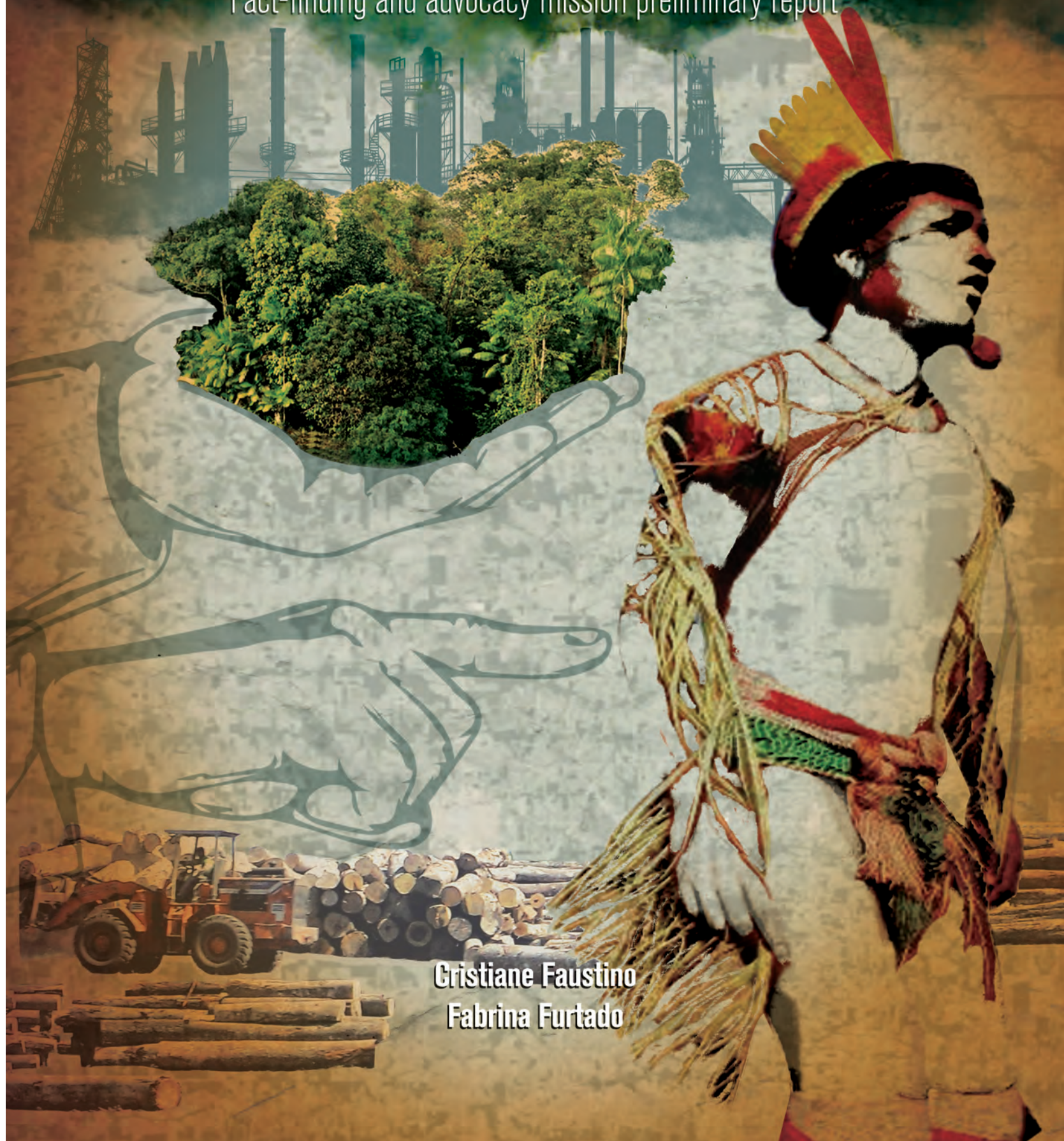


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# THE GREEN ECONOMY, FOREST PEOPLES AND TERRITORIES: Rights Violations in the State of Acre

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Fact-finding and advocacy mission preliminary report



**Cristiane Faustino**  
**Fabrina Furtado**

**THE GREEN ECONOMY, FOREST PEOPLES AND TERRITORIES:  
Rights Violations in the State of Acre**

Original title:

ECONOMIA VERDE, POVOS DAS FLORESTAS E TERRITÓRIOS:  
violações de direitos no estado do Acre

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Editorial coordination: Patrícia Bonilha

Graphic design and cover art: Guilherme Resende

Production of the English version: Design Action Collective, Oakland, CA

Translation: Karen Lang, for Friends of the Earth-US.

