

# The Lungs of Our Planet: A Case Study of the Integration of Gender in Brazil's National REDD+ Framework

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# The Lungs of Our Planet:

# A Case Study of the Integration of Gender in Brazil's National REDD+ Framework

Thesis | MA Global Order In Historical Perspective Betty Kincová

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# Foreword

I would like to thank my mum, my sister Ester, Sue and Heimen for their never ending support.

Without them, I would not be where I am today.

#### Introduction

Indigenous stewardship over natural resources is being increasingly valued within international environmental policy (UNEP, 2017; Schuster et al., 2019). This has been most noticeable within the realm of global forest governance where Indigenous Peoples and Local Communities (IPLCs), particularly within Latin America, are often branded as "guardians of the forest" (Carrington, 2021). knowledge and land management practises of IPLCs are considered to be the most effective way of sustainably managing and conserving forests (Undeland, 2021), with many indigenous lands seeing much lower rates of deforestation (Carrington, 2021). As a result, the securing of IPLC land rights has become a central concern within the discourse on climate change.

One international climate mechanism that has put this discourse into practise, is REDD+. Short for, "Reducing Emissions from Deforestation and Forest Degradation in Developing countries" (UNFCCC, n.d.), REDD+ is a framework designed to financially incentivise IPLCs, and other land managers, to conserve their forests (Springate-Baginski and Wollenberg, 2010). It was thus envisaged as a way of rewarding the forest stewardship of IPLCs through the provision of direct funding (Gaworecki, 2016). Tenure security is at the heart of the REDD+ mechanism, as it has been widely acknowledged that clear and secure tenure is integral to the effectiveness of incentive-based instruments, such as REDD+, in improving natural resource management (Monterroso, 2022). While there seems to be widespread recognition of the benefits of indigenous land management, and the need to secure indigenous land rights within REDD+, there has been a neglect of the role that gender plays within this. IPLCs have been predominantly framed within the literature as ungendered units whose empowerment largely leads to greater equity for all (Agarwal, 2010). This is despite the breadth of literature recognising the centrality of gender in structuring people's relationships to their environments (Rocheleau, 1996) and the particular vulnerability of rural women to poor land rights (OHCHR, 2017). The treatment of IPLCs as ungendered has major implications for REDD+ governance, as women's specific needs and vulnerabilities may be disregarded during REDD+ implementation.

To understand the reasons behind this neglect, this thesis seeks to examine the various mechanisms influencing the integration of gender within national REDD+ programmes. Due to the complexity of international forest governance, REDD+ implementation can be influenced by a multitude of factors. The ones chosen for this study include the processes of

national interpretation in Brazil of the international REDD+ framework and donor funding conditionalities. Due to its prominent role in REDD+ implementation and the high proportion of its forests under customary or indigenous use (Souza, 2021), Brazil is a pertinent case to study. This thesis hopes to shed light on the interaction between global norms on forest governance and the strategies adopted by Brazil and the impact this has on the gender equity of REDD+ programmes.

This thesis will first provide important clarification over the treatment and understanding of the terms "gender" and "women" within this research, followed by an overview of the key debates surrounding REDD+ in the literature review. Chapter One, a qualitative analysis of the key COP decisions on REDD+ is undertaken to establish whether and how gender issues are integrated into the international REDD+ framework. Chapter two analyses the funding conditionalities of key REDD+ donors to determine the degree of influence they exercise over domestic REDD+ implementation, specifically in relation to the consideration of gender issues. The final chapter examines Brazil's national REDD+ strategy to determine the degree to which gender is considered within national programmes and the sources of influence shaping its REDD+ policies.

#### **Clarification of Terms**

Within this thesis, the terms women and gender figure dominantly and therefore merit clarification. Gender is widely defined as a social construct that encompasses the norms, behaviours and roles associated with being a woman or a man. This system of norms and roles serves to perpetuate power inequalities between men and women (Koester, 2015). "Woman" is a category that has been discursively constructed by these same power relations (Butler, 1990). It is in this way, Judith Butler (1990, p.8) argues, that culture not biology becomes destiny.

The concepts of "gender" and "women" are often conflated, meaning that gendered dimensions are relegated to the field of "women's issues", rather than being seen as an overarching structural component that also comprises men's domination and power (Oudraat and Brown, 2022). This thesis believes that in order to tackle women's specific needs, the whole structure of relations comprising gender, needs to be addressed. Hence, the focus on "gender issues" rather than "women's issues". Although men are also impacted by gender-based divisions, it is mainly women and girls who are affected by the boundaries it erects (Enarson and Charkrabarti, 2009) and thus they are the focus of this thesis.

#### **Literature Review:**

#### International Forest Governance and REDD+

Sustainable forest governance has been high on the agenda in international environmental policy since the 1980s, when rates of tropical forest loss were rapidly accelerating (McDermott, 2013). It is widely recognised that curbing deforestation and forest degradation offers the largest potential for reducing Green House Gas (GHG) emissions in the land sector (Levin and Parsons, 2019). This explains the extensive range of environmental institutions and agreements that have emerged over recent decades to coordinate forest governance on a global scale (McDermott, 2013). With this, an increased valuation of indigenous stewardship over natural resources has developed within international environmental policy (UNEP, 2017; Schuster et al., 2019). A recent report on Land and Climate Change carried out by the Intergovernmental Panel on Climate Change (IPCC, 2019), stated that securing and recognising the tenure rights of indigenous communities was a cost-effective way of reducing deforestation and improving land management in certain contexts. Central to this is that secure land rights are good incentives for people to make long-term investments on their land, thus promoting more sustainable activities (IPCC,2019). REDD+ is the only international framework informing the governance of natural resources and it incorporates this approach on a global scale. Developed under the UNFCCC during the 2007 Conference of the Parties (COP 13), it is a voluntary framework, designed to guide a range of emission-reducing activities from deforestation and forest degradation and to promote sustainable forest management (UNFCCC, n.d.). It represents an attempt to finance and steer forest conservation on a global scale through market-based mechanisms and performance-based aid (Angelsen, 2017). Results-based payments are made to developing countries that produce verified results of forest-related greenhouse gas emission reductions (MMA, 2016).

Since the establishment of the UNFCCC, industrialised countries have been under increasing pressure to reduce their emissions, leading to a boom in carbon markets whereby activities leading to the reduction, avoidance or sequestration of carbon dioxide are awarded with carbon credits (Ecosystem Marketplace, n.d). Credits are then sold to businesses who use the credits to count towards their own emissions reduction targets (Time, 2019), also known as Carbon Offsetting. Although forests cannot be used by states or corporations to offset their legally binding emissions targets (Lujan and Silva-Chavez, 2018), they have been used in the voluntary carbon market. The financing of REDD+ programmes through such markets are particularly

popular amongst corporations concerned with their public image (Lujan and Silva-Chavez, 2018). However, despite what appears to be a positive trend, the expansion of the voluntary carbon market and REDD+ projects has facilitated the mass encroachment of private and public investors into forests and forest governance. This represents a wider movement termed "Green Grabbing" describing instances whereby environmental credentials, such as carbon offsetting, are used to justify appropriations of land and resources (Fairhead, 2012). Proponents have argued that REDD+ encourages the indigenous stewardship of forests and offers a means through which to secure their land and resource rights (CIHR, 2012). However, despite such claims, there has been much opposition from indigenous peoples and organisations who view REDD+ as a threat to their livelihoods and rights (Lyster, 2013). This has led to questions about which conditions make REDD+ a threat to local rights, and which conditions make it a positive opportunity (Larson et al., 2014).

