by developing country**. Parties in complying with their obligations under Article 12, paragraph 1. They shall also provide such **financial resources, including for the transfer of technology, needed by the developing country Parties to meet the agreed full incremental costs of implementing measures** that are covered by paragraph 1 of this Article and that are agreed between a developing country Party and the international entity or entities referred to in Article 11, in accordance with that Article. The implementation of these commitments shall take into account the need for **adequacy and predictability in the flow of funds** and the importance of **appropriate burden sharing among the developed country Parties.**”

(Paragraph 1 of Article 12 makes reference to “A general description of steps taken or envisaged by the Party to implement the Convention.”)

Regarding financing for adaptation, Paragraph 4, Article 4 states that developed countries “**shall also assist the developing country Parties that are particularly vulnerable to the adverse effects of climate change in meeting costs of adaptation to those adverse effects.**”

Also under Article 4, Paragraph 5 emphasizes financing for developing countries through technology transfers: “The **developed country Parties** and other developed Parties included in Annex II **shall take all practicable steps to promote, facilitate and finance, as appropriate, the transfer of, or access to, environmentally sound technologies** and know-how to other Parties, **particularly developing country Parties**, to enable them to implement the provisions of the Convention. In this process, **the developed country Parties shall support the development and enhancement of endogenous capacities and technologies of developing country Parties.**”

The UNFCCC makes compliance with commitments by developing countries conditional upon the financial assistance and technology transfers they receive from developed countries.

Article 4, Paragraph 7 states: “**The extent to which developing country Parties will effectively implement their commitments under the Convention will depend on the effective implementation by developed country Parties of their commitments under the Convention related to financial resources and transfer of technology** and will take fully into account that economic and social development and poverty eradication are the first and overriding priorities of the developing country Parties.”

The Global Environment Facility (GEF)

The financial mechanism currently used by the UN regarding climate change is the Global Environment Facility (GEF), an independent body that facilitates the application of international conventions on biodiversity, cli-

mate change, international waters, land degradation, the ozone layer, and persistent organic pollutants. It is also a financing mechanism for the UN Convention to Combat Desertification, and collaborates with other environmental treaties and accords (see <http://gefweb.org>).

The GEF was created to provide new and additional financial resources to help cover the **incremental** costs of the means for achieving agreed-upon **global** environmental benefits. Any project financed by the GEF will thus cover only the incremental costs of the same, which makes necessary co-financing, as well as proper demonstration that the impacts of the project would be global in scope.

The GEF was established in 1991, and it has 178 member countries. In the last sixteen years, it has allotted \$8.7 billion for more than 2,400 projects related to the environment (not limited to climate change) in over 165 developing countries and countries with economies in transition. Below are the financial reports of the Fourth Overall Performance Study (FOPS4) of the GEF.

Table 1 GEF Project Funding by Fund (million \$) (each phase corresponds to four years)

Fund	Pilot phase	GEF-1	GEF-2	GEF-3	GEF-4	All phases
GEF Trust Fund	726	1,228	1,857	2,784	1,996	8,590
LDCF	0	0	0	6	88	95
SCCF	0	0	0	14	72	87
Total	726	1,228	1,857	2,804	2,156	8,772

Source: GEF Project Management Information System, through June 30, 2009

The GEF receives funds from donor countries every four years, in accordance with a performance study. The fourth and most recent study is referred to as OPS4.

This study signals that the GEF has a problem with under-financing, that is to say, the amounts currently controlled by the GEF are insufficient for confronting the global environmental crisis. It adds that the global community is not doing enough to solve global environmental problems.

OPS4 states that the GEF has not historically been successful in mobilizing resources, and that financing in the most recent periods has fallen despite rising need around the world, such that the GEF has been under-financed since GEF-2.

Regarding the impact of the GEF in the area of climate change specifically, OPS4 states that work was done on the reduction of greenhouse gas emissions, but that actual contributions are minimal when compared to the required levels.

Also important to note is the fact that the UNFCCC states that the financing commitment refers to new and additional funds. However, the OPS4 points out that 77% of

GEF contributions have been registered under Official Development Assistance (ODA), having risen to up to 96%, of which only 4% would comprise new and additional funds to the GEF.

Table 2: Percentage of ODA Resources Allotted to GEF

	Pilot phase	GEF1	GEF2	GEF3	GEF4
Total ODA (thousand \$)	304,725	302,595	280,529	416,132	238,278
GEF (thousand \$)	843	2,023	1,687	2,095	2,169
As % of ODA	0.28	0.67	0.60	0.50	0.38

Source: OECD. GEF Replenishment Data

GEF projects are carried out by the following organizations: UN Development Program (UNDP), UN Environment Program (UNEP), World Bank, UN Food and Agriculture Organization (FAO), UN Industrial Development Organization (UNIDO), African Development Bank (ABD), Asian Development Bank (ADB), International Bank for Reconstruction and Development (IBRD), Inter-American Development Bank, and the International Fund for Agricultural Development (IFAD).

Resource allotment is established in accordance with strategic focal areas (biodiversity, climate change, desertification, international waters, ozone layer, persistent organic pollutants, sound chemicals management, and the sustainable management of forests). Hence, the GEF establishes the focus and requirements of each project in these focal areas such that it can be financed, taking into account that it should have a global environmental impact.

Regarding the scale of financing for each country, the existing Resource Allocation Framework consists of a system to assign resources to recipient countries to increase the impact on the global environment. The Resource Allocation Framework assigns resources to countries based on the potential of each to generate global benefits in accordance with GEF criteria.

Table 3: GEF Funding by Focal Area

	CC	Bio	IW	ODS	POPs	LD	MFA	Total
Funding in \$m	2,743	2,792	1,065	180	358	339	1,114	8,591
Percentage	31.9%	32.5%	12.4%	2.1%	4.2%	3.9%	13.0%	100.0%

Key: CC: Climate Change, Bio: Biodiversity, IW: International Waters, ODS: Ozone Depleting Substances, POP: Persistent Organic Pollutants, LD: Land Degradation, MFA: Multifocal Areas.

Adaptation Fund

The Adaptation Fund was established to finance programs and concrete projects regarding adaptation in developing countries that are party to the Kyoto Protocol and that are particularly vulnerable to the adverse effects of climate change (see www.afboard.org).

The Adaptation Fund is financed by the projects of the Clean Development Mechanism (specifically 2% of the Certified Emission Reduction Units, or CERs) as well as other sources. This causes the amount of financial resources available through the fund to fluctuate widely, for it shifts with the market price of CERs.

The fund is supervised and administered by the Adaptation Fund Board, which is comprised of 16 members and 16 alternate members. This board meets at least twice annually.

The Global Environment Facility (GEF) provides its services to the Adaptation Fund as secretariat and is located at the World Bank headquarters in Washington, DC.

The fund was established in 2001 at COP 7 (the Seventh Conference of the Parties to the UN Framework Convention on Climate Change). The Adaptation Fund is not currently accepting project proposals, as it has not finalized its political and operative guidelines.

Current State of Compliance with Financing Commitment

Despite the fact that this commitment has existed for more than fifteen years, it still has not been implemented effectively. This is because it has erroneously been tied to carbon markets through the Clean Development Mechanism as a source of financing for mitigation and adaptation under the Adaptation Fund.

It is important to clarify that through the Clean Development Mechanism, a developed country **buys** the emissions reductions of a developing country to then include these reductions in its accounting toward its own emissions reductions commitments. This means that the developed country benefits by buying these reductions and is not in fact financing the costs of mitigation incurred by developing countries.

Regarding financing for development and transfer of technology, this is also supposedly covered by the Clean Development Mechanism, given that it is a mechanism that gives developing countries access to environmentally-friendly technologies to the extent that they can access better technologies in order to reduce their greenhouse gas

emissions through the implementation of projects that would not have been developed without the Clean Development Mechanism.

Proposals

G77 and China: Establish an effective mechanism functioning under the governance of the Conference of Parties (COP) in order to guarantee complete and sustained implementation of the UNFCCC with regard to financing commitments. This mechanism should have equal and geographically balanced representation for all Parties.

This mechanism would permit direct access to funds and would ensure the involvement of countries in the identification, definition and implementation of the funds.

Mexico: Establish a World Fund for Climate Change (Green Fund) to be agreed upon multilaterally in order to guarantee full, effective, and sustained implementation of the UNFCCC, with the following objectives: Establish funds for mitigation, support adaptation efforts and efforts to tackle response mechanisms, provide technical assistance and promote the transfer and diffusion of clean technologies, contribute to the financial strengthening of the new climate accord based on the UNFCCC.

Under this plan, the Fund would receive financial support from all countries, according to a series of indicators. Developing countries that decide not to join the Fund would be excluded from its benefits. All member countries would be able to benefit from the Fund. The mitigation activities to be financed would be defined for each country, based on its needs and in accordance with its particular circumstances, and should be real, measurable, and verifiable.

European Union: The financial architecture should involve various sources (both public and private) and mechanisms (i.e. carbon markets and innovative tools) at national and international levels.

The EU believes that the central role of governments will be to implement regulations and incentives based on the market to attract, expand, re-direct and optimize private financing. Public financing will be essential and should, wherever possible, stimulate and catalyze the involvement of the private sector.