Rio Branco (AC), 1ª Edição, 2014

Written and produced by:



Supported by:



This publication was produced with the support of the Rosa Luxembourg Foundation and with funding from the German Federal Ministry of Economic Cooperation and Development

RAPPORTEUR ON THE HUMAN RIGHT TO THE ENVIRONMENT

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**CRISTIANE FAUSTINO**

**FABRINA FURTADO**

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## CLIMATE CHANGE AND THE GREEN ECONOMY: WHAT IS BEING DONE IN THE NAME OF CLIMATE CHANGE?

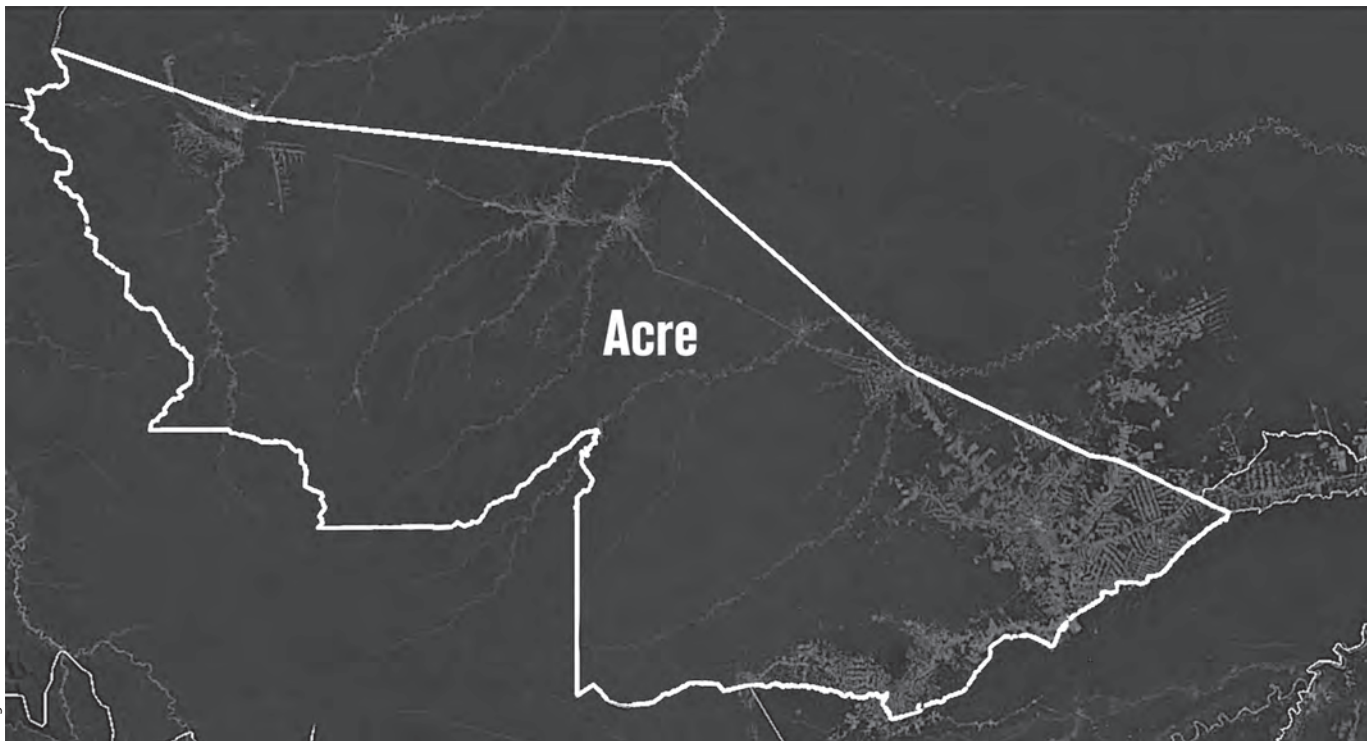
“They use the issue of global warming as psychological terror in people’s heads, as if rubber tappers preserving the forest alone was enough to resolve the world’s climate problem. Last year, I told a prosecutor on environmental issues that I understand that the climate is changing, but it’s not by forcing us, traditional people, to stop growing our subsistence crops, for which we only burn once a year, that you’re going to solve the problem.

The impact of the Bolsa Verde (Green Grant) program is the loss of all the rights the peoples have as citizens. They lose all control over their territory. They can’t grow anything. They can’t do any of their regular daily activities. They only receive a grant to just sit there watching the forest, without being able to do anything. This takes away a human being’s true meaning of life.”