# The commons and customary land tenure

REDD+ is a mechanism that is intended to guide and alter the governance of forests and forest-related activities. As forests are typically characterised as a common (McGinnis, 2019), it is pertinent to understand what the commons are before embarking on an analysis of REDD+. The commons can take a vast range of forms having various definitions within the literature. However, they are generally understood as lands or resources to which members of a group share access (Hudson et al., 2019). Multiple people can have tenure rights to the commons simultaneously, with boundaries remaining fixed or being regularly renegotiated by the community (IASS, 2016). Use and possession of such lands may be regulated under community-derived norms and/or customary tenure systems (Wily, 2012). Others view the commons not as a place or a resource, but rather as a set of actions or "more-than-human" relations resulting in collective practices (Nightingale, 2019). This is a view shared by many feminist scholars who view "commoning" as embodying a different way of being in the world (Clement et al., 2019). Forests are a typical example of the commons with most of them comprising the traditional land of IPLCs (Veit, 2021; McGinnis, 2019). Around 22% of the world's tropical forests are managed under customary tenure or owned by IPLCs (Sunderlin, 2019). Within the literature, it is widely acknowledged that rural women in the Global South are particularly reliant on the commons for their livelihoods (Claeys et al., 2022; Bose et al. 2017; Agarwal 2010; Hatcher et al., 2005). Globally, women generally have much poorer rights

to land and natural resources than men (Hennings, 2022). UN figures show, on average women account for less than 20 percent of the world's landholders (OHCHR, 2017). As a result women do not tend to individually own enough land to support themselves (FAO, 2016), have fewer income earning opportunities (Agarwal, 1994 in Agarwal 2010) and thus rely on commons, such as forests, for subsistence.

#### The social implications of REDD+

There is an abundance of literature dealing with the potential risks REDD+ poses on the land practises and customary arrangements of forest communities. Pressures from NGOs and grassroots activists have played a central role in highlighting the potential risks linked to REDD+ activities and bringing issues of forest tenure and indigenous rights to the fore in REDD+ debates (Larson et al., 2014). The impacts of REDD+ on land rights and resource access are amongst the most hotly debated, with these unanimously regarded as being central to the success of REDD+ programmes (Gover, 2016). It is argued that unclear tenure may lead to the exclusion of forest people from REDD+ benefits and forests altogether (Larson et al., 2014). Larson et al. (2014) argue that at particular risk from REDD+ strategies are customary land users, as their lack of formal rights could restrict their access to land due to the imposition of new rules and regulations. However, most literature discussing the risks approaches it from the community, rather than the individual level. As a result, customary land users and forest dwelling communities are often treated as ungendered, homogenous units (Agarwal, 2010). There is little consideration of how REDD+ will differentially impact members of the same community, what tenure security looks like for different people and how this can be achieved.

Gender is a central organising principle in most societies (Nelson, 2012) that causes men and women to gain identities and power in relation to each other (Calasanti, 2007). As argued by Namubiru-Mwaura (2014), access and ownership to land tenure is often hindered by the multiple barriers present in an individual's daily reality. Gender is a huge part of this reality and is felt most strongly by those who regularly come face to face with the barriers it erects, such as women. Considering that gender can be a key determinant of tenure security (Hennings, 2022), the treatment of customary tenure systems and communities as gender neutral within the majority of REDD+ literature, is a major deficiency leading to the neglect of the differentiated needs and vulnerabilities of members of forest communities targeted by REDD+ programmes. For example, it is widely understood that due to the gendered division of labour, women are primarily responsible for carrying out household tasks such as water and fuel

collection (IUCN, 2020). As a result of these different roles that women and men occupy within forest management, they rely on different resources on a daily basis (IUCN, 2012). The consideration of such dimensions is essential to understanding what risks REDD+ poses to different groups of people. By integrating gender into REDD+ initiatives, there will be a greater appreciation of the various uses, livelihoods, decision-making structures and patterns of control existing within forests (IUCN 2012, p.6).

Community-based resource management (CRM), as is frequently practised in the commons, often receives great acclaim within environmental governance initiatives (Skutch and Turnhout, 2018, p.1). In REDD+, in particular, CRM is heralded as leading to more effective forest management with more equitable socio-economic outcomes (Newton et al., 2014; Skutch and Turnhout, 2018). However, unequivocally forwarding a singular model of community-based governance as inclusive and just is dangerous (Clement, 2019, p.3), particularly for women, especially apparent when you take into account gender disaggregated data. The OECD found that in 59% of 161 surveyed countries, customary, traditional and religious practises hinder women's land rights (in Agus et al., 104, 2014), showing that strong communitarian relations do not always lead to more equitable outcomes and more rights for all. Therefore, although REDD+ programmes often extol the benefits and the need for strong community and customary land rights, securing them does not guarantee that women will not be left out (Larson et al, 2015). Members of a community do not necessarily have equal amounts of agency in expressing their ideas and needs. As such its often men or elites who push forward their own ideas of what the community needs (Poudyal, 2016).

It is clear that introducing monetary incentives into forest governance could have disruptive impacts on existing tenure systems and relations (Vatn, 2018). REDD+ is the world's largest example of a Payment for Environmental Services (PES) programme. These are compensation mechanisms used to financially incentivise land managers to maintain or improve their ecosystems (Kuhfuss et al., 2018). Most PES programmes require land use changes, disrupting existing relations (Vatn, 2018) and imposing new conditions on who can and cannot access land and resources, leading to changes in local power dynamics (Grajales and Allain, 2020). They may also lead to the reinforcement of existing inequalities as land titles are often required for participation (Vatn, 2018), something which poor people and women generally do not have. This is similarly reflected in the literature on land grabbing more broadly where it is argued that processes of land acquisition provoke changes in ideas of legitimacy surrounding how land

is used and by whom (Grajales and Allain, 2020). Such changes are not only caused by foreign actors but also domestic ones, particularly domestic elites (Grajales and Allain, 2020). Domestic actors constitute important intermediaries between state and foreign investors in the formalisation of land deals (Grajales and Allain, 2020), often having the local knowledge and capacity that the central government lacks (Grajales and Allain, 2020). However, such forms of brokerage can be exploited by local elites to elevate their positions of authority. For example, Boamah (2014) found that Ghanaian chiefs, particularly in the Southern Ashanti region, use the arrival of foreign corporations to reassert their land claims over those with weaker claims, such as women. As chiefs and other traditional leaders are in charge of administering custom, the responsibilities and titles of other community members depends on the interpretations made by chiefs (Yaro, 2012 in Boamah, 2014). The arrival of foreign corporations led the chiefs to reinvent customs to endow themselves with the legitimacy and power to own and sell land (Boamah, 2014) thus forwarding their own interests during negotiations with investors, stifling other claims. As community-based initiatives are considered particularly vulnerable to elite capture (Arnall et al., 2013), we would expect similar, unequal distributions of benefits in REDD+ with women experiencing discrimination and disadvantages across multiple levels, becoming the biggest losers.

#### Norm and law diffusion

Norms are shared beliefs about what constitutes appropriate behaviour (Alger and Dauvergne, 2020) which essentially dictate various aspects of our lives. The diffusion of environmental norms globally over the past few decades (Alger and Dauvergne, 2020) have had enormous political implications on the domestic activities of individual states. An array of formal and informal processes determines how such norms are interpreted, transformed and implemented across the world (Jodoin, 2019), often typified by discursive and power struggles over ideas about what is right or wrong (Alger and Dauvergne, 2020). In the case of the national translations of global environmental frameworks, such as REDD+, contestations may arise about what the purpose of such norms are and their requirements for enforcement (Jodoin, 2019). Such translations involve a diverse range of actors and interests, who attempt to reformulate externally received norms to fit in with the norms and social values practised at the national level (Dawson et al., 2018). However, struggles for control over resources, profits and local politics will equally impact upon the translation process (Alger and Dauvergne, 2020). According to Alger and Dauvergne (2020, p.156), this local contestation helps explain

why states do not adopt global environmental norms in a uniform way. The process of national interpretation, consisting of the "meaningful involvement of all stakeholders", is deemed important by the UN and other international agencies in the formation of national REDD+ programmes (Dawson et al., 2018, p.2). However, the behaviours, assumptions and biases, dominating the procedures and organisations that constitute these national regimes (Young, 2015), could crucially change what REDD+ looks like from one country to another. REDD+ is a voluntary framework and there are no legally binding requirements that countries must abide by. Despite this, REDD+ has been adopted by many countries, informing a wide range of forest related policies worldwide. This suggests that REDD+, and the UNFCCC, has a degree of normative influence over the domestic climate policies and resource governance of some countries. The way in which nation states interpret the international REDD+ framework could have vast implications on how REDD+ is implemented and thus the local outcomes such programmes give rise to. The influence of such international conventions on the equity outcomes, particular in relation to gender, of national REDD+ programmes remains understudied (Dawson, 2017).