India: Proposes that the institutional structure should depend on the COP, and have a balanced representation and transparent governance processes. Furthermore, any financial grant from outside of the Convention structure should not affect compliance with established commitments.

Scale

Regarding the scale of funding, the Group of Africa proposed that developing countries should contribute 5% of GDP (approximately 1.9 billion dollars). Of this amount, 50% should be put toward adaptation, with an addition 400 billion generated by public funds to create a rapid financing option for developing countries. It also claims 150 billion should be released immediately by the IMF with special access for developing countries.

Financing and the Copenhagen Accord

The Copenhagen Accord states in point 8: "The collective commitment by developed countries is to provide new and additional resources, including forestry and investments

through international institutions, approaching **USD 30 billion for the period 2010 – 2012** with balanced allocation between **adaptation and mitigation**. Funding for adaptation will be prioritized for the most vulnerable developing countries, such as the least developed countries, small island developing States and Africa. In the context of meaningful mitigation actions and transparency on implementation, developed countries commit to a goal of mobilizing jointly **USD 100 billion dollars a year by 2020** to address the needs of developing countries. This funding will come from a **wide variety of sources, public and private, bilateral and multilateral, including alternative sources of finance**. New multilateral funding for adaptation will be delivered through effective and efficient fund arrangements, **with a governance structure providing for equal representation of developed and developing countries**. A significant portion of such funding should flow through the **Copenhagen Green Climate Fund**."

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Final Conclusions working group 13:

Intercultural Dialogue to Share Knowledge, Skills and Technologies

April 29, 2010 in [13. Technology Transfer, Working Groups](#) | [1 comment](#)

The World People's Conference on Climate Change and the Rights of Mother Earth – Working Group 13 Intercultural Dialogue Knowledge Sharing, Knowledge and Technology, gathered in the city of Cochabamba 19 to April 22, 2010, reached the following agreements: Sharing knowledge of appropriate technologies is essential if we fight the climate crisis. To reduce emissions over the next decade, and to respond to the growing damage caused by climate change, we must implement socially and environmentally healthy technologies in each country, each sector and in every place to help us for “living well” and live in harmony with all and each of us and Mother Earth.

Share appropriate technologies is a necessary condition to solve climate change, but not sufficient, because the consumption patterns and lifestyles of excessive consumption must change fundamentally. The model of life and development within the capitalist system should be fundamentally changed. Therefore, the development of knowledge and technology should be viewed as an integral part of a broader effort to address the underlying, structural and roots causes of climate change.

Thus, we recognize and revalue the appropriate local technologies, which should be developed to overcome the climate crisis.

We reject the proposed technology transfer in vertical position, from the rich and producing more pollution, to countries in the process of social transformation. Instead we designed a free exchange of information, knowledge and technologies, coordinated between the governments and peoples under the principles of solidarity, reciprocity, respect, complementarity, harmony, transparency, balance and equality of conditions, promoting the dialogue of knowledge and interscientific dialogue as a guarantee of development and innovation of clean technologies for the cessation in the production of greenhouse gases and all kinds of environmental damage that threatens the

MOTHER EARTH.

ECOLOGICAL EDUCATION AND CREATION OF CAPACITIES

The knowledge is universal, and for any reason may be the subject of private ownership and private use, nor its applications in the form of technology. It is the duty of the peoples to give back knowledge and technology to the people, and defend and promote their development and application for LIFE.

GENERAL OBJECTIVES

1) Democratize and strengthen appropriate educational policies that enhance sustainable and ecological development as an integral part in the curriculum in the education systems being these formal or not formal at national and international levels going through all areas and subjects of the global and universal education, in a more systematic

and sustained way, to change skills, behaviors and habits to climate change.

2) Raise awareness, enhance, empower and develop permanently, committing the population to generate a culture on the importance of the environment in life as a change agent or through research and development of technologies that respond to the diverse needs of each populace.

The technological education should be based on the following areas:

a) Environmental Education and Research. The general goal is to get governments around the world foster global awareness on climate change.

Likewise, a curriculum reform that positions and integrate education, science and culture as a tool to generate real solutions to climate change and global warming, on the basis of knowledge dialogue and the interscientific dialogue between science and Western technology and technology and the ancestral knowledge of the peoples.

The specific objectives of this education are:

- Achieve a digital education for creation of capacities
- Create a platform of solidarity for exchanging information, knowledge and technologies among nations.

The basis of this environmental education are to build and strengthen appropriate educational policies that enhance environmental sustainability, incorporating into the curriculum in education systems at national and international systemic advantage and sustainable manner to all areas and subjects of education achieving global and universal changes in attitudes, behaviors and habits to face climate change.

The objectives and policies of “national education systems”, among other are the following:

- Improve Education, turning it relevant to the needs of the community in regard to climate change and greenhouse effect expanding their coverage and retention of students in the educational system to be considered a right and obligation the respect for Mother Earth.
- Structure and develop an educational concept based on the knowledge that “Mother Earth does not belong to us, we belong to it”, basing this claim on research, creativity of ancestral wisdom, the uses and customs, transmitting this knowledge into based learning experiences.

2. COMMUNITARY EDUCATION

2.1 General Objective

The communal education of respect for nature and Mother Earth – Pachamama, recovering the ancestral cultural knowledge and technologies to improve production and

sustained productivity, respect the cultures of indigenous peoples.

2.2 Specific Objectives

1. Traditional Education on practical application in our communities, through the ancestral knowledge.
2. Recovery and transmission of the worldviews of peoples of respect for nature
3. The use and management of soil in a sustainable manner
4. The environmental education inside the classroom, agriculture and communities.
5. Intracultural and intercultural: Regarding what is multilingual.
6. The transmission of communal agro ecological education and its incorporation into traditional formal education, ancient and Western
7. The incorporation of environmental and popular communication.

2.3 Actions

1. Recovery, dynamic and systematic application of appropriate knowledge and ancestral knowledge.
2. The introduction of indigenous languages in the plans for formal education at primary and secondary education levels as well at university.
3. Use of clean and appropriate technology for rural development in harmony between the traditional knowledge and natives of Western origin knowledge
4. Maintain and enhance uses and customs of traditional herbal medicine.

2. OVERCOMING BARRIERS TO DEVELOPMENT AND TECHNOLOGY TRANSFER – INTELLECTUAL PROPERTY RIGHTS

It is essential to require compliance with the commitments made by developed countries at the United Nations Framework Convention on Climate Change regarding the development and transfer of technology and reject the “technological showcase” proposed by developed countries given that they only commercialize the technology and promote and enhance the development of local technologies.

All that clean technology, necessary and useful to tackle climate change should be made public for the common good and not covered by intellectual property rights.

Create in each country and worldwide a bank of knowledge, with technologies aimed at reversing climate change and environmental crisis to ensure truly sustainable development that is available to all peoples of the world, being consistent that knowledge belongs to everyone not those who've been wanting to privatize it.

Formation of a platform for exchange of information, knowledge and technology of free assignment, administered and maintained collectively by the people, that is,

open knowledge technology in respect of the sovereignty of peoples.

The Climate Justice Tribunal will be responsible for ensuring forced compliance with these commitments on the basis of the UNFCCC and with the purpose that developed countries solve the development of clean technologies at the level of developing countries to finance progress, recognizing the intellectual effort of individuals or entities that have developed these technologies free from intellectual property rights due to environmental and health global issues, eliminating in this sense barriers such as overprices and patents.

For these purposes it is necessary to prevent the transfer of inappropriate technology, obsolete and which involve an environmental risk.

It is proposed to assert the interests of developing countries that build their endogenous intellectual property, assign greater responsibility on developed countries, outweigh the equity between the various countries, conducting a nationwide monitoring of each country on technology transfer, and be national policies that define how to run the system.

The main objectives pursued are to destroy the barriers that limit and restrict the transfer of technology through:

- Own development of technologies based on knowledge and studies conducted in each country, with the States that promote science and technology, but also with existing international plans of their momentum, with state policies and subsidies with economic amounts specifically bound to the development of research.
- Request and require the use of clean technologies to various private and public companies to ensure their accountability and ensure their mandatory use.
- The development of internal capabilities.
- Environmental technologies accessible to the public without being subject to personal gain and privilege.
- Training of experts in each developing country, so that they can specialize abroad and return to their countries and teach at an internal level..
- The signing of international agreements that integrate all developing countries with the aim of making the technology transfer process more simple and clear.
- The support of the governments to foster the technological empowerment of the peoples.

3. MONITORING OF THE EXCHANGE OF CLEAN TECHNOLOGIES

It is essential to establish guidelines for creating a multilateral, multidisciplinary and participatory control, management and continuous evaluation of the exchange of technologies, which should be very helpful, clean, and socially appropriate.

This mechanism would consist of social and scientists experts in all areas, chosen by competition of knowledge,

proposed by states, regional organisms and would have as main functions:

- 1) The assessment of new technologies.
- 2) Identifying the needs of countries TO PROMOTE sustainable endogenous development through:
 - Identifying opportunities for environmental development.
 - The pursuit of technologies for harnessing renewable sources of energy.
 - The search for potential water sources.
 - The revaluation of traditional medicines
 - Active participation and social control over and in technology transfer.
 - The creation of collective-owned enterprises.
- 3) The identification of the problems that these go through:
 - Lack of sufficient policy and regulatory frameworks.
 - Lack of monitoring to mitigation and compensation measures.