*Dercy Teles de Carvalho Cunha, President of the Sindicato dos Trabalhadores Rurais de Xapuri (Xapuri Rural Workers Union) and settler on the Seringal Boa Vista (Boa Vista rubber reserve), 2013*



# 1. INTRODUCTION



Google Earth

Located in the southeastern corner of the Northern region of Brazil, the state of Acre is considered a world leader in the implementation of green economy policies and mechanisms.

**T**he state of Acre is known as a reference point in the development and implementation of the green economy in Brazil. This process involves discussions on the creation of a national carbon market, legislative proposals, Payment for Environmental Services (PES) projects, Reducing Emissions from Deforestation and Forest Degradation (REDD), and environmental stock exchanges (such as the “Bolsa Verde” or “Green Market” in Rio de Janeiro). Located in the Brazilian Amazon, Acre is cited by conservation organizations and governments from various parts of the world for its ‘excellence’ in creating harmony between economic development and environmental preservation, and as a prime example of how green markets can strengthen the forest peoples’ way of life.

The System of Incentives for Environmental Services (Sistema de Incentivos aos Serviços Ambientais, or SISA), established by law in 2010 as a result of the ISA Carbon Program (Programa ISA Carbono in Portuguese) is considered the most advanced jurisdictional REDD program on the planet, with the potential to provide key lessons for other REDD and PES regimes. The SISA was the result of the Policy for the Valuation of Forest Environmental Assets (Política de Valorização do Ativo Ambiental Florestal, PVAAF), whose objective is to establish a low-carbon economy. It is complemented by the state’s forest management policy, which is also considered a model for the environmental management of forests. It is worth recalling that Acre is a pioneer in forestry concessions and operations in Brazil. Based on promises

of environmental conservation and income generation, the Sustainable Forestry Management program (Manejo Florestal Sustentável, or MFS) aims to promote “sustainable development, environmental conservation, the rational use of natural resources, poverty reduction, and the creation of a forestry-based economy”, according to the state government (BRASIL, 2013).

However, a group of social organizations and collectives from Acre question this policy, as they have identified negative socio-political, economic and environmental impacts, with specific impacts on traditional peoples and their territories. Recognizing the role of the Rapporteur on the Human Right to the Environment (Relatoria do Direito Humano ao Meio Ambiente, or RDHMA) in the investigation of human rights violations and in engaging with government bodies, these collectives denounced the following problems before the RDHMA: **(1) violations of the right to land and to territory, and (2) violations of the rights of populations in demarcated territories.** Both types of violations are the result of the green economy policies and programs implemented in the state.

In the months of September, November and December 2013, the RDHMA conducted two field visits for its fact-finding and advocacy mission in order to obtain a better understanding of the legislation, green economy mechanisms and projects, and their impacts in the state of Acre.

The RDHMA is a member of the National Rapporteurs on Human Rights<sup>1</sup>, a Brazilian civil society initiative established in 2002 by the Brazilian Platform of Economic, Social, Cultural and Environmental Human Rights (Plataforma Dhesca) as a tool for increasing the enforcement of human rights in Brazil. Plataforma Dhesca is a network of civil society organizations that carries out actions to promote and defend human rights, as well as advocacy to obtain redress for human rights violations. The Rapporteurs’ work is to diagnose, report on and recommend solutions for rights violations identified by civil society. They conduct in loco missions to investigate the denunciations they receive and, with the goal of supporting demands for redress for the violations, they undertake initiatives to engage public authorities and other entities involved in the conflicts.

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<sup>1</sup> Besides the RDHMA, the project has another four national thematic rapporteurs: the human right to education; the human right to land, territory and food; the human right to the city; and the human right to health.

The Rapporteur chose the mission to Acre as an emblematic model for investigating, giving visibility to and addressing environmental and social rights violations resulting from projects and processes that public authorities consider important for national development. In this case, the goal is to investigate the State and the business sector’s responses to the undeniable environmental, social, economic and political breakdown brought on by this kind of “development”—that is, by what is known as the “green economy”. The proposals and debates on the green economy emerged strongly in the context of the United Nations Conference on Sustainable Development (UNCSD), Rio+20, held in June 2012 in the city of Rio de Janeiro. The importance of this issue is linked to the fact that the green economy and the so-called environmental services have been consolidating their place on the list of priorities of the development model for Brazil and especially the state of Acre.

