Presumptions of Indigenous Sovereignty and the Ecuadorian REDD+ Program

Juliet S. Erazo, Associate Professor of Anthropology
Department of Global and Sociocultural Studies, Florida International University

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Please contact the author before circulating or citing <jerazo@fiu.edu>

On a visit to the Ecuadorian Amazon a few years ago, to an indigenous territory known as Rukullakta, there was plenty of talk about Ivanhoe, a Canadian petroleum company that wanted to build an exploratory well within Rukullakta’s territory. At first, I only heard about how Rukullakta’s residents were firmly against Ivanhoe’s plans. Young leaders who are deeply involved in efforts to initiate an ecotourism project in Rukullakta showed me dozens of pictures of protests they had staged against the company. Then, one evening, while sharing a beer with an old friend (I have conducted research in Rukullakta intermittently since 1999), he admitted to me that some residents of the territory were in favor of the well. “Why?” I asked. He attributed their pro-petroleum stance to tensions over what seemed to be a very different program, known as Socio Bosque -- the “Partner Forest” program.

Socio Bosque is an Ecuadorian governmental program, in which the Ministry of Environment pays landowners an annual amount for conserving forest that might otherwise be cut down. Its designers hold it up as an example of a successful Payment for Environmental Services (PES) program, contributing to carbon reduction, biodiversity protection, and poverty alleviation (de Koning et al. 2011). Rukullakta had recently agreed to conserve 11,000 hectares of their 41,888.5 hectare territory, for an annual payment of $39,500 US dollars. The contract
they signed involves a commitment to conserve for twenty years. If Rukullakta breaks the contract by damaging the forest within the reserve any time within that period, they will be required to pay hefty fines. These potential fines, however, are not what have caused controversy and pro-petroleum sentiments (although it may very well have this effect in the future.) Rather, tensions developed over the more mundane issues of how the monies associated with the program were being spent. These, in turn, are connected to certain assumptions that underlie the program’s design, what I am terming “presumptions of sovereignty,” in which the program design treats indigenous and peasant collective landowners as if they were miniature states with legitimate and well-functioning governments. There will be more on this below, but first I want to provide some background on the Socio Bosque Program.

The Socio Bosque Program was designed in part to demonstrate the country’s readiness to receive international funding associated with REDD (Reduced Emissions from Forest Destruction and Degradation) (Ministry of Environment 2008). REDD programs are aimed at increasing global forest cover to reduce greenhouse gas in the atmosphere. They are also envisioned by decision makers at the United Nations as holding the potential to reduce poverty and bring northern monies into the global south. Socio Bosque has achieved the purpose of drawing international attention and REDD monies to Ecuador; in 2011, the United Nations selected Ecuador as one of just fourteen national programs to receive funding through UN-REDD. Ecuador received US$4 million for the 2011-2013 period, as well as training activities on remote sensing and support for various workshops.

Despite the anti-poverty claims of program designers, many indigenous organizations have come out strongly against REDD. In a statement that was widely circulated on listservs and which continues to occupy digital space on the websites of various Northern NGOs, the
Confederation of Indigenous Federations of the Ecuadorian Amazon, to which Rukullakta belongs, compared the potential effects of REDD to the suffering caused by petroleum extraction, mining, and plantation agriculture. The following is an excerpt from their statement:

CONFENIAE REJECTS ALL KINDS OF ENVIRONMENTAL NEGOCIATIONS [sic] ON FORESTS AND EXTRACTIVE POLICIES THAT DAMAGE THE TERRITORIES OF THE AMAZONIAN INDIGENOUS NATIONALITIES AND PEOPLES OF ECUADOR

CONSIDERING[...]

That all these policies and extractive activities and negotiations on the forests and biodiversity in our Ancestral Territories will have unfathomable consequences, including the extinction of our identity as Ancestral Nations, [our] loss of the control and management of our territories, which would subsequently be managed by the State, foreign countries, multinationals, REDD negotiators or Carbon Traders; which would result in unprecedented misery, hunger and extreme poverty, just like what is happening right now to our indigenous brothers and sisters in the Northern Amazon of Ecuador because of geopolitical, economic and commercial interests; [the authors are most likely referring to the contamination of soil, rivers, and groundwater caused by petroleum extraction in the northern Ecuadorian Amazon]

By drawing such stark comparisons, the authors are expressing their fear that agreements such as that Rukullakta entered into with the Ministry of Environment are anomalous to signing over the titles to their territories, allowing environmentalists and carbon traders to gain control of the areas indigenous people fought so hard to legalize.