Create and manage a Fund for Development and Technology Transfer that it's responsible for the channeling of funding and the identification of Funders between Annex 1 countries of the United Nations Framework Convention on Climate Change, i.e. the most polluting developed countries are obliged to donate, finance and transfer technology.

Also, this fund will provide for a Global Inventory of Existing Environmental Technologies, open source, free of charge and not restricted by intellectual property rights. Similarly it will count with Regional Groups of experts in Investment and Development by geographical areas of the world that analyze, observe and examine whether these technologies are suitable for countries and in case they are not feasible, find a feasible solution.

4) Use the Fund for the creation and strengthening of capacities and the establishment of centers of research and technological innovation to achieve that underpin technological sovereignty of peoples, and promote the strengthening of activists through universities, colleges, NGOs, foundations, corporations and private and public outreach projects. Part of its funding will come from taxes on private and public enterprises.

5) Report the breach in the commitments of countries debtors responsible of climate change, commitments to development and exchange of technology, Climate Justice Tribunal and procedural monitoring.

Working Group 13: Technology Transfer

April 16, 2010 in [13. Technology Transfer, Working Groups](#) | [2 comments](#)

The Indigenous-Originary-Rural Peoples and Social Organizations of Bolivia, gathered in the city of Cochabamba on March 29th and 30th 2010 for the Pre-Conference on Climate Change and the Rights of Mother Earth, elected their representatives for carrying out the debate for the Working Group N° 13 on Development and

6) The evaluation and selection of appropriate technologies to the demands of society and of mother earth.

4. TECHNOLOGIES AND ANCESTRAL KNOWLEDGE

The world needs to recover, learn, relearn the principles and approaches of the ancient legacy of indigenous peoples to stop the destruction of the planet, as well as the traditional knowledge and practices and recover spirituality in the rehabilitation of the well-living with Mother Earth.

Humanity must understand and respect the knowledge and ancestral wisdom of the people to stop the destruction of the planet, to have harmony with all beings and in balance with Mother Earth for her to leads us to live in the fullness of well-living.

The recognition, appreciation and recreation of ancestral knowledge and technologies as the basis for endogenous development of peoples, while highlighting the complementary nature of knowledge and recognizing that the ancient technologies do not work alone, but go hand in hand with spirituality.

It is necessary to work on the recovery of the use of natural indicators as a method and tool to generate information that helps to make better decisions in a more lively and dynamic way to face climate change.

It is necessary to make a wake-up call to humanity to both the participants in making political decisions as to the general public to rethink the vision of "urban development" without the contempt for rural areas, and conservation of the environment in a new rural-urban sustainable relationship.

It is imperative to promote intercultural dialogue and international scientific exchange between nations for the exchange of technology and knowledge, with the goal of achieving food security sovereignty, respecting the dignity and rights of Mother Earth.

Possibly related posts: (automatically generated)

- [**Pre-conference of the indigenous originary rural peoples and social organiz...**](#)
- [**Working Group 13: Technology Transfer**](#)
- [**GROUP 13: DEVELOPMENT AND TRANSFER OF TECHNOLOGY**](#)

Transfer of Technology, representatives composed by the following people:

President: Evan Alvarado Ayca – COB

Actuary: Gabriela Quiroga – *Federación del Trópico Chapare*

Spokesman: Albino Paniagua – *Comunidades Interculturales*

Room assistant: Roberto Fernández – EMI Intern.

Facilitator: Sergio Alberto Fernández – Official of the Bolivian Ministry of Foreign Affairs.

Group Participants: Marcelo Farías Paco, Oscar Castillo, Rolando Mostajo, Darío Cuajera, Angel Aguilar, Mguel Anze, Agripino Cruz, Leandro Poma, Ronald Arispe, Celestino Poma, Pablo Poma, Emilio Apaza, Dora Martínez, Freddy Campos e Inka Andrade.

Once their Directive Board was elected, they proceeded to broadly debate on the topics related to the development and transfer of technology, achieving specific agreements and conclusions. Hence, the Indigenous-Originary-Rural Peoples and Social Organizations of Bolivia:

Demand the fulfilment and the revision of the commitments assumed by developed countries in the United Nations Framework Convention on Climate Change, regarding the development and transfer of technology.

These technologies must be clean, environmentally sound, accessible for all developing countries and must not be subject to profit, nor commercialization. Hence, they reject the proposal of developed countries of creating a “technology pool” where instead of transferring technology, it is put to sale and to inaccessible costs.

Demand the creation of the *Climate Justice Tribunal* and the imposition of sanctions by this Tribunal to States that do not fulfil their commitments of development and transfer of technology.

Furthermore, the creation of a monitoring mechanism of the fulfilment of the commitments of development and transfer of technology of developed countries to developing countries, with the full and active participation of indigenous-originary-rural peoples and social organizations of the world, that accounts with an institutional structure, responds to all Party-Countries of the UNFCCC and that supervises, identifies the needs of every country in terms of technology, and denounces the breach of these commitments to the Climate Justice Tribunal.

Development and Transfer of Technology

February 3, 2010 in [13. Technology Transfer, Working Groups](#) | [5 comments](#)

Objectives of the group in terms of debate and product

- To make a proposal that ensures the development and transfer of technology to developing countries by developed countries in accordance with the United Nations Framework Convention on Climate Change (UNFCCC).
- To analyse and propose alternatives to overcome the different barriers of market, intellectual property, financing and others which restrict and/or hinder the development and transfer of technology to developing countries.

Encourage the mid- to long-term substitution of polluting and environmentally harmful technologies, such as the production of plastics, nylons and other materials that cause the degradation of Mother Earth, by clean and organic technologies and its transmission to developing countries, as well as the local treatment of these materials in order for them to be recycled on a mandatory basis

Call for developed countries to provide financial and technical resources, in order to establish technology excellence centres for the development of appropriate technologies, as well as for the recovery and revalorization of endogenous technologies and for the awareness and capacity building of the peoples.

Request the regulation of environmental effects of mega projects through social control, and the sanction of those that attempt against the environment and against indigenous-originary-rural peoples and social organization of developing countries, and that provoke significant climate change impacts.

Propose that every technological innovation related with the adaptation to and mitigation of climate change that are contemplated by Intellectual Property Rights, due to the global emergency that this issue represents, must be considered of public dominion, not of a private monopoly subject to profit that prevents the transference of technology and limits its access to developing countries

Highlight the need to promote the use and distribution of free technologies (free software) in public and private institutions that are related to environmental and climate change issues, as well as the utilization of all technological means of massive information circulation for the education and awareness of the world population in environmental issues.

Possibly related posts: (automatically generated)

- **[Pre-conference of the indigenous originary rural peoples and social organiz...](#)**

- To analyse the Understanding of Copenhagen regarding this matter.

Main issues to be discussed by the group

- How to ensure the compliance with the commitment of developed countries transferring technology to developing countries as established in the UNFCCC?
- Why does the scheme for carbon market have failed to comply with the commitments of development and transfer of technology?
- What are the particularities (institutional structure, governance, financing, etc.) of a mechanism

whereby the process of development and transfer of technology to developing countries is effective, efficient and sustained.

- How to overcome the barriers of intellectual property and others hindering the development and transfer of technology to developing countries?
- Which measures should be put in place to reassess and spread the endogenous capacities and technologies of developing countries?
- What are the reasons why the Copenhagen Accord (Understanding of Copenhagen) does not ensure the development and transfer of technology?

Background

Development and Transfer of Technology in the context of the Convention

Article 4 of the United Nations Framework Convention on Climate Change acknowledges that a process is required to face climate change allowing the development, diffusion, application, deployment, adaptation and transfer of technologies to developing countries to adapt to and mitigate climate change, as well as strengthening the endogenous technologies of said countries.

The process of technology transfer in the context of the UNFCCC is currently being carried forward mainly by the Subsidiary Body for Scientific and Technological Advice and by the Group of Experts on Technology Transfer who shall have the following functions:

Subsidiary Body for Scientific and Technological Advice (SBSTA)

The SBSTA was established in the first Conference of the Parties (COP) of the United Nations Framework Convention on Climate Change in August 1995 to provide COP and other subsidiary bodies as appropriate, timely information and advice on scientific and technological matters relating to the Convention.

The SBSTA shall be formed by a multidisciplinary group comprising government representatives competent in the relevant field of expertise.

Expert Group on Technology Transfer (EGTT)

The main objective of EGTT is to enhance the implementation of the commitments related to the transfer of technology within the framework of the Convention and to carry out such activities related to the transfer of technology under the Convention.

Additionally, this body shall analyse and identify ways to facilitate and carry out such activities related to the transfer of technology and to issue recommendations to SBSTA.

The members of this body will be elected by parties to the Convention.

Current situation on the compliance of the commitment for Development and Transfer of Technology.

Despite the fact that this commitment was made more than 15 years ago, so far it has not been made effective.