The United Nations Environment Program (UNITED NATIONS, 2011) defines the green economy as one that promotes improved human well-being and social equity, while significantly reducing environmental risks and ecological scarcities. The three pillars of the green economy are the reduction of carbon emissions, the efficient use of natural resources, and social inclusion. While there are controversies over this and other definitions, market instruments and processes that put a price on nature - like the carbon market, environmental services, REDD, and “green” technologies—are prevalent in government and corporate actions. Defined as “a set of principles, guidelines, institutions and instruments capable of providing an adequate structure for the development of an innovative economic sector for the 21st century: [one based on] the economic valuation of environmental preservation by providing incentives for ecosystem services”, SISA shares this approach, which is often called the financialization and commodification of nature. It also seeks to strengthen a “market for standing forests” (BRAZIL, 2010a). To achieve these ends, the government seeks opportunities on the international carbon market—like the California-Acre-Chiapas agreement, for example - and other potential markets in the country, such as the “green stock markets” in Rio de Janeiro and São Paulo.

To understand the SISA and REDD projects currently underway in Acre, it was necessary for the Rapporteur to meet the communities involved in sustainable forest management (SFM) in the state. The Rapporteur first realized that there was a relation between the two processes when it noted that the discourse on the success of forest management policies,

which is a policy to support the development of a forestry-based economy, was being used to give greater legitimacy to the SISA and the logic behind environmental services. This was intended to increase the confidence of the “promoters, investors, providers and beneficiaries of environmental services”. Furthermore, among the environmental services deemed as important for Acre, one finds not only the reduction of carbon dioxide emissions, but also conservation, sustainable forest management, and the maintenance and expansion of forest stocks. Therefore, in addition to finding out more about the “pioneering” management projects to understand the living conditions and struggles of the traditional communities in the state, it was also necessary to further our understanding of the relationship between forest management and the SISA. This relation became clearer during the fieldwork as mentioned below.

From a socio-environmental point of view, it is important to consider, in the first place, considerations put forward by actors who engage in the environmental debate from a socio-environmental justice perspective. One such actor is the Brazilian Network of Environmental Justice (Rede Brasileira de Justiça Ambiental, or RBJA for its acronym in Portuguese), which is also one of the RDHMA’s collaborators. One of the aspects RBJA questions is the enormous contradiction between environmental destruction and social inequality, on one hand, and market solutions, on the other. RBJA affirms that one must bear in mind that environmental degradation and the social problems it generates are linked to the logic of the market itself, which strives to accumulate capital at the expense of environmental preservation and the peoples’ rights. Meeting the urgent need to debate the relation between society and nature is even more complex and challenging when the logic of the market sees nature as merely a source of carbon stocks and other “services”, and reduces people with rights to suppliers or buyers of services.

Acre was also chosen due to the denunciations presented by local and national groups on rights violations resulting from green economy projects. These groups include: the Conselho Indigenista Missionário (Indigenous Missionary Council, CIMI); the Federação do Povo Huni Kui do Acre (Federation of the Huni Kui People of Acre, or FEPHAC); the Movimento Indígenas Unificado (Unified Indigenous Movement, or MIU) from Acre; the Núcleo de Pesquisa Estado, Sociedade e Desenvolvimento na Amazônia Ocidental (Center for Research on the State, Society and Development in the Western Amazon Region, or Nupesdao); the Universidade Federal do Acre (the Federal University of Acre, UFAC); the

Sindicato de Trabalhadores e Trabalhadoras Rurais de Xapuri (Xapuri Rural Workers Union); the Brazilian Network on Multilateral Financial Institutions (Rede Brasil); Friends of the Earth Brazil; and the World Rainforest Movement.

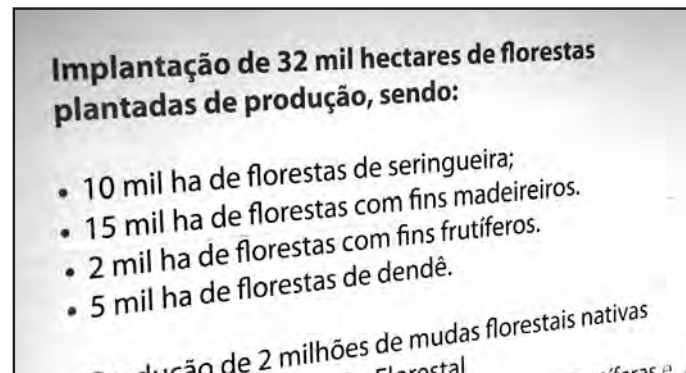
The Mission’s objectives were to establish a dialogue with social organizations on the green economy and the protection of and respect for economic, social, cultural and environmental rights; to investigate, identify, disseminate information on and engage state bodies in relation to administrative, political and legal mechanisms that are capable of preventing or remedying human rights violations verified on site; and to give national and international visibility to the potential and actual violations investigated.