Given the reactions by some indigenous groups, it is perhaps not surprising that the relatively small number of scholars who have begun to think about the sociopolitical aspects of

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REDD–type programs have described them as “new frontiers of land control” (Peluso and Lund 2011) or, more dramatically, as “global land grabs” (Borras et al. 2011).

These scholars’ arguments are compelling and indeed, it would be relatively simple for me to demonstrate that they are equally valid for the Socio Bosque program. I could speak about how Rukullakta actually practices a reasonable amount of autonomy within its borders, but the dark underside of “autonomy” is that the state does not provide financing of their day-to-day operations a phenomenon that Stahler-Sholk (2010) refers to as “autonomy without resources.” Thus, when an opportunity arises to fund administrative costs into the foreseeable future, Rukullakta’s leadership feels strong pressures to engage in these collaborations. To central leaders, the money earned through Socio Bosque represents a source of income that can be used to pay for a bookkeeper’s salary, an internet connection, transportation costs for elected leaders, or other everyday expenses associated with governing.

While Socio Bosque as it has been enacted in Rukullakta can be seen as a type of enclosure as well as a state challenge to indigenous sovereignty, I will argue that would be overly simplistic to denounce the program as a simple effort to take land and power over and use decisions from indigenous people. When I have spoken with people involved in its design, it is clear that they are interested in channeling more monies towards some of Ecuador’s poorest populations while simultaneously achieving conservation goals such as carbon storage and biodiversity protection. They do not simply call Socio Bosque a “win-win” program; they actually see it as such. Thus, what I wish to demonstrate is how certain aspects of the program’s design discriminate against collective land owners, which in most cases, are indigenous people. It does this, I will argue, through various “presumptions of sovereignty,” presumptions that are
highly convenient to those who designed and are implementing the program, but highly inconvenient for the indigenous territories that are participating.

In particular, there are three presumptions that I will list briefly here and explore at greater length below. First, the program presumes that indigenous territorial governments practice a strong level of authority and control over their territories, particularly the actions of those living within and even outside those territories. It also presumes that territorial governments have some of their own financial and bureaucratic resources to handle infractions, as it actually pays less per hectare for larger reserves than for smaller ones. Finally, it presumes that territories have well-established, uncontested internal property regimes in which the territorial government enjoys the requisite legitimacy to earn income from what are ostensibly “public” (territorial-government-controlled) lands within the territory. In other words, the program conveniently imagines indigenous territorial governments to be financially self-sustaining, well-functioning, miniature nation-states. I say “conveniently” because in doing so, the program transfers much of the social and financial cost of complying with the program to territorial governments. What are rather convenient presumptions for the Ministry of Environment, however, are rather inconvenient truths for the indigenous territories and peasant cooperatives that are participating.

REDD, as imagined at the international level, is inclusive of indigenous people and functions doubly to alleviate poverty and conserve forests. The section of the UN-REDD web page describing the program used to state that “It is predicted that financial flows for greenhouse gas emission reductions from REDD+ could reach up to US$30 billion a year. This significant North-South flow of funds could reward a meaningful reduction of carbon emissions and could also support new, pro-poor development, help conserve biodiversity and secure vital ecosystem
services. Further, maintaining forest ecosystems can contribute to increased resilience to climate change. To achieve these multiple benefits, REDD+ will require the full engagement and respect for the rights of Indigenous Peoples and other forest-dependent communities” (http://www.unredd.org/AboutREDD/tabid/582/Default.aspx, accessed April 17, 2012). To present itself as REDD-ready, therefore, Ecuador needed to show that indigenous peoples were fully engaged and respected in the program, and the clearest way of demonstrating this was by having a large number of indigenous participants. Indeed, as of October 2010, 458,773 hectares held by communities (rather than individuals) were enrolled and accepted into the program (totaling 54 agreements), 71% of which were indigenous communities (de Koning 2011: 537).

The language of voluntary participation (at both the national and local level) obscures the global and in-country inequities that push both national and territorial governments towards participation. While REDD is still in the process of being developed, programs such as Socio Bosque demonstrate how poorer countries are interpreting the desires of multinational funding organizations, and are positioning themselves as the most “REDD-ready.”