There are a series of barriers within the current system that restrict or limit the development and transfer of technologies to face climate change in developing countries:

- The high cost of technologies.
- Intellectual Property Rights.
- The unsuitability of technology to the reality of developing countries.
- Developing countries are not keeping up with research output.
- Deficiencies in technology maintenance in developing countries.

Until now the concept has prevailed that the carbon market through the Clean Development Mechanism will be the main source of technology transfer.

Developing countries buy technology at market prices for a project to reduce emissions (in fact it is not a transfer). Later on such generations are bought in the carbon market (MDL) by developed countries to be incorporated within their commitment to reduce at lower prices.

An efficient and effective mechanism to identify the technological needs in developing countries, to address and eliminate the barriers that hinder compliance with the commitment to develop and transfer technologies to developing countries is non-existent.

There are a series of barriers of intellectual property rights for development and transfer of technology to developing countries that should be addressed and eliminated in order to face the challenges of climate change in developing countries.

Some proposals under discussion

The following is a summary of some of the main proposals on development and transfer of technology within the process of international negotiations on climate change.

- **Colombia:** Is proposing a technological mechanism to be applied under the guidance of the Conference of the Parties (COP) for financing, access, suitability, adaptation and capacity building for such technologies required in developing countries for adaptation and mitigation, as well as the removal of barriers to development and transfer of technology.

Such mechanism comprises a Multilateral Climate Fund for Technology, a Committee on Compliance and EGTT as consulting body.

- **India:** Is proposing the establishment of a Board on Technology to develop strategies and plans of action on technology, monitoring the implementation of policies, lines of action and administrative agreements to achieve the objectives set forth in a Fund for Climate Change Technology. The members of the Board will be elected

by the COP on the basis of a balanced representation of the Parties not included in Annex 1.

- **Japan:** The support for the promotion of technology transfer should be provided to developing countries that have already adopted policies, measures to reduce greenhouse gas emissions and who have made efforts to enhance the business environment to accelerate the transfer of technology.

Is proposing the establishment of a consulting group for technology cooperation that will identify effective technologies, analyse the current situation on technology transfer, analyse the barriers to the transfer, identify measures to accelerate the transfer of technology and review the outcome of such measures.

The funds that may be used to speed up the transfer of technology should be discussed. Programmes based on criteria such as cost-efficiency and others such as the Clean Technology Fund of the World Bank.

- **Bolivia:** Points out that the existing system of Intellectual Property Rights (IPR) include a series of flexibilities designed to reduce the impact of IPR when they become a barrier to access and transfer. In this sense and regarding climate change such flexibilities should be expanded to ensure that the technological needs of developing countries to adapt to and mitigate the adverse effects of climate change should be addressed.

With this understanding proposes that any international agreement on IPR should not be construed as restricting or preventing the Parties thereto to address climate change, including the development and transfer of technology.

The necessary steps should be taken at fora to exclude patents in developing countries for technologies that are environmentally sound; the necessary measures should be taken to facilitate technological centres that include knowledge and market secrets.

To create and provide immediately fresh and additional financial resources for the establishment of technological centres of excellence in developing countries for research in technologies of adaptation and mitigation of climate change.

Ensure that the transfer of technology is conducted in a manner that guarantees its effective and immediate use.

There is a document which is the result of the work by AWG-LCA, COP 15 in Copenhagen, Denmark. However, the substantial contents of said documents are not reflected in the Understanding of Copenhagen.

The Understanding of Copenhagen proposes the establishment of a Technological Mechanism to speed up the development and transfer of technology as support to the adaptation and mitigation guided by a process led by the countries on the basis of national priorities and circumstances.

All elements contained in the negotiation text developed at COP 15 are not included in the Understanding of Copenhagen among which are the following:

- Principles of cooperation action on technology.
- Activities to be supported.
- Institutional architecture of the Technological Mechanism.
- Governance and functions of the Technological Mechanism.
- Liaison with the Technological Mechanism.
- Barriers to the Development and Transfer of Technology.
- Capacity Building and Strengthening.

Reference Documents:

- United Nations Framework Convention on Climate Change (UNFCCC).
- Kyoto Protocol.
- Bali Action Plan.
- Submissions by the Parties contained in documents: FCCC/AWGLCA/2008/MISC.1 / FCCC/AWGLCA/2009/MISC.9, including addenda and complements.
- Non-paper No. 47 6/11/09 @ 13:00 CONTACT GROUP ON ENHANCED ACTION ON DEVELOPMENT AND TRANSFER OF TECHNOLOGY.
- Outcome of the work of the Ad Hoc Working Group on Long-term Cooperative Action under the Convention. Enhanced action on technology development and transfer.
- Copenhagen Accord.

Pre-conference of Bolivian indigenous peoples and social organization on climate change and the rights of Mother Earth

February 3, 2010 in **13. Technology Transfer, Working Groups** | **Leave a comment**

PRE-CONFERENCE OF BOLIVIAN INDIGENOUS PEOPLES AND SOCIAL ORGANIZATIONS OF BOLIVIA

CONCLUSIONS OF THE WORKING GROUP N° 13: DEVELOPMENT AND TRANSFER OF TECHNOLOGY

The Indigenous-Originary-Rural Peoples and Social Organizations of Bolivia, gathered in the city of Cochabamba on March 29th and 30th 2010 for the Pre-Conference on Climate Change and the Rights of Mother Earth, elected their representatives for carrying out the debate for the Working Group N° 13 on Development and Transfer of Technology, representatives composed by the following people:

President: Evan Alvarado Ayca – COB
Actuary: Gabriela Quiroga – *Federación del Trópico Chapare*
Spokesman: Albino Paniagua – *Comunidades Interculturales*
Room assistant: Roberto Fernández – EMI Intern.
Facilitator: Sergio Alberto Fernández – Official of the Bolivian Ministry of Foreign Affairs.

Group Participants: Marcelo Farías Paco, Oscar Castillo, Rolando Mostajo, Darío Cuajera, Angel Aguilar, Miguel Anze, Agripino Cruz, Leandro Poma, Ronald Arispe, Celestino Poma, Pablo Poma, Emilio Apaza, Dora Martínez, Freddy Campos e Inka Andrade.

Once their Directive Board was elected, they proceeded to broadly debate on the topics related to the development and transfer of technology, achieving specific agreements and conclusions. Hence, the Indigenous-Originary-Rural Peoples and Social Organizations of Bolivia:

Demand the fulfilment and the revision of the commitments assumed by developed countries in the United Nations Framework Convention on Climate Change, regarding the development and transfer of technology.

These technologies must be clean, environmentally sound, accessible for all developing countries and must not be subject to profit, nor commercialization. Hence, they reject the proposal of developed countries of creating a “technology pool” where instead of transferring technology, it is put to sale and to inaccessible costs.

Demand the creation of the *Climate Justice Tribunal* and the imposition of sanctions by this Tribunal to States that do not fulfil their commitments of development and transfer of technology.

Furthermore, the creation of a monitoring mechanism of the fulfilment of the commitments of development and transfer of technology of developed countries to developing countries, with the full and active participation of indigenous-originary-rural peoples and social organizations of the world, that accounts with an institutional structure, responds to all Party-Countries of the UNFCCC and that supervises, identifies the needs of every country in terms of technology, and denounces the breach of these commitments to the Climate Justice Tribunal.

Encourage the mid- to long-term substitution of polluting and environmentally harmful technologies, such as the production of plastics, nylons and other materials that cause the degradation of Mother Earth, by clean and organic technologies and its transmission to developing countries, as well as the local treatment of these materials in order for them to be recycled on a mandatory basis.

Call for developed countries to provide financial and technical resources, in order to establish technology excellence centres for the development of appropriate technologies, as well as for the recovery and revalorization of endogenous technologies and for the awareness and capacity building of the peoples.

Request the regulation of environmental effects of mega projects through social control, and the sanction of those that attempt against the environment and against indigenous-originary-rural peoples and social organization of developing countries, and that provoke significant climate change impacts.

Propose that every technological innovation related with the adaptation to and mitigation of climate change that are contemplated by Intellectual Property Rights, due to the global emergency that this issue represents, must be considered of public dominion, not of a private monopoly subject to profit that prevents the transference of technology and limits its access to developing countries.

Highlight the need to promote the use and distribution of free technologies (free software) in public and private institutions that are related to environmental and climate change issues, as well as the utilization of all technological means of massive information circulation for the education and awareness of the world population in environmental issues.

Final Conclusions working group 14: Forests

April 29, 2010 in 14. Forest, Working Groups

Recognizing that native forests and jungles partake in both functions and processes of life in the planet and its vital importance in climate processes, as well as its vulnerability to climate change, the participants in the *World People's Conference on Climate Change and the Rights of Mother Earth* demand that members of the *United Nations Framework Convention on Climate Change* (UNFCCC) include in their discussions and resolutions the following points.