The mission team consulted secondary sources produced by state and business entities, funding institutions, civil society organizations, and research institutes. It also conducted field visits to directly affected areas, and interviews with representatives of the government of Acre. Secondary sources served to further the Rapporteur’s knowledge on the local situation and to situate it in the national and global context. Important information gathered from the daily experience of popular educators, human rights defenders, and community leaders from the region was crucial for the elaboration of the Mission’s conclusions. Furthermore, the RDHMA established dialogues with a variety of actors. Even so, it should be highlighted that the Rapporteur chose to valorize and legitimate the testimonies and experiences of social groups that have been historically excluded from decision-making process and therefore face greater difficulty in having their complaints and demands heard, understood and met by the State and society.

The mission’s field agenda was established according to the following criteria: to understand the different modes of sustainable forest management (SFM), including community forest management and corporate forest management; to analyze SISA and REDD projects in the territory; to find out more about the situation of the indigenous peoples; and to identify the specific impacts of the green economy.

The main problems found are related to the existence and deepening of territorial conflicts, both in territories already controlled by communities and local peoples and those subject to uncertainty around land tenure. These conflicts, in turn, affect the communities’ capacity to guarantee their livelihoods, as well as the preservation and promotion of their culture and identity. Territorial uncertainty due to the lack of legal recognition of their ownership of the land is one of the grave vulnerability





Winnie Overbeck

The green economy projects were not designed by the traditional peoples and communities, and satisfy the interests of the dominant economic system.

factors affecting the communities and peoples the Rapporteur visited.

This situation in itself represents a violation of the international human rights treaties and conventions that established mechanisms to guarantee the traditional and indigenous peoples' right to land, housing and property, and to preserve their culture and identity, such as Convention 169 of the International Labor Organization (ILO), for example. It also implies a failure to comply with the objectives of national policies on the protection of the rights of traditional and indigenous peoples—like the National Policy for the Sustainable Development of Traditional Peoples and Communities (Política Nacional de Desenvolvimento Sustentável dos Povos e Comunidades Tradicionais, PNPCT). This policy guarantees these peoples' "access to the resources they traditionally use for their physical, cultural and economic reproduction". Other such policies include the National Human Rights Program—<sup>32</sup> and article 225 of the Federal Constitution of 1988. These agreements and policies are also violated when the consultation process on the government programs mentioned here, like the SISA, are insufficient and therefore do not guarantee the population's right to "active and effective participation" in decisions "that affect their lives directly" (BRASIL, 2010b, p.36). Some of the interviewees—at least the ones who reflect critically on the process—attested to the inadequacy of the consultation processes.

<sup>2</sup> The "3" in the name refers to the third version of the program.

It is also worth pointing out that conflicts related to the green economy are sources of insecurity, tension and violence, which may even threaten the physical safety of indigenous leaders, activists and members of civil society organizations. One example is the attacks denounced before the Rapporteur. According to the denunciations, break-ins at the social organizations' offices—which generate physical and political insecurity among the organizations' members—are in response to their criticisms of the green economy and its effects on territories. In 2013, the Comissão Pastoral da Terra (Pastoral Land Commission, or CPT) had to close its office in the city of Rio Branco because of break-ins. In September and October 2014, CIMI was the target of theft and vandalism on two occasions. During the attacks, computers and security files were taken, equipment was destroyed and library documents were burnt. If the relation between these acts and their work to question the green economy is confirmed, it means that these cases are violations of political and civil rights. This demands that the State and public authorities take measures to protect these groups and their activists and professionals. To avoid the risk of compromising democracy and to prevent more extreme situations from arising, these measures must be addressed urgently.

A preliminary summary of the Rapporteur's main observations from its mission to Acre are presented below.

## 2. SUSTAINABLE FOREST MANAGEMENT

**“MANAGEMENT MEANS CHOPPING THE FOREST DOWN.”**

*Inhabitant of the Antimary State Forest, 2013*

Winnie Overbeck



Rather than guaranteeing traditional peoples' right to the land, the government of Acre has prioritized forest management practices.

**“With forest management, I’m left with no money and a forest gone to ruin.”**

*Rubber Tapper 1, Porto Dias Agroextractivist  
Settlement Project, 2013*

**“Forest management is for engineers. Rubber tappers extract rubber and know how to sell it. They harvest nuts and know how to sell them, but not wood.”**

*Rubber Tapper 2, Porto Dias Agroextractivist  
Settlement Project, 2013*

**“This is not sustainable. Nuts and rubber are sustainable.”**

*Farmer from the Chico Mendes  
Agroextractivist Settlement Project,  
Seringal Cachoeira (Cachoeira rubber reserve),  
Xapuri, 2013*

**A**cre is constantly cited by various institutions, including the state government, as a pioneer in public forest management practices and a reference for sustainable forest management (SFM) and community forest management practices (REVISTA SUSTENTABILIDADE, 2010; O RIO BRANCO, 2011). One could argue that this process began with the Pilot Program to Conserve the Brazilian Rain Forest (PPG7). This program was proposed during a meeting of the Group of Seven industrialized countries (G7) in 1990, approved in 1991, and launched during the United Nations Conference on Environment and Development, Rio 92. With the goal of “maximizing the environmental benefits of rain forests”, the Program was run under the auspices of the World Bank. One of its four components was a national natural resource management policy (WORLD BANK, 2012).