### **Conditionality**

Funding is the only area where regulations can be 'enforced' onto recipient countries implementing REDD+ programmes, as they must fulfil certain conditions to receive financial support (Gover, 2016). Therefore, funding conditionalities represent one of the main points of influence between international REDD+ policies and the domestic laws of participating states (Gover, 2016). Funding for REDD+ initiatives can come from a wide range of sources (Young, 2016) and so the number of different conditionalities affecting the implementation of REDD+ initiatives is vast. In addition to these more binding agreements, there are an array of informal processes and soft law instruments. These have been developed separately from the UNFCCC, predominantly by international organisations (Young, 2016) that inform REDD+ implementation in recipient countries, and come in the form of policy briefs and recommendations.

### Specification of the research question

From the above literature review, it is clear that REDD+ has the potential to drastically alter the existing relationships and rights of customary and indigenous land users to forests. The literature has been useful in demonstrating how the introduction of monetary relations into land management has the potential to alter customary relations, leading to the exclusion of some individuals due to elite capture. Secure land tenure is unanimously regarded as crucial for REDD+ programmes to lead to positive outcomes and reduce harm. However, so far, studies into the social implications of REDD+, and risk prevention, have predominantly been studied from the perspective of indigenous communities or customary land users in general, resulting in their treatment as gender neutral subjects. Literature on the commons sheds light on rural women's disproportionate reliance on the commons, and the gendered differences in resource access and use. Such literature allows us to see the major drawback of not considering gender in REDD+ analyses as it is clear that REDD+ will not affect everyone in the same way. Overall, the literature review has revealed a major deficiency in the current analysis on REDD+ with regards gender issues. If the REDD+ framework does not account for gender and its role in shaping the individual needs and vulnerabilities of IPLCS, rather than empowering people, it could alter land tenure arrangements in ways that are greatly restrictive and destructive to certain members of the group.

Some case studies have been carried out concerning the gender differentiated impacts of REDD+ on customary forest users, but very few in Brazil. This is surprising considering that Brazil is as an important model for other REDD+ initiatives around the world. Brazil holds 60% of the Amazon rainforest (Mauelshagen and Rivera, 2020) making it the largest tropical forest nation. It often figures at the forefront of forest policy due to its important role in climate change mitigation (Bidone and Kovacic, 2018). It has also played a leading role in REDD+, being the first to implement a national REDD+ program (EDF, 2009) and the largest recipient of results-based payments (Bastida et al., 2017). With such experience and financial capability in REDD+ implementation, we would expect Brazil to be a leading example in the formulation of a robust and expansive REDD+ approach that incorporates gender substantively, begging the question of why gender analyses have been carried out in some countries and neglected in others? Does the lack of studies on gender within REDD+ in the Brazilian context suggest a neglect of gender in the international REDD+ framework itself or a rejection of international norms on Brazil's part? Or is the inclusion of gender considerations purely dependant on the

funding conditionalities specified by the country's donor? Although the rights of indigenous communities and IPLCs have gained much international support with regards to REDD+ implementation, how women are accounted for within this mechanism is much less clear. It is clear from the above literature, that nation states have a great amount of agency in interpreting international conventions and moulding them to their own norms and ideals. What implications such interpretations could have on the outcomes of REDD+ programmes for women's rights and livelihoods is vastly understudied and merits attention. If the REDD+ debate in one of the world's biggest implementers of REDD+, Brazil, continues to be gender blind, what hope does it have to empower *all* community members rather than further entrench inequalities? The above discussion has led to the elaboration of the following research question:

How does the international REDD+ framework, and the funding conditionalities of REDD+ donors, impact upon the consideration of gender within Brazil's national REDD+ framework?

# Methodology

To answer the above research question, a qualitative analysis of the major Conference of the Parties (COP) REDD+ related decisions will be carried out. As the norms and requirements of REDD+ have primarily been made through the COPS (Young, 2016), these decisions are likely to have the most normative influence on forest governance policies worldwide. The COPS are the supreme decision-making body of the United Nations Framework Convention on Climate Change (UNFCCC, n.d.). Therefore, if gender is integrated within the international REDD+ framework, it is in the COP decisions that you would expect to find such references. As such decisions are only intended as voluntary guidelines, this analysis will serve to shed light on the international REDD+ framework's normative influence on domestic forest governance of participating states, particularly in relation to the integration of gender. This will be carried out alongside a qualitative analysis of the funding conditionalities stipulated the main multilateral funds financing global REDD+ programmes. This will be compared to the conditionalities outlined by Brazil's main donor, Norway. This will be done to establish whether there are any conditionalities that account for gender and gender specific needs e.g. specific gender oriented protections. Furthermore, it will be used to determine how much power donors have in influencing the social and equity outcomes of REDD+ projects carried out in Brazil and whether different funding conditions have different equity implications. This will shed light on the different sites of influence within international

climate governance and what implications this has on the protection and forwarding of women's land and resource rights within forest governance specifically.

This will be compared to a qualitative, within-case study of Brazil's national REDD+ programme ENREDD+ and its primary funding mechanism, The Amazon Fund. This approach was chosen to determine whether and how gender is incorporated into Brazil's national REDD+ strategy and to attempt to locate the sources of influence informing ENREDD+. The Amazon Fund was chosen as it is Brazil's nationally managed funding mechanism that provides funding for the majority of its REDD+ programmes. Although it is tied to the funding conditions of its main donor Norway, it is not subject to the funding conditionalities of the other main multilateral REDD+ funds and exercises considerable autonomy over its decision-making and management (Marcovitch, 2014). Such an approach allows us to see the impacts that relative autonomy over funding has on the gender policy prescriptions adopted within Brazil's national REDD+ framework.

# Case study selection

A within-case study approach was chosen for this research as different geographical regions are characterised by specific socio-ecological conditions. Therefore, a detailed examination is necessary to identify the range of intervening variables that could be affecting the relationships and patterns studied. A single case study approach is thus appropriate to allow for a broader range of intervening variables to be studied and effective ways to test hypotheses about causal mechanisms (George and Bennett, 2005). A rigorous analysis of the nuances surrounding Brazil's REDD+ governance is particularly necessary due to the complex and fragmented nature of forest governance both globally and nationally (Rayner et al., 2010). Here, causal relationships are likely to be complex, influenced by a multitude of factors.

#### Sources

There is almost a complete lack of secondary literature studying the gender differentiated implications of REDD+ in Brazil. Although case studies examining the integration of a gender approach to REDD+ have been conducted elsewhere, due to the highly specific socioecological conditions of each country, findings were hard to apply to Brazil. Therefore, this thesis relies heavily on primary resources such as the websites and policy documents of governments, NGOs specialising in forest governance and the policy and research documents

published by multilateral institutions. Such primary sources should provide ample, credible and empirical evidence to substantiate the arguments made in the thesis. They will also add to the originality of the research undertaken, providing a fresh perspective on the widely studied area of REDD+. Despite the prominent role primary sources played in this research, secondary sources derived from similar cases were used to substantiate arguments and offer a depth of perspective.