1. DEFINITION. The definition of forest that includes plantations, as used heretofore in UNFCCC negotiations, is unacceptable. *Monocultures are not forests*. Therefore, we demand a definition for negotiations on climate that recognises that native forests and jungles (forest hills, temperate forests, dry forests, mangroves, native Andean forests, Patagonian forests, paramo or moorlands, wetlands, reedbeds, rattan fields, and other ecosystems on earth) are rooted in Mother Earth, and are the big home where plants, animals, water, soil, pure air, and human and spiritual beings coexist. Native forests and jungles contribute to life by: 1) protecting fragile ecosystems, 2) participating in the water cycle and in watershed regulation, 3) protecting us from floods, erosion, natural disasters, pests, and diseases, 4) adding to food sovereignty, 5) providing shelter; natural, ancestral, and traditional medicine; and non-timber and timber goods, 6) housing biodiversity and unrevealed natural healing elements. As a result, we find it unacceptable to reduce native forests and jungles to a mere measurable amount of carbon or to the providers of services.

2. RIGHTS. The UN Declaration on the Rights of Indigenous Peoples must be fully recognised, implemented, and included by the Parties in UNFCCC discussions, taking into account, specially, that most of the forests and jungles are in the lands of Indigenous Peoples and Nations, indigenous, people and communities that live in forest, populations of African descent; peasant, aborigine, ancestral, and traditional communities (henceforth called the *Peoples*). We demand the acknowledgment of Peoples' collective rights to their lands and territories as the best strategy and as a priority in preventing deforestation and forest degradation and in protecting native forests and jungles. The *Peoples* are ancestral protectors, conservators, and dwellers of their native forests and jungles; they are autonomous and sovereigns of inalienable, indefeasible, unattachable, and non transferable territories. Similarly, the role of women and children in preserving cultures and conserving native forests and jungles must be recognised.

3. CAUSES OF DEFORESTATION/THREATS. Deforestation and forest degradation are the outcome of a

historical process of colonial exploitation, of the capitalist system, and of over-consuming developed countries. The multilateral programmes of the World Bank, the Inter-American Development Bank, the International Monetary Fund, and other multilateral funding agencies and institutions are also responsible for deforestation, for the unrestrained unfolding of productive chains, for the advance of agricultural and industrial frontiers and intensive stockbreeding, for the consumerist and capitalist degradation patterns of the extractive model of mining, the wood industry, shrimpers, agro-businesses and agrofuels, dams and hydroelectric power plants, hydrocarbon exploration and exploitation, constructions. Transnational pharmaceutical and biogenetic corporations are accountable, too. The causes and threats of deforestation lie in the pressure of humans alienated by the capitalist system, and in unsustainable production and consumption development patterns imposed by prevailing transnational corporations and designed by market laws that turn trees, and forest and jungle resources into tradable goods.

4. REDD. We condemn neoliberal market mechanisms such as the REDD (*Reducing Emissions from Deforestation and forest Degradation*) mechanism and its + and ++ versions, as those ones related with markets, that are violating our *Peoples'* sovereignty and right to free informed prior consent; as well as the sovereignty of national States. This mechanism is violating the rights, uses, and customs of the *Peoples* and the Rights of Nature.

We demand instead that contaminating countries acknowledge their ecological and climate historical debt, and transfer financial and technological resources directly to the *Peoples*, nations and ancestral indigenous, aborigine, and peasant organic structures so they can restore and maintain forests and jungles. Thus can real funding of plans for a comprehensive life and for living well be ensured with direct compensation, in addition to the funding committed by developed countries, outside the carbon market, and never used as offsets of carbon market. Consequently, we demand that countries, when applicable, stop local forest and jungle market-based initiatives that propose inexistent and conditioned results.

Tree plantations under CDM (*Clean Development Mechanism*) within the Kyoto Protocol framework are a false solution that threatens native forests and jungles and violates *Peoples'* rights. Plantations for carbon credits as well as for agrofuels are a false solution to climate change. The false solutions, like war and the aggression to sovereign countries and territories, are driving Mother Earth to exhaustion.

5. **PROPOSALS.** Solutions must be holistic, respect Mother Earth and the rights of humanity, and promote a harmonious integration of economic and environmental policies.

People's ancestral knowledge, and community and local practices have historically contributed to balance ecosystems, and should thus be included as solutions to deforestation, forest and jungle degradation and fragmentation.

We propose forming a group of Experts on Climate Change, not exclusively centred on scientific knowledge, but with the full and effective participation and representation of the *Peoples* who depend on native forests and jungles. This group would be a UNFCCC advisory body that would promote forest conservation in an ancestral way, fostering and strengthening people's capacities, revaluing their knowledge as world heritage and thus valuing their cultural identity. There should be at least a 50% participation of women.

- The direct involvement of organised *Peoples* in the management and administration of protected areas must be promoted in all countries as part of policies integrating *Peoples* and directly relating native forests and jungles, territory, and water basins.

- Degraded native forests, ecological floors, and basins must be recovered without the intervention of capitalism-related actions or the promotion of perverse covert actions, like tree plantations strictly targeting the carbon market and not full forest recovery.

- Institute a new process where Peoples who depend on forests and jungles participate fully and effectively in all actions to manage and conserve forests.

- Countries must abolish forest concessions, since historically these concessions have had intensive mercantile purposes and have expanded with no respect for harmony with Mother Earth.

- Conventional formal education based on maximum productivity does not agree with the ancestral knowledge of an integrated conservation management of forests and jungles. In consequence, governments are asked to complement study plans at primary, secondary, and university levels with ancestral knowledge.

- We demand from governments a World Programme of Ecological Forest and Jungle Restoration directed by the *Peoples*.

- Implement and consolidate forest seed banks, of autochthonous fruits and flowers, according to the location.

- Change structural laws to enforce drastic punishment for slashing and burning native forests and jungles.

- Encourage the union of agriculture and native forests and jungles as the components of a whole entity.

- Support initiatives like that of the Yasuni ITT, Ecuador, to leave petroleum under the earth, forgo the exploitation of hydrocarbons in native forests and jungles, and seek biodiversity preservation and respect for life.

Working Group 15: Dangers of Carbon Market

April 16, 2010 in 15. Dangers of Carbon Market, Working Groups

Green House Gases emissions (GHG) have not reduced, on the contrary they have increased substantially, and therefore, the carbon market *has failed in the compliance of its main objective*.

Carbon market encourages Developed Countries *to avoid the reduction of their own Greenhouse Gases emissions (domestic emissions) and transfer their responsibilities towards Developing Countries*.

The carbon market allows “Developed Countries” to re-gotiate carbon emissions “at the expense of Developing Countries” which are the ones who most suffer the effects of problems they have not caused.

The example of the financial crisis has shown that the market is unable to regulate the financial system; therefore it would be totally irresponsible to leave the very existence of humanity and our Mother Earth under the care and protection of the market.

The carbon market generates a huge business for brokers, who have profited for many years from environmental degradation.

Competition and boundless thirst for profit generated by the carbon market are destroying the planet, commodifying our Mother Earth and transforming water, earth and life itself into a commodity. Everything is bought and sold in capitalism, and even climate change itself has become a business.

Carbon market is depending on profit and does not protect the environment or gives Peoples social Welfare. Therefore *it does not represent* ethically an alternative to tackle climate change.

As countries considered as the lungs of the world, preserving the ecological centers to avoid deforestation, we demand *compensation directly* from developed countries and not through the Carbon Market.

We strictly condemn the use of ‘hot air’, produced by the countries of the former Soviet Union (Transition Economies) for the compliance of other developed countries commitments, since they do not represent the result of real actions on emissions reduction.

We reject the establishment of new mechanisms to promote the carbon market, and we demand effective actions to reduce emissions within the territories of those who have been historically responsible for this phenomenon.

At the Pre-Conference of Indigenous Peoples and Social Organizations of Bolivia on Climate Change and the Rights of Mother Earth, *we strongly reject* the Carbon Market and we condemn any attempt to expand and create new mechanisms such as the one established on the ‘understanding of Copenhagen’, because *“the life of humanity and Mother Earth cannot be bought or sold”*, and we urge the Organizations of the world to merge in order to take action in *defense of life and subsistence of Mother Earth*.

Dangers of Carbon Market

February 2, 2010 in 15. Dangers of Carbon Market, Working Groups

Objectives of the group in terms of discussion and product

- To analyze, reflect and make proposals on the dangers of carbon market mechanisms (today’s and new mechanisms) and their effectiveness in reducing the gases that cause climate change.

Main issues to be discussed by the group

- What are the dangers of carbon market?
- Has the market been capable of regulating carbon emissions of greenhouse gases? Can it do it in the future?
- Is it necessary to create new mechanisms to promote developing carbon market?
- Who has been favored by the development of carbon market?
- Is it possible that carbon market problems will be resolved with the implementation of regulatory measures?

- What measures could be taken regarding carbon market mechanisms in climate change negotiations?
- Could it be that the “Copenhagen Accord” aims to promote the development of carbon market?

Background

- A summary of the history of the carbon market developed in the book “Carbon Trading, how it works and why it fails states that: “Although it is not possible to define a single carbon market maker, a number of theories get to the work of economist Ronald Coase, who concluded that contamination as a factor of production among others, would be traded between hands of those who can produce the greatest wealth among them, and therefore, the maximum of welfare for society.”
<http://www.tni.org/sites/tniclone.test.koumbit.net/files/download/carbon-trading-booklet.pdf>

- According to the document “Environment and the Economy” – The impact of restricting the permits in the SO₂ market, “there were some attempts to implement emissions trading schemes for pollution developed by the Agency of Environment Protection Agency (EPA). The most significant experience was the pattern in which the exchange of sulfur dioxide credits was allowed, as part of the Clean Air Act in 1990, which sought to reduce the costs of reducing SO₂ emissions, so that acid rain can be reduced. That paved the way for other business programs in the United States concerning water pollution, wetland destruction, among others.