In 1999, the government of the state of Acre began to implement a series of policies based on this logic, SFM being one of them. During the same period, the National System of Nature Conservation Units (Sistema

Nacional de Unidades de Conservação da Natureza, or SNUC) was created. By including state public forests in the “sustainable use conservation unit” category, the system authorized the resident population or the interested population to engage in the rational use of natural resources, provided that they complied with the recommendations of the Management Plan. Furthermore, the state of Acre’s 2001 Forestry Law stipulates that authorization to “use the resources of public production forests may be granted as a forest concession, but, in all circumstances, exploitation must be the result of the implementation of a management plan approved and supervised by the bodies”. Thus, the law established a legal framework not only for the management of the forest by the population living in it, but also for the appropriation of public land by the private sector.

Forest management is defined as:

the administration of the forest in order to obtain economic, social and environmental benefits, while respecting mechanisms that sustain the ecosystem that is the object of management, and considering, cumulatively or alternatively, the use of multiple timber species, multiple non-timber forest products and sub-products, as well as the use of other forest goods and services (BRASIL, n.d.).

In practice, forest management means one must reserve a part of the territory for wood extraction, which, according to the Brazilian Forestry Service (Serviço Florestal Brasileiro, SFB), must be done in an “ecologically correct, economically viable and socially just” way (BRASIL, 2014). Management plans may be corporate or community-based on Normative Instructions no 3 and 4 of the Ministry of Environment. Business plans must be carried out in business areas, while community plans are to be implemented in the areas of land reform settlement projects. State and federal public forests are also subject to management plans. The Brazilian Institute of Environment and Renewable Natural Resources (Instituto Brasileiro do Meio Ambiente e dos Recursos Naturais Renováveis, Ibama) is responsible for issuing licenses for the management of areas with more than 50,000 hectares, whereas licenses for smaller areas are emitted by the Institute of the Environment of the state in which the area in question is located.

Forest certification is important for the legitimization of forest management. In the case of the projects visited by the mission in Acre, certification is provided by the Institute of Agricultural and Forest Management and Certification (Imaflora), which grants the Forest Stewardship Council’s seal (FSC). According to the FSC in Brazil, its mission is “to spread and facilitate sound management of Brazilian forests according to principles and criteria that integrate environmental safeguards, social benefits, and economic viability”. For Imaflora, “forest certification aims to conserve natural resources, provide just working conditions, and stimulate good relations with the community”.

The cases visited by the Rapporteur include: the corporate forest management system in the Antimary State Forest, which is a large SFM experimentation laboratory created in 1998 with funding from the International Tropical Timber Council (ITTO); the management system in the Cachoeira rubber plantation (Seringal Cachoeira), established in the Chico Mendes Extractivist Reserve, which is considered the birthplace of the historical struggle of rubber tappers in the state of Acre, as well as the base of the Xapuri Rural Workers Union; and the Porto Dias Agroextractivist Settlement Project. Created in 1987, the latter was one of the first community management projects in Brazil and the second to engage in forest management in the state of Acre. What is more, the Porto Dias and Chico Mendes settlement projects are among the first four community management plans that the FSC certified in the Amazon (BRASIL, 2013, p. 49). In all three sites, the Rapporteur interviewed rubber tappers and non-rubber tappers involved in the management of the area, as well as people who had withdrawn from the area due to conflicts with the SFM project.

Among the complaints received from the communities impacted by the forest management policy, we find:

- Failure to resolve the communities’ land tenure issues;
- Reduction of the area that can be used for traditional and subsistence activities, such as the extraction of latex from rubber trees and family farming, so it could be designated for forest management:



The lack of public control over the management plans and practices of the timber trade allow for illegal logging to occur on the margins of official management plans.

I had 1,600 hectares and now I have 100. I asked if I could tap rubber in the surrounding area and they said no. I'm unable to tap rubber because the rubber pathways (estradas de seringa)<sup>3</sup> are always jammed. To earn money, I sell pop. I can't plant anything, nor extract rubber. Am I going to die of hunger when I'm old? I've been here for 20 years.