#### Limitations

Causality is difficult to prove in the case of norm diffusion and funding conditionality as forest policy outcomes are often influenced by a broad range of overlapping variables and actors (Fedi, 2020). Therefore, the research presented cannot do much more than demonstrate compelling links and relationships between given variables. Furthermore, although the findings derived through single case studies may be internally valid, they may not necessarily be generalisable to other cases (George and Bennett, 2005) limiting the value of the research in contributing to the wider field.

Sources in both Portuguese and English were consulted, however, as literature was primarily searched for in English, sources in the English language are predominant. This means that a large amount of literature published only in Portuguese has been overlooked, preventing a fully in-depth analysis.

Future research can build on this study by undertaking qualitative interviews with individuals taking part in REDD+ initiatives in Brazil. Interviews can help fill the historical and discursive gaps left by the marginalisation of gender considerations in the literature on REDD+ in Brazil. Furthermore, it can give a platform to those whose voices have been omitted or marginalised in formal records or studies (Rubin Rubin). Women within communities taking part in REDD+ face particular barriers to expressing their ideas and needs. Qualitative interviews can therefore provide the essential data that is missing in this area to help inform REDD+ policy prescriptions and make them more gender sensitive.

#### **Discussion**

# **Chapter 1: Climate Finance**

Climate aid has been gaining prominence since the inauguration of the UNFCCC convention and the principle of "common but differentiated responsibility and respective capabilities". This principle stipulates that due to their greater role in exacerbating the effects of climate change, developed countries have a responsibility to financially support developing countries in their climate mitigation efforts (UNFCCC, n.d.). Through the Cancun Agreements in 2010, developed country parties committed to a goal of mobilising jointly USD 100 billion per year by 2020 (UNFCCC, n.d.). There are various sources and instruments of climate finance, with the most prominent multilateral funds being managed by the UNFCCC. The Green Climate Fund and UN-REDD Programme are just two examples of such climate finance funds with the former figuring as the central financial instrument for REDD+ globally (Correa, 2019). Due to the various forms that climate finance can take, its impacts and effectiveness can vary greatly.

The implementation of the REDD+ framework in recipient countries is guided by multilateral donors and institutions, which help recipient countries establish their own national REDD+ programmes. A plethora of such institutions and donors exist, meaning that globally, REDD+ implementation is not uniform. UN-REDD is the largest international provider of REDD+ assistance and supports 65 countries to reduce forest emissions through their own national REDD+ programmes (UN-REDD, n.d.). This platform of multiple donors provides funding for activities directed towards reducing global emissions from forest related activities in developing countries (Watson and Schalatek, 2021). The contributions from donor countries are included as Official Development Assistance (ODA) (Angelsen, 2017), which usually comes with a number of conditions that recipient states must meet in order to receive such funding. 90% of international funding for REDD+ comes in the form of ODA, primarily from public sources (Angelsen, 2017). Organised and executed by the Development Assistance Committee (DAC), ODA remains the main source of finance for development aid globally (OECD, n.d.). The DAC is responsible for defining and regulating international aid flows to various development projects worldwide and represent some of the largest providers of aid (Grugel and Hammett, 2016). Over recent decades, ODA has increasingly been focused on climate objectives (OECD, n.d.). The conditions attached to foreign ODA allow donor states to intervene in a wide range of policy areas within recipient countries (Freedman, 2000). As the majority of DAC members are from the Global North (OECD, n.d.), ODA, and International Development more broadly, have been branded as a new form of imperialism used to secure Western self-interest in the global economic order (Escobar, 2012).

International climate finance is no exception; with an estimated \$2tn needed annually by 2030 to help developing countries cut their greenhouse gas emissions (Harvey, 2022), the potential influence of funders on the domestic policies of recipient countries is enormous. However, conditionalities are also regarded as integral to the promotion of human rights, democracy and good governance in recipient countries (Crawford, 2019). Aid is seen to be more efficient in countries with a robust policy environment (Douch et al., 2022) and is less likely to be misappropriated (Li, 2017). Furthermore, conditionality may be necessary to ensure countries take substantive climate action. Thus, it is possible to see how conditionality may be necessary in relation to the funding of REDD+ projects in particular, due to the ways such projects disproportionately affect indigenous populations and local communities. In Brazil, the lands of indigenous communities have long been viewed as vacant, unproductive frontiers that are obstacles to development (Pallemaerts, 1986). Such communities have been historically marginalised by development initiatives and thus may require additional protection. Furthermore, according to McDermott (2012), many REDD+ countries indicate high levels of corruption, reducing capacity to effectively govern their forest frontiers. Therefore, through funding conditionalities, donors may force countries to enforce certain protections they would otherwise neglect.

#### 1.1: The UNFCCC and the Conference of the Parties

The United Nations Framework Convention on Climate Change (UNFCCC) is an international environmental treaty that came into force in 1992 and has since achieved near-universal membership, having been ratified by 198 countries (UNFCCC, n.d.). Decisions regarding the convention and its implementation are made through a series of annual Convention of the Parties (COP) which are representative of all member countries (UNFCCC, n.d.). Thus, the COPs essentially constitute the most authoritative voice on the international governance of environmental affairs. It is here, then, that we would expect to find policies relating to land tenure and gender.

Since 2007, a series of decisions have been adopted by the COPs, establishing the rules and obligations necessary to carry out national REDD+ projects, also providing guidance and

recommendations on implementation. Although there is wide agreement amongst proponents of REDD+ that secure tenure is central to the success of REDD+ programmes (Gover, 2016), this has not always been reflected within REDD+ policies. Discussions and decisions surrounding tenure policy were not initiated until relatively late within REDD+ debates. This is reflected within COP11 in 2005 where unsustainable practices in the forestry sector were largely attributed to the lack of economic value ascribed to forests (CP11, 2005). "Monetizing" environmental resources through the establishment of carbon markets was seen as the primary way to incentivise land users to forest conservation (CP11, 2005), rather than through the consolidation of land rights, as is generally agued today. Nowhere within the policy document was there mention of land tenure, gender issues or the rights of local communities and indigenous populations. This highlights the technocratic rather than human rights based approach adopted in the early development of REDD+, which views emissions reductions as the primary objective of sustainable forest governance. COP13, made reference to recognising "the needs" of local and indigenous communities but not their general rights or claims to land specifically, suggesting a reluctance to employ rights based language within international negotiations on REDD+ (Jodoin, 2019, p.172). It was only in the Cancun Agreements, reached during COP16 in 2010, that guidance relating to land tenure and gender issues first appeared. In Decision 1C.72/ CP.16, during the implementation of REDD+ strategies, developing countries were requested to:

"address...land tenure issues, forest governance issues, gender considerations and the safeguards identified in paragraph 2 of appendix I to this decision, ensuring the full and effective participation of relevant stakeholders, inter alia indigenous peoples and local communities"

This is the sole instance where tenure is mentioned and does not receive further elaboration in the document. The term "gender considerations" is equally vague and is treated separately to "land tenure issues" reflecting the lack of an integrated approach to the two. Other paragraphs relating to gender stress the importance of "gender aspects", "gender equality" and "gender-sensitive" approaches that promote the *participation* of women and indigenous peoples (7,12,72 and 130/CP.16). Such tenuous and vague references to land tenure and gender suggest they were regarded as additional rather than integral, constitutive elements of the REDD+ framework. Whereas, emissions reductions were regarded as the central tenet (Faggin and Benghal, 2017), as evidenced by the far more numerous paragraphs relating to guidance on

this. Furthermore, there is no explicit mention of land rights. Although there is recognition that the effects of climate change are not felt equally, with gender, age, disability etc. influencing degrees of vulnerability, there is no mention of land rights in relation to such vulnerability.