- “A group of experts from developed countries led by the International Energy Agency and the Organization for Economic Cooperation and Development (OECD) developed proposals for industrialized nations within the United Nations process and these became an important forum for the development of an emissions trading scheme within the Kyoto Protocol.

<http://books.google.com.bo/books?id=qp7Wt9GvccC&printsec=frontcover&dq=The+Kyoto+Protocol:+international+climate+policy&ei=BC5wS5nqE42cM0GwnY4P&cd=1#v=onepage&q=&f=false>

- According to the issues established by Debbie Stowell in her book “Climate Trading: Development of Greenhouse Gas Markets” the U.S. government began to design a proposal on carbon trading, announcing in 1996 that this class of “flexibility” would be ‘a key requirement for the acceptance of binding commitments,’” according to the study on “Development of greenhouse gas Markets in 2005.

- In December 1997, the third Conference of the Parties held in Kyoto, Japan took place, during which the Kyoto Protocol was approved with the support of all countries that are part of the Convention, and to date, 184 countries have ratified it. This international treaty is one of the most important milestones in the negotiations on climate change since it establishes that the developed countries and countries in transition to market economies undertake the commitment to reduce their emissions by at least 5.2% below the 1990 level. (For further information on this subject refer to the working group on the Kyoto Protocol emission reduction commitments.)

Concept

The Kyoto Protocol has generated an international carbon market through the creation of flexibilities for developing countries to meet their commitments. The Kyoto Protocol establishes three flexible mechanisms: <http://unfccc.int/resource/docs/convkp/kpspan.pdf>

a) Joint Implementation, Article 6 states that: “For the purposes of meeting commitments under Article 3, any Party included in Annex I may transfer to any other such Party, or acquire from, the units emission reductions resulting from projects aimed at reducing anthropogenic emissions by sources or enhancing anthropogenic removals by sinks of greenhouse gases in any sector of the economy.”

b) Article 12 “defines a **clean development mechanism**, which aims to assist Parties not included in Annex I in achieving sustainable development and contributing to the ultimate objective of the Convention as well as help Parties included in Annex I in achieving compliance with their quantified emission limitation and reduction of emissions incurred under Article 3.”

c) Article 17 establishes that “The Conference of the Parties shall define the appropriate principles, modalities, rules, and guidelines, in particular for verification, reporting and accountability in relation to **trade in emission rights**. The Parties included in Annex B may participate in trading operations allowances for the purposes of fulfilling their commitments under Article 3. Any such trading operations shall be supplemental to domestic action.”

Development of debate

- According to the article written by Edit Antal, in 2000: “the mechanisms of new type (referring to the flexible mechanisms) were promoted by the United States with the aim of complying with the commitments they undertook with a less expensive way. The final decision on the fate of the mechanisms would be taken at the meeting in The Hague, taking into consideration that the U.S. is willing to sign the Kyoto Protocol if it is accepted that the implementation of these mechanisms should be extended to all parts and without limitations.” Likewise, it provided that “in the context of the debate over climate change, most actors agree that the flexible mechanisms will really be of use for companies to save costs in meeting its obligations; however, there is great debate on the effectiveness of these measures on the real environmental improvement.”

<http://www.ejournal.unam.mx/pde/pde122/PDE12203.pdf>

- The Guide to the Climate Change Convention and the Kyoto Protocol – United for Climate states: “There has been concern that these mechanisms can enable the parties to avoid measures to mitigate climate change in the interior, (...) or lead to exchanges of fictitious credits. The Marrakech Accords sought to avert such fears; (nevertheless), these do not set any quantitative limit to the use of these mechanisms. However, the Parties included in Annex I shall provide information on which it is proven that the use of the mechanisms is “supplemental to domestic action ‘.’”http://unfccc.int/resource/docs/publications/unitingonclimate_spa.pdf

- On 21 October 2009, after more than a decade of reduction commitments, the last official report is published, which states that until 2007 the emissions of developed countries [1] increased by 12.8%.

<http://unfccc.int/resource/docs/2009/sbi/spa/12s.pdf>

- However, in the case of countries in transition to market economies, their emissions decreased by 42.2%, “This is because in the base year for calculating targets was 1990, and these countries, following the collapse of the Soviet Union and the brutal drop in their industrial production, it turns out that they have currently lower emissions than in the base year. That means they do not have to reduce their

emissions but, even increasing it, they will meet the Kyoto targets and will have extra quotas for emissions rights.

http://books.google.com.bo/books?id=R6NpkwOk2HEC&pg=PT283&lpq=PT283&dq=hot+air+URSS&source=bl&ots=YTj3YuBCYq&sig=W9OnB1gOjRhVRyHnnotxSxns-vOI&hl=es&ei=VfVhS66yL461tgfO1c3YDQ&sa=X&oi=book_result&ct=result&resnum=6&ved=0CBQQ6AEwBQ#v=onepage&q=&f=true

• According to the latest report of the Secretariat of the Convention on the emissions of countries that have commitments under the Kyoto Protocol and the transactions in the carbon market through 2008, it is concluded that: "In the year 2007, total GHG emissions were 10,510.2 Mt CO₂ eq., i.e. 16.4% below the base year level of the Kyoto Protocol (12,575,1 MtCO₂ eq.)." "Performing a summary as of 31 December 2008 of the different types of accounts [2], there are 54,515.68 Mt CO₂ of eq assigned amount units (emissions trading), that is to say, more than four times the total emissions of 1990), 0.12 units MtCO₂ eq emission reduction (joint Implementation) and 208.76 Mt CO₂ eq in units of certified emission reductions (CDM), i.e. 1.66% of total base year emissions under the Kyoto Protocol (32% of the reduction commitments)

<http://unfccc.int/resource/docs/2009/cmp5/spa/15s.pdf>
<http://unfccc.int/resource/docs/2009/cmp5/eng/15a01.pdf>

• According to the World Bank, "the global carbon market continued to grow in 2008, reaching total transactions worth about 126 billion dollars (86 billion euros), thus doubling the value of 2007. Of these, approximately 92 billion dollars (63 billion euros) are transactions permissions of the European Union Greenhouse Gas Emission Trading System (EU ETS). "Confirmed transactions for CERs (Certified Emission Reductions in the primary market) have fallen by almost 30% from 552 million CERs in 2007 to 389 million CERs by 2008. The value of these transactions decreased by 12% from \$ 7.4 billion reported in 2007 to 6.5 billion dollars in 2008"

[http://wbcarbonfinance.org/docs/State Trends of the Carbon Market 2009-FINAL 26 May09.pdf](http://wbcarbonfinance.org/docs/State_Trends_of_the_Carbon_Market_2009-FINAL_26_May09.pdf)

Current status of the negotiation

• In the negotiations over the Kyoto Protocol "improving" flexibility mechanisms or market mechanisms has been discussed, among which are the "evolution" of existing mechanisms, including nuclear projects, among others.
<http://unfccc.int/resource/docs/2009/awg10/eng/17.pdf>

• With regard to negotiations on the Long-term Cooperation within the Bali Action Plan a discussion on "various approaches was introduced in the agenda, including opportunities for using markets," aiming thereby opening the door to discussion on the creation of new flexibility.
<http://unfccc.int/resource/docs/2009/awgla8/eng/17.pdf>

• "The Copenhagen Accords indicates in its 7th paragraph that " it is decided to find various approaches, including opportunities for using markets, to enhance the cost-effectiveness and promoting mitigation actions. Develop-

ing countries, especially those with economies with low degree of emissions must be given incentives to continue developing a line of low emissions. "

http://unfccc.int/files/meetings/cop_15/application/pdf/cop15_cph_auv.pdf

Projects and Proposals

• In 2004, the Durban Declaration is signed by hundreds of social organizations, independent scientists and environmental activists, where it is stated that "... history has witnessed the commodification of land, food, work, forests, water, genes and ideas. Carbon trading follows in the footsteps of this history and turns carbon-cycling capacity of the Earth into a commodity bought and sold in the international market. In the process of creating this new commodity, carbon, the faculty and the earth's capacity to sustain a climate conducive to life and human societies is going down to the same corporate hands that are destroying the climate.

• On 28 November 2008, the President of the Plurinational State of Bolivia, Evo Morales Ayma sent a letter to the Conference of the Parties saying that: "Market mechanisms applied on developing countries have not achieved a significant reduction emission of greenhouse gases. "As the market is unable to regulate the financial and productive system and in the world, the market can not regulate the emissions of greenhouse gases either and it will only generate a great deal for financial institutions and large corporations."