-- Rubber tapper, *Antimary State Forest*, 2013

- Environmental impacts, such as the disappearance of game animals in the area, which have fled due to the logging and deforestation activities that are part of the management practice;
- Logging activities are jamming the roads used by rubber farmers, making it impossible for them to extract latex and thereby affecting their main economic activity;
- Low wages and delays in paying the communities involved in the management of the area. Interviewees denounced the existence of enormous inequalities between the communities and loggers. The latter control the territory and the sale of wood from the system, and keep most of the profit, whereas the settlers are not able to generate enough revenue to guarantee their own survival. In the case of community management systems, doubts are being raised on the 'collective' nature of the

<sup>3</sup> "Rubber pathways" (estradas de seringa) are short paths cleared through the forest in a way that considers the greatest possible number of rubber trees from which a rubber tapper can harvest.

system. One rubber tapper interviewed highlighted that "none of us from the community are capable of negotiating with the loggers because we'll get cheated. We've already been taken for a ride and we're taking it to court. It's one thing for an engineer to go there, and another if I go";

- Promises made by organizations and government bodies (that promote forest management to encourage rubber tappers to accept this activity) - to provide schools, transportation to school and health clinics - were not kept. Interviewees believe that the imposition of forest management projects based on unfulfilled promises of income generation, infrastructure improvements and legalization of land ownership generates internal conflicts in the communities, which compromises their right to a peaceful life;
- The imposition of environmental restrictions on the community's use of fire, which is necessary for subsistence farming, by the Ibama, and, paradoxically, insufficient monitoring of loggers' activities by environmental agencies. According to the communities, public authorities' lack of control over management projects and the loggers' operations ends up encouraging the development of illegal logging activities;
- Uncertainty about the future of the forest and the communities' land tenure. For some interviewees, forest management—at least the way it is done now - ends up being a kind of way to legalize deforestation. As such, not only does it affect the communities' traditional ways of life and activities, but it also does not guarantee their land rights;
- Low community participation in the elaboration of the forest inventory and the management plan. According to interviewees, the forestry engineers' dominance over the inventory, together with the farmers' lack of training and information on the process, generate conflicts, uncertainty and serious suspicions, like, for example, those related to the estimates on the size of the area to be used for forest management;
- Problems related to the operations of the Cooperativa dos Produtores Florestais Comunitários (Community Forest Producers Cooperative, Cooperfloresta), which is responsible for the commercialization of the products, and the large amount-



Peoples' loss of autonomy over their own territories is one of the typical violations caused by mechanisms that financialize nature.

ts the communities pay the cooperative;

- Questions were raised on the process to obtain certification from the Forestry Stewardship Council, run by Imaflora, namely omissions of the problems mentioned in this report;
- Rubber tapper families who chose to withdraw from forest management projects claim that they would have to harvest one more cycle of products from the forest management system in order to recover the costs of the inventory carried out prior to the system's establishment;
- The "invasion" of people from outside the communities, brought in by the loggers responsible for managing the forest, affected the social dynamic of the community. Complaints include denunciations of the sexual exploitation of women;
- Lack of government support for and attention to the communities' denunciations of irregularities in the forest management projects;
- Carpenters complained of difficulties in finding wood in the state and the high cost they had to pay for it, since priority is given to exporting timber.

It is worth highlighting that at the end of the field visit to the Antimary State Forest, the Rapporteur learned from a group of researchers from a company named HdOn that they were conducting a study to measure the carbon in the forest's trees, including the rubber trees. This study was being carried out upon the request of the Brazilian Agricultural Research Corporation (Embrapa). When interviewed, a representative of this state body confirmed that a study was being done to measure the forest carbon stocks of areas under management in order to analyze the system's efficiency in terms of carbon sequestration.

Thus, despite the grievances identified above, one can observe important ties being established between forest management projects and SISA. In other words, even though the problems denounced by the communities are far from being resolved, forest management areas are being integrated into SISA through efforts to measure carbon stocks. Their inclusion raises questions about, "how is it possible on the hand to meet social and environmental objectives while, on the other hand, rights are being violated?"

### 3. THE SYSTEM OF INCENTIVES FOR ENVIRONMENTAL SERVICES (SISA) AND REDD

Verena Glass



Associating REDD with prohibitions on their traditional activities, communities fear for the future of their territories.