The lack of elaboration on gender issues is surprising considering the presence of the Women's Assembly caucus during COP16, who raised their concerns over the REDD+ framework (Yanez, 2015). In a document published by a range of women's organisations, they outlined a number of risks and recommendations concerning the current REDD+ model. They stated that women's insecure property rights and their different roles in forest activities makes them especially vulnerable to land grabs and less likely to benefit from REDD+ initiatives, demanding projects be people centred, gender sensitive and based in human rights and gender justice (Yanez, 2015). They also argued that the recognition of women's right to land and territories was the most effective way of reducing deforestation (Yanez, 2015). This in-depth list of requirements and recommendations was clearly not considered in the formation of the Cancun-agreements. Yanez (2015) argues that the tenuous and vague references to land tenure and gender issues were instead intended as social pacification in response to the increasing conflict and rejection voiced.

The central purpose of REDD+ is to *encourage* countries to undertake the following mitigation actions in the forestry sector:

#### (CP/2010/C.70)

- (a) Reducing emissions from deforestation
- (b) Reducing emissions from forest degradation
- (c) Conservation of forest carbon stocks
- (d) Sustainable management of forests
- (e) Enhancement of forest carbon stocks'

The highly technical language employed is reflective of the dominance of "scientific expertise" and neoliberal values prevalent in the formation of early environmental policies (DuPuis and Gareau, 2008). Here environmental problems were primarily conceived of in scientific terms (Escobar, 2012), with science being viewed as the most legitimate source of knowledge to inform policy outcomes (DuPuis and Gareau, 2008). The ultimate objective of the UNFCCC is "the stabilisation of greenhouse gas concentrations in the atmosphere to a level that would

prevent dangerous anthropogenic interference with the climate system" (UNFCCC, n.d.). This is reflected within the Cancun agreements where the marked reduction in greenhouse gas emissions resulting from human pressure on forests is framed as the primary objective of REDD+ (C.68). According to Pickering (2020), the urgency surrounding climate action often meant more democratic processes were regarded as too slow and cumbersome to achieve impactful and far-reaching results. Therefore, the human of the environment was neglected in favour of a strongly scientific approach (Pickering, 2020), accounting for the lack of social considerations, such as gender, within early REDD+ policies.

The Cancun agreements were elaborated due to concerns from civil society actors and advocacy groups over the lack of a human rights based and democratic approach to environmental governance. Pressures mainly came from those concerned about the adverse social implications such programmes could pose for Indigenous and forest-dependent communities (Duyck and Johl, 2018). According to Dyuck and Johl (2018, p.5), the Cancun Agreements represented the first time linkages between human rights and climate change were officially recognised under the UNFCCC. Seven safeguards were elaborated that should be "supported" and "promoted" (CP.16/2a) during the implementation of the REDD+ activities outlined above. Safeguards refer to measures to be enforced to prevent or reduce harm related to development activities (World Bank in McDermott, 2012). This is the point during the elaboration of the REDD+ framework that the rights of vulnerable populations were first acknowledged.

Only two related to indigenous peoples and local communities:

- 2.(c) Respect for the knowledge and rights of indigenous peoples and members of local communities, by taking into account **relevant international obligations**, national circumstance and laws, and noting that the United National General Assembly has adopted the **UNDRIP**.
- (d) The full and effective participation of relevant stakeholders, in particular indigenous peoples and local communities, in actions referred to in paragraphs 70 and 72 of this decision (Appendix 1 CP/2010/7, safeguards).

These safeguards, although not substantive, and reference to international conventions such as UNDRIP are the most visible reflection of the incorporation of human rights considerations

into climate mitigation actions. Although this represents an important normative shift in conceptualisation of climate change, there is no guidance on how such standards should be implemented in practice. Thus, the Cancun Agreements can be viewed as mere repetition of previously established international treaties. Furthermore, owing to their late implementation, they come across as *supplementary* requirements to the main objectives of REDD+ showing how social considerations were an after-thought within international forest governance. The importance of land access for the realisation of a broad range of human rights is outlined in several international treaties, however, there is no international right to land codified in international human rights law (Wickeri and Kalhan, 2010). There are numerous articles within the UNDRIP which relate to the protection of the land rights and tenure systems of indigenous peoples. For example, Article 26.1) stipulates that:

Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise acquired.

There is no consideration of how gender interacts with and should be considered in the protection of such tenure systems. Considering that the lands indigenous peoples, and particularly women who usually make use of the commons, have traditionally owned or occupied are often not formally recognised (Veit and Reytar, 2017), this is a difficult right to verify and protect. Land rights are also alluded to in article 14(g) of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) where it stipulates that rural women will be ensured "....equal treatment in land and agrarian reforms as well as in land resettlement schemes". However, land rights are not explicitly mentioned or elaborated upon and **ownership** specifically, is only mentioned in relation to 'property':

Shall ensure the same rights for both spouses in respect of ownership, acquisition, management, administration, enjoyment and disposition of property, whether free of charge or for a valuable consideration (Article 16.1(h)).

Such notions of property are understood in more western-centric, individualistic terms not necessarily applicable to the customary tenure arrangements found in rural communities. It is clear that land rights have been more fully developed in the sphere of indigenous rights (Wickeri and Kalhan, 2010), once again showing a conceptual gulf between tenure issue and "women's issues". The reliance on previously established conventions to inform safeguard

policies for REDD+, is at the detriment of the establishment of new and more robust policies which integrate land rights and gender.

### **Chapter 2: Funding Conditionalities**

Despite its considerable shortfalls, The Cancun Agreements have been formative in the shaping of policies formed by many REDD+ related multilateral and voluntary initiatives and donors, such as UN-REDD and the Forest Carbon Partnership Facility (FCPF). However, such institutions also have significant agency in developing their own environmental and social criteria (CP.16). The Cancun agreements recognises the role of international organisations and other stakeholders in both the implementation and coordination of REDD+ activities (CP.16). This has led to a lack of coordination between the policies and funding requirement of various REDD+ funding mechanisms (Guay, 2022) making the establishment of a cohesive gendered approach to REDD+ activities difficult. As decision-making power on REDD+ implementation tends to be concentrated in the financing structures for REDD+ (Guay, 2022), funding requirements have the potential to significantly impact the way national REDD+ activities are implemented.

The World Bank guides the social and environmental policy standards that a range of public, private, national and international bodies must put in place before implementing a development project (Yanez, 2015). For example, the Forest Carbon Partnership Facility (FCPF, ) is a large fund for large scale REDD+ programmes (FCPF, n.d.) and an important provider of ODA (Watson and Schalatek, 2021) having provided funding to 47 countries located in subtropical or tropical areas (FCPF). As the FCPF operates under the World Bank, those applying for funding from the FCPF must comply with the World Bank's safeguard policies. These require governments to "address certain environmental and social risks" associated with their development initiatives (WorldBank, 2005).

A project applying for Bank financing that affects Indigenous Peoples must implement Safeguard policy 4.10. (WorldBank, 2005) This includes measures such as "a process of free, prior and informed consultation with the affected Indigenous Peoples 'communities at each stage of the project..." (6.C) and the establishment of an "appropriate gender and intergenerationally inclusive framework that provides opportunities for consultation at each stage of project preparation and implementation" (10.a). Although the World Bank Safeguards recognise gender differentiated requirements in the establishment of development processes,

this is not addressed in relation to land rights and tenure specifically. According to Bee and Basnett (2016, in Larson 2018), many REDD+ initiatives have approached gender in a simplistic manner interpreting gender safeguards as nothing more than a "bureaucratic obligation". The vagueness of such safeguards leaves them open to broad interpretation, making their enforcement hard to regulate.