**Financial Incentive Structure**

The first piece of evidence that I am going to present to show that the program conveniently imagines indigenous territories as financially self-sustaining, well-functioning, miniature nation-states is an analysis of the financial incentive structure of Socio Bosque. In designing the program, Ecuador’s Ministry of Environment chose to treat collective owners, including indigenous, Afro-Ecuadorian and peasant organizations that hold collective title to land, the same as it treats individual families that hold private title to land. The program pays
different amounts per hectare, based on the size of the reserve the owner is willing to set aside.

The following table summarizes these differential payments:

<table>
<thead>
<tr>
<th>Category</th>
<th>Size: From (hectares)</th>
<th>Size: To (hectares)</th>
<th>Value/hectare In US dollars</th>
<th>Add amount to:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>1</td>
<td>50</td>
<td>$30</td>
<td>0</td>
</tr>
<tr>
<td>2</td>
<td>51</td>
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<td>3</td>
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<td>500</td>
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<tr>
<td>4</td>
<td>501</td>
<td>5000</td>
<td>$5</td>
<td>$6,500</td>
</tr>
<tr>
<td>5</td>
<td>5001</td>
<td>10,000</td>
<td>$2</td>
<td>$29,000</td>
</tr>
<tr>
<td>6</td>
<td>Over 10,000</td>
<td></td>
<td>$0.50</td>
<td>$39,000</td>
</tr>
<tr>
<td>Rukullakta</td>
<td>11,000</td>
<td></td>
<td>$3.59 (average per hectare)</td>
<td>$39,500</td>
</tr>
</tbody>
</table>

All owners, regardless of reserve size, get $30 per hectare for the first fifty hectares. If their reserve is larger than fifty hectares, they get $20 for the 51st through 100th hectare in addition to the $1500 they received for the first fifty hectares, for a possible grand total of $2500 if they set aside 100 hectares. The amounts paid per hectare continue to decline as the reserve gets larger, amounting to only $0.50 per hectare for hectares above the 10,000 mark. This means that for Rukullakta, which has put aside 11,000 hectares, they receive a grand total of $39,000 for the first 10,000 hectares and $0.50 per hectare for the final 1000 hectares, for a total of $39,500. This averages to just $3.59 per hectare for the entire reserve, less than 12% of the maximum $30 per hectare for smaller reserves.

This system of diminishing returns makes some sense if the property owner is a single person, or a family, or (arguably) a sovereign government that is negotiating over publically held
lands. Those who have more than 10,000 hectares in forested land would appear to be wealthy enough that they would be driven by something other than financial gain, and the Ministry of Environment would prefer to help a larger number of small landholders rather than a few large landholders. Indeed, the Ministry of Environment justifies the scheme through the language of “solidarity.” An official brochure describing the program states the following:

“Partner Forest is structured by a solidarity focus. The incentives that it provides are calculated in the same way for everyone, without differentiating by geographical location; the owner’s ethnicity; the type of ecosystem; the type of environmental service that the area provides; the type of land tenure (individual or collective). The only variable that determines the incentive is the number of hectares that the interested party is willing to devote to conservation”

But how can it be considered “solidarity” when an entity that represents over 3000 adults is afforded the same payment as an individual land owner who owns over 10,000 hectares of forested land? If each adult resident of Rukullakta submitted their “share” of the total (roughly 3.67 hectares each), they would be paid $110 each per year because they would be paid the highest payment per hectare for their small reserve. $110 is not a large amount, but it is still significant in the local context. As it stands, Rukullakta receives $39,500, and were this amount to be split among the 3000 adult residents, it would only amount to $13.17 per person, per year. This hardly constitutes much of a monetary incentive for conservation. According to one published assessment of the program, the authors of which include some of the program’s designers, the families who belong to collective organizations earn much less from the program than families who own private title to their land. Only 19% of communal property families receive more than US$500 per year, while 92% of private-property holding families do. In
response to these discrepancies, program analysts state that the incentive table “might need to be adapted over time in order to increase equity. This needs to be confirmed with more information from future enrollment” (de Koning et al 2011: 537).

By treating collectively owned lands the same as privately owned lands, the program appears to be conceived as one that is negotiated with territorial or cooperative governments rather than individual families. The same analysts cited above point out that “most of the communities do not distribute the incentive over each family but rather invest in activities considered beneficial for the community as a whole” (de Koning 2011: 537). The question thus arises, are these spending decisions made because everyone in the community is in agreement that the monies should be spent on public infrastructure and programs, or because the earnings are so paltry that distributing them among families would invite criticism towards leaders for signing up for the program in the first place? In an interview about the program, the president of Rukullakta opined that the program required a lot of paperwork and only amounted to “about 25 cents (US) per person” [including children]. Rukullakta’s residents do not have the option of applying for individual reserves or even dividing the collective territory into sub-regions. Because individual families do not have title to parcels of land within the territory, they cannot submit reserves separately. They can only do so under the aegis of their territorial government. The system of diminishing returns thus discriminates against collective owners, which, in most cases, are indigenous people.