• On May 15, 2009, a Climate Protection Act was passed in the United States which aims to "help prevent, slow, mitigate and reverse global warming and its adverse effects." The Act provides that "to enforce such purpose, is necessary to establish and maintain an effective market for emission permits, that is transparent and fair and to preserve the integrity of the emission limits and offsets. The rightful holder of emission rights, compensation, offsets may, without limitation, sell, exchange, transfer, and maintain to comply with the established limits." President Obama has proposed auctioning all permits to raise at least 646 billion U.S. dollars from 2012 until 2019.

<http://www.bloomberg.com/apps/news?pid=20601072&sid=aVzbV8Sc35PY>

• The Presidents of ALBA-TCP at its Seventh Summit held in Bolivia in 2009 adopted the "**Special Declaration on Climate Change**", where they state that "the current proposals of developed countries to address climate change as a purely economic matter, distort the principle of "the one who pollutes, pays" for "the one who pays, pollutes. They note that: "One must remember that that confidence in markets, in which it is asked to rely as a source of financing to address climate change, has led to the devastation of the lives of millions, and has proven its failure."

• On 21 October 2009, the Council of the European Union adopts its position for the Copenhagen Conference, which it establishes: "the crucial importance of carbon markets and reiterated that the imposition of a price on GHG

emissions through systems limitation and emission trading and other market-based mechanisms (including sectoral crediting and sectoral trading) is essential to boost investment in carbon reduction and to achieve mitigation targets globally in an economic form. It reiterates his call for a carbon market for all OECD countries to connect all systems, and market expansion in developing countries more advanced in 2020, as important measures for achieving a global carbon market fully integrated.”

<http://register.consilium.europa.eu/pdf/es/09/st14/st14790.es09.pdf>

Reference documents:

- Kyoto Protocol of the UN Framework Convention on Climate Change.
- “Carbon Trading: How it works and why it fails” Tamra Gilbertson and Oscar Reyes, Uppsala 2009
- Durban Declaration on Carbon Trading, Signed on October 10, 2004 Center Glenmore, Durban, South Africa

- Letter from the President of the Plurinational State of Bolivia Evo Morales Ayma to the Conference of the Parties (COP14)
- Proposed Climate Protection Act of the United States. Part III: Reduction of Global Warming. Subtitle A.
- Special Climate Change Declaration of the Presidents of ALBA – TCP in its seventh summit held in Bolivia in 2009.
- Position of the European Union developed by the European Union Council of Copenhagen for Climate Conference

[1] Developed countries of the Convention on Climate Change, excluding countries with economies in transition or ex – USSR.

[2] This information corresponds to the 33 countries reporting to the Secretariat of the 36 that constitute Annex B of the Protocol.

Working Group 16: Strategies of Action

April 16, 2010 in 16. Action Strategies, Working Groups

Recognizing that all beings are children of Mother Earth, which is not an inert object, but rather is alive, and being aware that while we are not in balance with Mother Earth we—people, animals, plants and all beings as a whole—are ill.

Today from Bolivia, we declare the world to be in a state of emergency and call on all world's peoples and their organizations to mobilize and on governments to raise awareness and commitment to defend Mother Earth, adopting a lifestyle in which all walk together and nobody is left behind, a way of life that offers all to everyone and in which no-one lacks anything. Therefore resolves to:

1. Demand that the governments of developed countries for the Conference of Parties 16 in Mexico fulfill their first period reductions obligations established by the Kyoto Protocol and to adopt during the 2nd period, which lasts until 2017, more radical commitments of green house gas emission gas absorption and reductions by at least 50% within their territories, based on 1990 levels, so that the increase in global temperature does not exceed 1 ° C. This is essential to ensure the continuation of life on this planet. We are strongly opposed to carbon markets and we demand that reductions and other obligations are not transferred to developing countries.
2. Demand that the negotiations in Mexico are transparent, inclusive, democratic and without imposed documents conditions or blackmail. Resume the negotiation process from the point it was stopped before December 2009 in Copenhagen, respecting the previously agreed-upon working methods and keeping the two working groups.
3. Reject the Copenhagen Accord for being a threat to life and to demand respect for the legal framework of the United Nations Framework Convention on Climate Change and the Kyoto Protocol.
4. Demand the governments of developed countries "Financing for the Earth, not for War," and the transfer of military budgets towards increasing financial resources to save the planet and Mother Earth and to address climate change impacts in Developing Countries
5. Demand Climate Justice. developed countries have the obligation to recognize the climate debt through: the compensation and restitution for damage and to ensure the return of atmospheric space, as well as financing and technology transfers to developing countries.
6. Denounce the lack of presence of peoples in decision-making regarding our common future and demand the creation of spaces for participation of the world's peoples in making climate change decisions, including monitoring and oversight of implementation of commitments made by developed countries.
7. Promote the creation of international legal norms that impose sanctions for infringements and breaches of greenhouse gas emissions reduction commitments, financing, technology transfer and other obligations undertaken by developed countries. Also, work towards the establishment of a Climate Justice tribunal to be the means of enforcing these norms.
8. Require developed countries respect the rights of migrant populations created by the effects of climatic change and provide funding to host and provide compensation on a local, national, regional and international levels.
9. Build a global movement of peoples and social organizations in defense of life and Mother Earth, based on inclusion of and complementary coordination among all.
 - Organize on local, provincial, national and international levels in order to defend Mother Earth and Life and curb the effects of climate change.
 - Develop a single mandate from people in order to influence the Mexico conference.
 - Recovering ancient customs and habits, such as the reconstitution of calendars to return and restore Mother Earth's natural cycles
 - Promoting organic production and consumption of local organic products.
 - Promoting policies and create incentives for the consumption of natural local products
 - Retrieving and promoting technological matrix of our peoples and build shared useful knowledge.
 - Promoting the creation of a system of barter or exchange of peoples worldwide.
 - Renouncing, as societies overconsumption and waste and combat pollution.
 - Technological innovation and promoting the development and use of clean energy.
 - Regulating the consumption of imported products.
 - Campaigning against companies in our countries and the world that prey on natural resources such as soil, subsoil and ether. For example: timber, Coca Cola, etc.
 - Promoting the redesign of cities to reduce distances.

- Promoting discussion with our governments to identify policies and systems that are enemies to life and living well

10. Promote the concept of “Living Well” and its principles as an alternative to the capitalist system of life

- Recovering ancient customs and habits, such as the reconstitution of calendars to return and restore Mother Earths natural cycles.
- Promoting organic production and consumption of local organic products.
- Retrieving and promoting technological matrix of our peoples and build shared useful knowledge.

11. Promote and strengthen the Universal Declaration on the Rights of Mother Earth.

12. Replace the capitalist system for an alternative model that prioritizes harmony with Mother Earth, reciprocity, complementary coordination and balance of life rather than consumerism.

- Promoting the creation of a system of barter or exchange of peoples worldwide.
- Renouncing as societies, over consumption, and waste and combat pollution.
- and promoting the development and use of clean energy.
- Regulating the consumption of imported products.
- Campaigning against companies in our countries and the world that prey on natural resources such as soil, subsoil and ether. For example: timber, coca cola, etc.
- Promoting discussion with our governments to identify policies and systems that are enemies to life and living well.

13. Convoke a 2nd World Summit on Climate Change and Mother Earth Rights

14. Promote the Global Referendum on Climate Change and the Rights of Mother Earth.

a. Urgently move towards the creation of an alternative World Organization of the peoples: UNO also creating

spaces where peoples’ representatives have full decision-making power.

b. Create an international forum for continuing education to promote and strengthen the processes of decolonization, and the collective construction of knowledge, training and socialization in all areas and levels of life.

PROPOSALS FOR ACTIONS:

- Activate and structure the alternative World Organization of the Peoples: UNO also create councils to implement the resolutions of the World Conference of the Peoples on Climate Change and the Rights of Mother Earth.
- To mobilize all indigenous peoples, social organizations and civil society as a whole in defense of Mother Earth and Life.
- Organize 12 global days of the pedestrian and bicycle a year, reducing car use and creating non-motorized transportation routes.
- Perform concentrations in front of embassies and consulates of the worst polluters.
- Promote a Global March against Annex 1, a day march on all the embassies in the world.
- Implement in oral, written and televised media the broadcasting of accurate information on the causes and effects of climate change and its leaders
- Develop debates and seminars and meetings.
- Disseminate and share our reports, proposals and actions by different media.
- Build an international relationship of social movements to implement joint actions.

We propose to the peoples of the world that we ensure the compliance of all principles, requirements, commitments and actions necessary to preserve Life and protect Mother Earth, using any and all means to this end.