If a project affects Indigenous People's ties to land, forests, wildlife and other natural resources *particular attention* must be paid to:

16a) the customary rights of the Indigenous Peoples, both individual and collective, pertaining to lands and territories that they <u>traditionally</u> owned, or <u>customarily</u> used and occupied, and where access to natural resources is vital to the sustainability of their cultures and livelihoods;<sup>1</sup>

It also states that if the project involves:

a) activities that are contingent on establishing legally recognised rights to lands and territories that Indigenous Peoples have traditionally owned or customarily used or occupied (such as land titling projects), or b) the acquisition of such lands (17)

Then such legal recognition can take the following two forms:

A) full legal recognition of existing <u>customary land tenure systems</u> of indigenous Peoples; or

B) conversion of customary usage rights to communal and/or <u>individual ownership</u> <u>rights<sup>2</sup></u>

This offers a more comprehensive understanding of the need for secure land rights in REDD+ implementation than outlined in the COPS, especially of the legal recognition of customary land tenure systems. This is significant as often customary lands are defined as public, state or government lands and thus not the legal property of the customary owners (Wily, 2012), free to be administered by public institutions (Pacheco, 2022). This makes them vulnerable to cooptation or expropriation (Freudenberger, 2013). However, as argued by Schmink and Gomez-

<sup>&</sup>lt;sup>1</sup> Emphasis added

<sup>&</sup>lt;sup>2</sup> Emphasis added

Garcia (2001, p.6), the overwhelming focus of forest policy and land tenure reforms on the securing of community rights leads to the neglect of internal gender inequities as they may seem threatening or less important than community unity. Furthermore, it does not consider the gender differentiated impacts of legally recognising rights to land through processes such as land titling. Indigenous land tenure systems are often comprised of a complex arrangement of diverse uses and rights over the same plot of land (Vina, 2018), informally agreed upon within and between communities. By converting such customary arrangements into highly individualised, European forms of ownership rights, users with weaker but legitimate usage claims may be excluded (Vina, 2018). For example, women generally rely on different resources to men, such as common grazing and gathering spots (Vina, 2018), often managed under customary usage rights and not legally owned by anyone.

Individual land titling may create borders of exclusion around resources that many people (usually women) once relied upon for subsistence (Vina, 2018). This particularly threatens the rights of poor seasonal, temporary or nomadic resource users who rely on forests for subsistence, but who do not come under the category of 'local' or 'communal' (Sunderlin, et al. 2014). These groups are often among the poorest populations (Sunderlin et al., 2014) and likely to be made up largely of women due to their poor land rights and economic opportunities. Furthermore, the unquestioned endorsement of statutory systems based on titled private property has in the past led to the erasure of customary tenure systems (Freudenberger, 2013) leading to the recentralisation of forest rights and control (Gover 2016, p.268). Similar issues arise with the granting of collective titles, where the customary norms practised usually dictate how rights to the land and its resources within the community are distributed (Deere et al., 2011). According to Deere (p.2, 2011), states and governments have generally not implicated themselves in the internal rules governing rights and access to land within customary land arrangements. This can perhaps explain the absence of more thorough gender policy prescriptions on land tenure, as such inequalities usually unfold at the community level. Similarly, Hein et al. (2018) argue that land governance reforms are difficult and unlikely to gain much political support explaining the low mention of tenure within international REDD+ policies and frameworks and leading to land tenure being considered an entirely domestic issue beyond the remit of the UNFCCC and international powers.

Although ownership rather than usage rights is essential to the protection of customary lands from state or development co-option, the form such ownership takes must be tailored to the specific community's needs. A gendered approach is crucial to ensuring that the formalisation of such rights serves those individuals with the weakest claims, otherwise it will only lead to the further entrenchment of local hierarchies and practices of exclusion already present within customary tenure systems (Collins and Mitchell, 2017). According to Peluso and Lund (2011, in Larson, 2013), policies of rights recognition have just as often been used by powerful elites to commandeer lands as to secure them for local people. Therefore, the way that internationally determined safeguards interact within local dynamics clearly requires attention.

### **Chapter 3: ENREDD+**

The way sustainable forest management policies are translated from the global to the domestic sphere will vary greatly depending on the socio-geographical settings in which they are being implemented. As argued by Faggin and Benghal (2017, p.23), national discourses and institutions shape how international agreements are transferred onto national law. However, the funding conditionalities imposed by donors restricts the degree of freedom recipient states can exercise in the establishment of their own REDD+ programmes.

Brazil started implementing its national REDD+ programme, ENREDD+, in 2010 before the REDD+ framework had been elaborated under the UNFCCC (MMA, 2018). In this way, in the early phases of its development, ENREDD+ was able to form free from the UNFCCC's normative influence. A mandatory component of any national REDD+ programme is a Safeguards Information System (SIS) to allow for the monitoring of how states are implementing and respecting the safeguards (Epple et al., 2020). The receipt of results-based payments being contingent upon the formation of such a system (MMA, 2016) is an important site of influence for informing REDD+ decision-making processes. However, when it comes to the formation of the safeguards themselves, the Cancun safeguards figure only as guidelines (MMA, 2015) giving agency to each country in the elaboration of its own versions. In Brazil, the process for defining the safeguards was initiated by Brazilian Civil Society and involved a collaboration between various non-governmental organisations, social movements, smallholders and private sector actors (IMAFLORA, 2010). Through a series of workshops and meetings, they collectively defined a set of principles known as the "Social and Environmental Principles and Criteria for REDD+" serving as a reference during the development and application of REDD+ programs and financial resources (IMAFLORA,

2010). Its main objectives are to strengthen public participation in decision making processes and to respect the rights of traditional populations and Indigenous Peoples within REDD+ government programmes implemented in the Brazilian Amazon (IMAFLORA, 2010). This represents a much more participatory, bottom-up discussion process than that which was employed during the formulation of the Cancun Safeguards which only involved parties to the UNFCCC (PNG REDD+, n.d.).

The principles and criteria outline the minimum requirements needed to minimise the risks and maximise the benefits to local populations impacted by REDD+ actions. They stress the importance of involving "all stakeholders and sectors" affected by REDD+ in the development and implementation of safeguards (Imaflora 2010, p.3), yet there is no mention of gender or women's specific needs. This is surprising considering that women in Brazil have been organising socially to demand for land rights since the 1970s, forming strong national movements (Buivant, 2003). According to Fiedler (2006, p.281), Brazil has one of the most effective women's movements in Latin America. They would arguably be an important and necessary stakeholder to involve within the development of these safeguards. Their absence can perhaps be explained by principle 6.2 which states that 'the traditional forms of electing representatives by Indigenous Peoples, small landowners and local communities' must be respected in decision making processes (IMAFLORA 2010, p.9). Furthermore, it is enshrined within the Brazilian national convention that 'The social organization, customs, languages, creeds and traditions of Indians<sup>3</sup> are recognised...' (gov.br, 1988). Therefore, getting too implicated within the customary practises of such communities would be both contentious and in contravention of national agreements. Furthermore, as argued by Nobre (1992 in Deere 2001, p.277) in reference to property inheritance in Brazil "In the countryside there is no law; what is relevant is custom. And the custom is not to give women land. She is not entitled to inherit land." This suggests that national laws and conventions have limited reach in areas that practise customary relations. As gendered relations within indigenous and rural communities are in large part established at the community level, usually dictated by customary practises, it could seem futile or invasive to establish safeguards vis-à-vis such relations.

According to Schmink and Gomez-Garcia (2015, p.8), due to increased interaction between indigenous Amazonian communities and outside agents (such as governments and NGOs), they have developed new, more formal structures and organisations. However, Women have often

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<sup>&</sup>lt;sup>3</sup> The terms Indians refers to Indigenous populations

been excluded from these new institutions or partnerships, and the rights and services they bring (Schmink and Gomez-Garcia, 2015). This behaviour is also seen in PES schemes where it is the men who generally receive the benefits as they predominantly make up the councils which sign the PES agreements (Yanez, 2015). In both indigenous groups and the general population of north-eastern Brazil, the patriarchal cultural values have inscribed men as the representatives of family and community in public arenas (Schmink and Gomez-Garcia, 2015). Schmink and Gomez-Garcia (2015, p.9) argue that it is this exclusion, rather than a desire to change traditional gender identities and relations, that is at the root of indigenous women's efforts to change gender relations within their communities. This demonstrates that respecting local customs and providing institutions and platforms necessary to facilitate more gender equal participatory processes do not have to be mutually exclusive. It is possible, and necessary, to safeguard against the exacerbation of gender inequalities without jeopardizing local customs and traditions.