Costs of Compliance

One ramification of this lower payment is putting more of the burden on Rukullakta’s leaders to practice a high level of authority and control over territory. Leaders are in charge of
making sure that Rukullakta’s 3000 adult members do not violate the terms of the agreement. The program demands a commitment of twenty years. If Rukullakta had breaks the contract and allows part of the reserve to be damaged within the first five years, they must return all of the money they had received until that point; between six and ten years, 50% of it; and between 11 and 15 years, 25%. Thus, if Rukullakta decides to renege on the contract after four years, they would already be required to pay over $150,000 to do so. If they do so in the tenth year, they would be required to pay almost $200,000. Raising this amount of money would be a substantial challenge for Rukullakta’s government. Given the way the penalties for noncompliance are structured, requiring the organization to pay back a sum that it is unlikely to be able to do, the program essentially functions as a form of entrapment, even though the initial decision to sign on to the program is a voluntary one.

Furthermore, the government cannot even guard against this possibility by depositing a share of the monies received in an interest-earning bank account. Because one of the goals of the project is poverty alleviation, the program requires that participants submit and follow “social investment plans,” in which they document the decision-making process related to how to use the incentive monies, and then must demonstrate that “their internal decision making procedures have been respected” (de Koning et al 2011: 536). All of the costs of this documentation fall to the territorial government, as does the costs of delimiting the reserve in question and the costs associated with patrolling the reserves. It is thus not surprising that a full twenty percent of earnings are spent on “conservation and territorial strengthening,” including “control activities such as training, equipping and paying forest rangers, zoning and delimitation and legal resolution of land conflicts” (de Koning et al 2011: 538). Since the program requires secure title of land as a prerequisite for participation, these land conflicts are presumably internal disputes
among residents of the territory, or conversely against outsiders who attempt to homestead within the boundaries of the reserve.

Rukullakta has no police force, no jails, no access to the satellite images that the Ministry of Environment will use to police compliance. Adequately patrolling an 11,000 hectare reserve that has no roads traversing would actually require a substantial amount of time and money -- possibly even more money than what the program is paying them to conserve it.

*Resources for Long-term Land-use Planning*

Thirdly, there is a presumption in the design of the program that Rukullakta, like a well-functioning, miniature nation-state, has resources for planning land use twenty years into the future. When I first saw the chart of diminishing financial returns the larger the reserve, I wondered, why would Rukullakta submit such a large reserve – over a quarter of their total land base – especially given the stipulation that this forest must be preserved for twenty years? At the very least, submitting a reserve of 11,000 vs. 10,000 hectares only nets them an additional $500 per year. It seems that even a cursory examination of the chart would have made this clear. My initial response, however, presumes that Rukullakta’s government had the mapping resources to make such strategic decisions, which it does not. While they do have some individuals trained in GIS, delimiting several different reserves also involves laborious ground-truthing, work to select boundaries that make sense on the ground (using rivers, ridges, or other easily recognizable natural features) as well as having a full understanding of where existing property claims lie. They therefore do not have the resources to identify three or more possible reserves, map each, and invite their members to consider the pros and cons of each option prior to making a decision as to how many hectares to conserve.
How did they come up with the current boundaries? The promotion of the Socio Bosque program in Rukullakta by Ministry of Environment staff came about shortly after the departure of a group of researchers from the University of Texas in 2008, led by biologist Dr. Rodrigo Sierra. The latter had worked in conjunction with the leadership of Rukullakta to develop a land management plan, based on satellite images and aerial photographs and “ground truthing.” Leaders hoped to use the land management plan to attract ministries and NGOs interested in funding sustainable development initiatives and actively recruited the researchers to lend some of their funding and expertise to identifying an area of the territory that might be suited to conservation. Once given the opportunity, the biologist-led team sought to identify a large reserve and suggested to the Rukullakta leadership that the watershed of the Pusunu River was densely forested and thus would be an excellent place to site a conservation zone, assuming the membership wanted to pursue conservation (See Map 1). According to Nelson Chimbo, who was president at the time, leaders held thirty-five separate workshops with members in different sectors of the territory to discuss the issue of conserving land, and Rukullakta’s membership came to a consensus that there should be a sizeable reserve protected from agriculture so that future generations would be able to experience the forest.
Map 1: Rukullakta’s borders, villages, and Socio Bosque Reserve (labeled “Zona Prioritaria de Conservación) (Management Plan of the Pueblo Kichwa de Rukullakta 2009).