<http://pwccc.wordpress.com/2010/04/16/working-group-16-strategies-of-action/#more-1237>

Possibly related posts: (automatically generated)

<http://pwccc.wordpress.com/2010/02/01/pre-conference-of-the-indigenous-native-peasants-and-social-organizations-of-bolivia-on-climate-change-and-the-rights-of-mother-earth/>

Final Conclusions working group 17:

Agriculture and Food Sovereignty

April 29, 2010 in 17. Agriculture and food sovereignty, Working Groups

The social movements and popular organizations gathered at the CMPCC communicate that despite our constant protests and numerous mobilizations, the capitalist governments, international agencies and financial institutions continue on the path of exacerbating the destruction of the planet. Climate change is one of the most serious threats to food sovereignty of all peoples of the world. Once again we state that:

1. agribusiness through its social, economic and culture of development under globalized capitalist production and the logic of food production for the market does not fulfill the right to adequate food and is a major cause of climate change. The change of land usage (deforestation and expansion of the agricultural frontier), monocrops, production, marketing and use of agrochemical inputs, industrial food processing and the logistic to transport them thousands of kilometers to reach the consumer, the production of greenhouse gases in the megadeposits of garbage and manure from intensive industrial livestock, are major causes of the climate crisis and the growing number of hungry and malnourished peoples in the world.
2. that depredation and destruction of aquifers, springs and bodies of water and ecosystems and ecological cycles that give life are inextricably linked to the privatization processes that are driven from capitalist governments and international agencies. At the same time we see how climate change will destroy glaciers and other water sources, we find that the basic human right of access to water for consumption of all living organisms and food production is restricted on a daily basis product of the progress of industrial agriculture, mining, oil extraction, industrial food processing, forest plantations, the plantations and production of agrofuels, industrial aquaculture and hydroelectric megaprojects.
3. that territorial deployment of mega infrastructure at the service of big business alter natural, social and cultural processes, obstructing harmonious means of cohabitation with Mother Earth, destroying livelihoods, driving rural communities into the cities, indigenous peoples and fishers from their territories, facilitating the expansion of extractive and agro-export model.
4. Climate change causes forced migration in rural areas, thus, represents a threat to indigenous peoples, peasant communities and fishermen, who are most affected when their livelihoods, their ancestral wisdom and local agricultural are destroyed and hence their identity.
5. that agrofuels are not an alternative because they direct agricultural production for transport before the production of food for humans. Biofuels expand the agricultural frontier, destroying forests and biodiversity, generate monocrops, promote the concentration of land, degrade soils, deplete water sources, contribute to rising food prices and consume more energy than they generate.
6. that Genetically Modified Organisms (GMOs) are not a solution to climate change and are exclusively a tool of corporations to control seeds and food globally. They pose a serious attack on local knowledge, human health, the environment, local autonomy and hamper the effective implementation of the Right to Adequate Food.
7. That they continue to develop technologies to serve the interests of big business and presenting them as solutions to the different crises that Mother Earth and Humanity face. We know that they are all false solutions and are used as tools of accumulation and represent big revenues to large multinationals, which only exacerbate the dependency, the concentration and destruction. Some that stand out are geo-engineering, nanotechnology, Terminator and similar technologies, synthetic biology and biochar.
8. that the advance of free trade through economic partnership agreements, free trade treaties and investment protection, among others, are a direct attack on the sovereignty of countries and peoples, autonomy of the States and the ability of multilateral action by international agencies. As implementation progresses, the destructive impacts increase on local economies, food sovereignty, environmental, social and cultural rights and nutrition of the peoples and the rights of Mother Earth.
9. that the current concentration of land and oceans by economic groups, corporations and hedge funds both state and private are one of the most serious and imminent attacks faced by people and their food sovereignty; both socially and politically. The extreme concentration and denationalization of the land, compounded by the current free trade rules, attack plant and animal biodiversity, are against land reforms, the right to adequate food and the process of reconstitution of indigenous and peasant lands that social movements have fought relentlessly.
10. that the various forms of Intellectual Property Rights are an instrument of privatization that destroy local, traditional and scientific systems of knowledge restricting the use and conservation of

agricultural biodiversity and agricultural while outlawing cultural, local, community and ancestral practices.

Faced with this reality faced by people around the world, social movements and popular organizations gathered in this CMPCC pledge to continue fighting for a set of solutions and mobilize to ensure that governments fulfill their duty till they carry them out. We will center our efforts to build food sovereignty, defending and supporting peasant and indigenous agriculture as sources of food, dignity and identity and as a real and concrete alternative to cool the planet and putting gender equality at the heart of our action. The solutions that we see as priorities are:

11. Enhance and restore agro-cultures and local livelihoods, rural and indigenous and ancestral knowledge that apply to systems of food production and harvesting, local and traditional systems of health that have been degraded and undervalued by the logic-oriented agribusiness overproduction, export and profit generation, noting that Food Sovereignty is the way to respond and solve climate change.

12. Promote and secure funding policies and mechanisms for public participation and social control over agricultural production systems to avoid damage to Mother Earth. These should include research, extension and public investment to eliminate the use of petrochemical-based agricultural inputs, improve soil organic content, reducing post-harvest losses, strengthen local markets, promote urban agriculture, protect water sources and bodies of water as well as support indigenous and peasant family farming and Food Sovereignty.

13. Defend, revalue and disseminate the sustainable indigenous and peasant agricultural production, and other ecological and traditional practices that contribute to solving the problem of climate change and ensure food sovereignty, understood as the right of peoples to control their own seeds, land, water and food production, ensuring, through local production, autonomous (participatory, community and shared) and culturally appropriate, consistent and complementary with Mother Earth, the peoples' access to sufficient, varied and nutritious food as well as deepening the production of each nation and people. At the same time we reject the global food standardization and its nutritional, environmental, social, cultural and health impacts.

14. Recognize the right of all peoples, living beings and Mother Earth to access and enjoy water. Also recognize the right of peoples and countries to control, regulate and plan respectful use and supportive management of water and its cycles in the framework of agreements and international conventions and customary law, banning any form of privatization and commodification of water, creating popular participation institutions regulating their multiple use, protecting its quality ensuring future use for consumption by living organisms and food production. In this context we support the proposal of the Government of Bolivia to recognize water as a fundamental human right expressed in the "Declaration on the Human Right to Water" and we see as an important step in the right direction.

15. Ban technologies and technological processes that endanger the welfare and survival of Mother Earth and living things which are driven only by its potential to produce profits for a small number of companies, both cause and accelerate change climate, for example: agrofuels, genetically modified organisms, nanotechnology, geoen-gineering and all those under the assumption that they help the climate, in fact undermine food sovereignty and assault Mother Earth. We call for a worldwide permanent ban on Terminator technology, farmacrops and the like.

16. Prohibit trawler fishing because it is depredatory and destructive of biodiversity and the livelihoods of fishers and crafts.

17. Prohibit large scale mining that destroys ecosystems, expels local populations, polluts waterways and threatens food sovereignty of peoples.

18. Reject, condemn and prohibit any political-military and trade strategy that undermines food sovereignty of peoples and makes them more vulnerable to climate change.

19. Uphold the primacy of human rights, economic, social and cultural rights of Mother Earth, and biodiversity over the TRIPS (treaties protecting intellectual property) and any other trade agreement under international law. Countries must also ensure respect for the collective knowledge of indigenous and peasants peoples and therefore defend the collective right of decision on access and use of this knowledge. National measures to implement this would not be subject to litigation under the rules of trade agreements that strengthen or protect intellectual property rights. Any formal investigation developed with public support must be public good, not subject to intellectual property rules that restrict information sharing.

20. Prohibit any form of patenting and intellectual property to any form of life and ancestral and traditional knowledge canceling existing patents.

21. Prohibit dumping (selling products below production cost) and unfair trade practices of industrialized countries that distort food prices affecting the food sovereignty; making non-industrialized countries vulnerable to climate change.

22. Implement policies and regulations to protect small domestic food production, including the type of subsidies it considers necessary to its agricultural sector, as well as ensuring their right to set tariff barriers equivalent to any subsidy incorporated in exported products and allowing the free movement of local production.

23. We affirm that the central part of the solution to climate change is through the strengthening and expansion of rural agri-food systems, urban agriculture and artisanal fishing. This means that not only necessary to change the vision of industrial food production and global market-oriented profit, but to change the vision that assumes that the earth is a resource without rights only oriented to satisfy the greed of human beings. We gathered as people to say that the planet is a living entity with rights and spirit.

24. To promote broad based, deep, genuine agrarian reform and reconstitution of indigenous, and afro descendent territories, building participatory policies with a gender focus, so that farmers and indigenous peoples, their cultures and lifestyles regain a central and fundamental role, vital in world agriculture to achieve food sovereignty and restore harmony to achieve global climate balance. Agrarian reform of this kind must include respect for local and ancestral knowledge and ensure the necessary arrangements to ensure production at all stages of the chain (cultivation, processing, marketing). We demand the recognition of the rights of indigenous peoples in voluntary isolation and the recognition and respect of their territories

25. Promote and strengthen holistic education (spiritual, physical and social) for Food Sovereignty as support for the changes needed to integrate their proposals at all levels of formal and non formal education, developing contents for local realities encountered on the basis of a pluricultural vision with full participation of communities responding to the needs of each region and community. At the same time argue that the extensive information and communication on these issues is one of the biggest challenges we face.

26. We declare that native and creole seeds as the heritage of the peoples in the service of humanity, the fundamental basis of food sovereignty and freedom of movement in the hands of indigenous and peasant peoples; maintained and multiplied by the custodians of seeds according to cultures of each people.

27. We demand that the impacts of global warming on Food Sovereignty be inserted within the framework of discussions on climate change and inserted into national legislation.

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- **[Pre conference of Bolivian indigenous peoples and social organizations on c...](#)**
- **[Working Group 17: Agriculture and food sovereignty](#)**

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