The marked influence of the civil society sector is not just limited to the elaboration of the ENREDD+ safeguards but also in preparing the ground for the implementation of Amazon Fund and state REDD+ initiatives in Brazil (Coudel, 2015). Coudel argues that such hybrid governance arrangements are crucial for REDD+ project success suggesting that civil society actors exert important influence over REDD+ initiatives and how they pan out in Brazil. Environmental NGOs are crucial in communicating and amplifying the interests of grassroots indigenous movements and constitute important mediators between private and governmental actors (Fedi, 2020). Due to their isolation, poor organisation or poverty (Medina et al., 2009) local communities often rely on such powerful ENGOS to gain funds and political credibility for their movements (Fedi, 2020). Foreign funded NGOs and government agencies have been involved in helping communities manage their own forests since the 90s (Medina et al., 2009). This decentralisation of power within forest governance is particularly apparent in Brazil where forest policies are shaped by a complex network of private actors (Fedi, 2020). NGOs have long played an important role in keeping the unrestrained geopolitical activities and interests of nation states in check (Rich 2014, p.288). Considering the un-binding and voluntary nature of many global environmental conventions, including REDD+, ENGOs could play a crucial role in holding governments to account. Bottom-up approaches favour the involvement of smaller groups able to put forward different ideas about what constitutes appropriate action. Rich (2014, p.293), argues centralised efforts to manage and control global environmental

problems will fail as only local solutions exist, calling into question the viability of international frameworks liked REDD+.

However, due to their role and power in framing and problematising collective demands, there is a risk that the NGOs evolve from mere mediators to dominators pushing forward their own agendas (Chenerla, 2005 in Fedi, 2020). For example, through carrying out case studies in forestry communities in Brazil, Medina et al., (2009) found that ENGOs often adopted and pushed forward a scientific discourse dominated by 'experts'. As a result, discussion was taken away from local settings, preventing communities from contributing to the discourse on how the forests should be used. Rubis and Theriault (2020, p.968) define such relationships as being "Fraught with stark power imbalances and premised on flawed understandings of indigenous practises", demonstrating that the decentralisation of forest governance does not always have positive outcomes at the local level. Something that will have to be given extra consideration as more and more foreign actors become involved in REDD+.

Furthermore, the requirements for results-based finance have to be strict in order to ensure REDD+ activities are legitimate and effective (Voigt and Ferreira p.4). Only actors with high capacity and large capabilities are to implement REDD+ activities and take part in the complex bureaucracy necessary (Voigt and Ferreira). As a result, funding from the Amazon Fund is concentrated in larger, professional civil society organisations (Correo, p.8) or national entities and forest decision making remains more centralised.

The participation of NGO's and civil society in REDD+ implementation is particularly important for those individuals and groups of people whose interests have not been represented by national or global policies. Their participation gives the opportunity to build upon and improve global conventions, creating space for other people's needs. Given the particular neglect of the specific threats REDD+ poses to women, within both the international framework and ENREDD+, women in Brazil have had to self-mobilise to secure their fundamental rights. One example includes the *Movimento Interstadual de Quebradeiras de Coco Babaçu* (MIQCB), known as the Inter-State Movement for Babassu Coconut Breakers in English. They are a female-led organisation fighting for the social, political and environmental rights of traditional communities whose livelihoods depend on the fruit of the Babassu palm (FundoBrasil, n.d.). Referred to as *Quebraderias*, The Coconut Breakers, are a group of around 350,000 people (mainly women) from 15 ethnic groups involved in sustainable activities relating to the babassu (EJAtlas ,2019).

The Babassu Palms and MIQCB's activities are found primarily in the Amazon Forest and the Legal Amazon states, which is also where REDD+ activities and Amazon Fund donations are primarily concentrated (Watson and Schalatek, 2021). Therefore, although the MIQCB's mission is not directly linked to REDD+ projects, it is likely such projects contribute to their need for mobilisation. This is because the *Quebraderias* are mostly landless women with no direct access to land (Neto, 2017) reliant on free access to the commons on which most Babassu palms are found (Sax and Angeelo, 2019). However, this common land is owned by the Brazilian government which has increasingly been selling it off to private landowners such as farmers and cattle ranchers (Sax and Angelo, 2019). As a result, the Quebraderias are being denied access to babassu forests through violence and the erection of electric fences (Wijeratna, 2019). This enclosure of the commons is not only being instigated by farmers and cattle ranchers but also by REDD+ projects. Almost all REDD+ activities limit the use of the forest for subsistence use such as gathering, hunting, fishing, construction etc. (Grain, 2015). In fact, in many REDD+ projects the farming or subsistence activities practised by peasants have been defined as the cause of deforestation (Grain, 2015). Therefore, if under REDD+ the securing of peoples means of subsistence (generally carried out by women) is seen as a cause of deforestation, it's no wonder there are no safeguards in place which address that. If most REDD+ projects do target subsistence activities, this casts into serious doubt its ability to protect, yet alone, advance women's interests. However, through two decades of campaigning MICQB has secured some landmark achievements for the Quebraderias community. This includes the establishment of the Free Babassu Law in seven states (Redman, 2014) which guarantees community control over and free access to babassu forests, even those on private lands (Sax and Angelo, 2019). This is a good example of the securing of land rights in a way that accounts for and facilitates women's specific forestry activities.

#### 3.1: The Amazon Fund

The Amazon Fund (FA) is Brazil's national REDD+ funding mechanism and is one of the largest REDD+ Results Based Finance instruments in the world (Correa et al., 2019). Established in 2008, it was created to raise donations to prevent deforestation in the Brazilian Amazon and to promote its preservation and sustainable use (Fundo Amazonia, n.d.). Although there are various sources of REDD+ funding in Brazil, The Amazon Fund is responsible for the largest share (Salles et al., 2017). It receives most of its funding from Norway which has

accounted for 93% of its funds since its inception (Ortiz, 2018). The creation of the FA was motivated by Brazil's desire to retain sovereignty over its forestry activities (Correa et al., 2019). According to Mueller (2020, p.10), Brazilian policymakers were often against foreign involvement in the Amazon due to jealousy and Paranoia. They believed that Brazil would have limited control over the fund if funding was channelled via the World Bank, as was originally planned (Hermansen, 2015). As most of the executive power to make REDD+ related decisions is found in REDD+ financial structures, a national funding mechanism gives the host country greater decision-making power (Guay, 2022). With the expansion of conservation and environmental international NGOs and the growing normative influence of international conventions, environmental governance can be perceived as a real threat to national sovereignty. However, when fires ravaged the Amazon in 2019, the notion of absolute national sovereignty became much harder to defend. It was clear that since his election in 2018, Jair Bolsonaro's anti-environmental agenda was already wreaking havoc on one of the world's richest biomes resulting in soaring rates of deforestation. Part of his agenda included the dismantling of central environmental structures including the Amazon Fund's COFA (Garett et al., 2021). This alarming turn in Brazil's forest governance prompted Norway and Germany to suspend donations to the Amazon Fund in 2019, highlighting how vulnerable the transition to sustainable forest use within Brazil is to changes in political leadership (Garett et al., 2021). Even with broad civil society participation, evidently Brazil's national REDD+ programmes operate at the whim of government interests. This begs the question of whether donors can promote reform in national resource governance if recipient countries do not relinquish some of their sovereignty (Dornan, 2017). Garett et al, (2021) argue that the engagement of a range of stakeholders across the private, public and civil society spheres can remedy this, as it prevents federal policy prescriptions from dominating. ENREDD+ is decentralised in many ways, with significant amounts of power being given at the jurisdictional and state level, but as the granting of funds is decided at the federal level (Correa et al., 2019), decision making power within one of the most important areas still remains largely centralised. This is compounded by the complex bureaucracy surrounding Amazon Funding requests which makes accessing resources difficult even for projects that have been approved (Coudel, 2015). Therefore, even if forest governance in Brazil is decentralised, the ability to take substantive action is contingent upon the top-down decisions made by the Amazon Fund.