Shortly after these meetings were completed and consensus was reached, a representative from the Ministry of Environment visited and described the Socio Bosque program to Rukullakta’s leaders. Leaders saw the program as a way of demonstrating the immediate benefit of the reserve. They presented the program to the assembly of members for a vote, and participation was approved. However, only a small percentage of members attend assembly meetings, so while there was broad consensus on the need to designate a reserve, there was much less input into the decision about where the reserve should be, or whether the reserve should be
placed under a state program that would essentially disempower members to change their minds for the next twenty years.

Having the maps and geo-referenced coordinates provided through the researchers’ funded work allowed Rukullakta’s leadership to submit their proposal to the Socio Bosque program, for the application stipulates that this type of information must be provided. However, once the researchers were gone, leaders did not have the resources to adjust the coordinates, and thus did not pursue the types of deliberations that should have been made, given the long-term nature of the commitment. They did not provide multiple options to the membership (“if we preserve this much, we would receive X amount; while if we preserve a 1000 hectares more, we would receive Y amount”), but simply requested a yes or no vote, based on the coordinates suggested by the researchers. The borders of the reserve were thus determined solely on ecological factors (forested status, a single watershed), not on social or economic ones, and with little thought towards how much more land a growing population may want available for agriculture ten or fifteen years from now.

Uncontested Land Tenure within the Territory

Finally, the fourth “presumption of sovereignty” relates to land tenure. In brief, there is a presumption that indigenous land tenure is straightforward and timeless, and that leaders can therefore enter into these types of agreements with a fair amount of assurance that the enclosure will be respected. Much of the environmental literature emphasizes the importance of secure land tenure in a groups’ willingness to conserve part of their land, but this scholarship typically refers only to land title, not internal disputes over land tenure within the legally recognized title. Additionally, many scholars of common property assert that local people are able to enforce
restricted access and use of valued resources based on shared norms and social sanctions, and the number of examples of this in the literature is impressive. However, in many places around the world, including in Rukullakta, such norms have been undergoing rapid changes, as people negotiate development projects with diverse goals; the historical movement of capital into agrarian spaces; and changing relationships with multiple components of the Ecuadorian state. All of these political economic changes, combined with high population growth, have irrevocably altered historical land tenure conventions and have contributed to ongoing debates over land distribution and use within the collective title. The reality in Rukullakta, and I am sure in other places is well, is that Rukullakta’s forty-year history since being legally delimited by the state, is characterized much more by internal land tenure disputes than historically static, shared beliefs (see Erazo 2013; 2008 for a more thorough analysis of competing claims to land in Rukullakta).

Conclusions

In their efforts and desires to add participants and forested lands to their rosters, staff members at the Ministry of Environment are driven towards certain presumptions concerning the people who will participate in their program. Indeed, presumptions of sovereignty are convenient. It is more convenient to negotiate with a few indigenous leaders so that they set aside 11,000 hectares in one binding contract, than to persuade thousands of families to set aside small reserves. It is more convenient to presume that leaders exercise a high level of control and authority over extensive areas, than to understand that their authority is constantly contested and negotiated. Finally, it is more convenient to pay Rukullakta as if it were a single landowner with
a lot of land to spare, than it is to pay 3000 members an amount equal to what other small
landowners are receiving.

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i See Ribot et al. (2006) for other examples of how “decentralization” actually leads to “recentralization”
when the state withholds resources or otherwise checks local ability to govern.

**Works Cited**

Borras, Saturnino M. Jr., Ruth Hall, Ian Scoones, Ben White, and Wendy Wolford. Towards a
Better Understanding of Global Land Grabbing: An Editorial Introduction. *Journal of


*Economies and the Transformation of Landscape*. Lisa Cliggett and Christopher Pool, eds.
Lanham, MD: Alta Mira.


Ministry of Environment of Ecuador. 2010. Socio Bosque: Conceptualización y Avances al
Segundo Año de Implementación. Quito, Ecuador.

brochure produced for potential participants.


86.

Alternatives 35: 269-290.