Brazil's broad autonomy over its main source of REDD+ finance has implications on the safeguards adopted. For example, before any donations can be made to the Amazon Fund it

has to demonstrate how it is putting in place appropriate social and environmental safeguards for the projects it supports (Guay, 2022). As the Amazon Fund was established before the approval of the Cancun Safeguards, it adheres to its own set of guidelines and criteria established by the Amazon Fund Guidance Committee (COFA) and the Brazilian Development Bank (BNDES) (MMA, 2016). BNDES is responsible for approving project proposals and allocating Amazon Fund financial resources. It must also ensure that initiatives supported by the Amazon Fund are in line with those established by ENREDD+ (Fundo Amazonia, n.d.). However, nowhere within COFA's list of requirements needed for project approval were there any safeguards relating to gender. Within BNDE's basic and Social and Environmental conditions for funding, there is only one mention of gender which is that "chosen enterprises should not discriminate based on race or gender"(BNDES, n.d.). Although the Amazon Fund does use the Cancun Safeguards as a reference (MMA, 2016), we cannot expect much influence on the establishment of gender safeguards due to how vague its recommendations are in this area.

This is very much in contrast to the Green Climate Fund and UN-REDD with gender equality integrated into the design and implementation of their programmes. According to GCF's website "GCF is the first climate finance mechanism to mainstream gender perspectives from the outset of its operations as an essential decision-making element for the deployment of its resources" (GCF, n.d.). The submission of a Gender Assessment and Gender Action Plan is a requirement for entities requesting funding (GCF, n.d.). The Gender Policy will be applied throughout all GCF activities and will "mainstream gender issues in its implementation arrangements and frameworks for its projects" (GCF 2019, II.5). It also recognises that women's and men's access to and control over various areas of resource management is significantly influenced by gender relations, roles and responsibilities (GCF 2019, II.6). As such gender equality and women's empowerment should be advanced and integrated into the design and implementation of climate change mitigation and adaptation actions (GCF 2019 II.5. and 11.(b)i). It highlights the effective participation of all stakeholders in discussions and decisions as crucial.

Similarly, UN-REDD+ states that policies and programmes should be informed by "Gender differentiated needs, uses and knowledge of the forest" to ensure the long-term success of REDD+ actions (Eggerts, 2021). It recognises the various social barriers, including gender, which limit the ability of women to fully participate in and benefit from REDD+ initiatives.

However, unlike under the GCF, such measures are not a condition for funding in UNREDD+ programmes but instead promoted and supported during the implementation of REDD+ actions in UN-REDD partner countries (Eggerts, 2021). They therefore resemble more closely soft-laws, not legally-binding but, depending on their acceptance, paving the way for their transformation into hard law (Guruparan and Zerk, 2021). However, the informal nature of such soft laws can lead to incoherence and fragmentation in the legal system and allow states to avoid legal obligations on important subjects (Guruparan and Zerk, 2021). The creation of a singular, binding and consistent law that enshrines the gender differentiated needs of women within REDD+ and forest governance would be better.

The thorough conditions attached to GCF funding is in contrast to Norway's donor relationships with Brazil which is defined by Angelsen (2016, p.251) as a generally "hands-off" contract. Norway and Brazil signed a "performance-based payment" agreement (Birdsall et al., 2014) meaning that Brazil's receival of funds was contingent on little more than the reduction of the annual rate of greenhouse gas emissions from deforestation (Birdsall et al., 2014). This is outlined in the memorandum of understanding between Norway and Brazil where size of donations "will be linked to Brazil's success in reducing greenhouse gas emissions from deforestation" (Regjeringen 2008, art. II.a). In most bilateral funding commitments, the donor outlines strict conditions to ensure funds are not misused or causing harm (Birdsall et al., 2014). However, in the case of Norway, most power is given to the Amazon Fund to outline how social, environmental and financial risks are addressed without direct supervision from Norway (Birdsall et al., 2014). This is in contrast to the GCF, and UN-REDD to a lesser degree, which bears more resemblance to conditional aid where funds are granted upon the enactment of policy and/or structural changes.

#### Conclusion

The qualitative analysis of the key COP decisions on REDD+ highlights that a comprehensive approach to dealing with gender is severely lacking within the international framework. This can perhaps explain the scarcity of literature available exploring the issues of gender within REDD+. The intended purpose of REDD+ has substantially evolved and broadened since its inception, having initially been conceived of as little more than an emissions reduction mechanism (Faggin et al., 2017). Although this has allowed for the increased recognition of the human rights of affected communities, in the form of safeguards, references to land tenure and gender issues still remain extremely vague within the international REDD+ framework. As a result, its normative influence over states' activities in this area appear weak. However, the donors and multilateral organisations involved in REDD+ implementation have played an important role in elaborating upon these safeguards. Through an examination of the funding requirements stipulated by one of the main REDD+ donors globally (the World Bank), it was clear that a more comprehensive approach to land tenure was taken. Furthermore, by making the recognition and/or securing of land tenure a funding requirement, secure land rights have successfully been made a central concern in REDD+ implementation. This has demonstrated the influence various actors have in shaping forest governance through both funding conditionalities and soft-law instruments. However, the conditionalities outlined by the World Bank revealed a complete neglect of gender within its treatment of tenure. This has concerning implications for policy prescriptions, as there is no recognition that tenure security cannot be achieved by everyone in the same way, and that the formalisation of one person's or communities' tenure security might lead to the elimination of someone else's' e.g. those with weaker or no land claims.

Other donors, such as the GCF and UN-REDD+, have integrated gender equality into their REDD+ programmes, with the former making its integration into all aspects of REDD+ design a funding condition (GCF, 2019 II.5. and 11.(B)i). Lack of coordination of donors' requirements has highlighted how different funding sources could have a huge impact on REDD+ project outcomes in relation to the protection of women's land rights. Particularly apparent in the case of Brazil, Norway's funding requirements have appeared extremely lenient compared to the more stringent conditions of other donors. It therefore appears that the integration of gender considerations and issues into the REDD+ framework is at the whim of donor interests. As such no cohesive approach to integrating gender into REDD+ has been

formulated and the consideration of women's rights within REDD+ rests on extremely uncertain ground.

The study into Brazil's national REDD+ framework has revealed an almost complete lack of literature or policies relating to the consideration of gender or women's land rights within REDD+. This is despite strong civil society involvement in the elaboration of ENREDD+s' safeguards, which one would expect to lead to the consideration of a greater range of individual needs and perspectives, including those of women specifically. The strong mobilisation of women's movements and NGOs in Brazil appeared to somewhat remedy their lack of representation in the ENREDD+ framework. The movement of the *Quebraderias* highlighted the importance of civil society in securing the rights women to the commons. But should these be the only avenues women can rely on to get their needs met?

Brazil's considerable autonomy over both its financial structure and the elaboration of its REDD+ framework means it has been relatively free from the influences of donors and multilateral institutions. Had Brazil's REDD+ implementation been guided by donors or institutions with more stringent conditions surrounding gender equality and inclusivity, would there have been a more robust approach to gender within Brazil's national REDD+ implementation? This begs the question of how much national ownership countries should have over their climate mitigation efforts. In the absence of strong international conventions and funding conditionalities regarding gender safeguards, how do you get governments to take action in areas they do not prioritise? In a predominantly patriarchal society, perhaps conditionality is the only way to ensure gender is adequately integrated into REDD+ programmes at all (Rich 2013, p.280). It is clear that had the REDD+ framework been developed through a gender critical lens, different policy prescriptions would have been formulated. The way gender has been approached by the REDD+ frameworks and institutions studied leaves much to be desired. If substantial changes are not made, REDD+ could destroy the livelihoods of women who depend on forests the world over.

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