In 2007, the government of Acre adopted guidelines for its Policy for the Valuation of Forest Environmental Assets (PVAAF), which encompass six programs: Environmental Services Incentives; Regularization of Environmental Liabilities; Certification of Sustainable Production Units; Public, Private and Community Forest Management; Reforestation; and the Restoration of Degraded Areas. Their aim is to contribute to the establishment of a low carbon economy (BRASIL, 2010a). It was in the context of this policy that the government of Acre approved the SISA law in 2010, which defined SISA as:

a set of principles, guidelines, institutions and instruments capable of providing an adequate structure for the development of an innovative economic sector for the 21st century: [one based on] the economic valuation of environmental preservation by offering incentives for ecosystem services (BRASIL, 2010, p.1).

The “ecosystem services and products” mentioned include: sequestration, conservation, maintenance and increase of carbon stocks, and the reduction of carbon flows; conservation of the landscape’s natural beauty; conservation of socio-biodiversity; conservation of water

resources and services; climate regulation; giving greater value to traditional culture and knowledge on ecosystems; and conservation and soil improvement (Ibid.).

Five interrelated programs to be developed as part of the SISA are: forest carbon (the ISA Carbono program); socio-biodiversity; water resources; climate regulation, and valuation of cultures and traditions. The ISA Carbono program was the first one planned and implemented. Its aim is to meet the state of Acre’s voluntary targets on Reducing Emissions from Deforestation and Forest Degradation (REDD) (Ibid.).

To ensure the effective governance of these programs, the government of Acre created an institutional structure that involves the following bodies: the State Commission for Validation and Monitoring (Comissão Estadual de Validação e Acompanhamento, CEVA), which approves norms, regulations and sub-programs; the Institute on Climate Change and Environmental Services Regulation (Instituto de Mudança Climática e Regulação de Serviços Ambientais, IMC), which prepares norms and regulations, approves pre-registered plans and projects, and emits certified emission reductions (CERs); the Environmental Services Development Company (Companhia de Desenvolvimento de Serviços Ambientais), which attracts and manages private investments, prepares and executes projects, and trades and sells carbon credits; the Scientific

Committee (Comitê Científico), an advisory committee that provides technical guidance; and an ombudsman to receive and monitor complaints, and mediate conflicts. At the end of 2013, when the interviews with government representatives were conducted, the only body that had not yet been created was the ombudsman's office.

In addition to the SISA, in November 2010, the governments of Acre, California (United States) and Chiapas (Mexico) signed a Memorandum of Understanding to discuss the foundations of an agreement on the trade of carbon credits from REDD projects. These credits were to be generated in Acre and Chiapas through reforestation, restoration and forest management projects in order to offset emissions in California (THE REDD OFFSET WORKING GROUP, 2013).

The environmentalist organization WWF lends its political support to this proposal and has been collaborating with its elaboration, implementation and funding. According to WWF, "with its long history of socio-environmental governance, the state of Acre offers a favorable location for the successful implementation of a REDD+ regime". Such a program could potentially "generate important lessons for other REDD+ mechanisms, whether at sub-national or national levels, in Brazil or in other countries" (WWF, 2013).

To advance with the SISA, the government of Acre has already been given funding from the Amazon Fund managed by the Brazilian Development Bank (BNDES), the REDD Early Movers program, and from other cooperation agencies and non-governmental organizations. REDD Early Movers is funded by the German development bank KfW and the GIZ international cooperation agency, also German. The program's goal is to "reward pioneers in forest conservation". Between the SISA's conception and the law's approval, the government had received nearly

R\$240,000 from GIZ, WWF-Brazil and the International Union for Conservation of Nature (IUCN). For the final design and implementation phase, the Amazon Fund made R\$3.8 million available over a three-year period starting in 2011. What is more, in December 2012, KfW offered €16 million over four years based on the reduction of emissions registered by the state. By the end of 2012, the government of Acre had received R\$107 million for the ISA Carbono program. In the future, the government hopes to secure resources from voluntary and official carbon markets (Ibid.).

Although green economy policies demand a more in-depth analysis of their impacts on other State policies and on society as a whole, some local organizations question the lack of a broader and more consistent debate. Despite the government's affirmations that it did conduct a broad consultation involving various actors, the organizations argue that the consultation process did not take into account the full range of perspectives and critical thinking in the state, and any opposition to the project was treated with hostility.

These organizations also raised other concerns. The impact of the law on federal territories - such as indigenous lands, reserves and public forests, for instance—since there would be an overlap of powers, which would bring into question the law's constitutionality. There were also fears that the SISA would slowly eliminate the rubber-tappers' culture, if the communities were to be prohibited from carrying out their traditional subsistence activities - like the extraction of latex from rubber trees and the use of fires, which is necessary for their crops—in the name of the fight against deforestation. Another concern was with the privatization of the environment, defined by article 225 of the Federal Constitution as a good for public use, when the logic of buying and selling the so-called environmental services sets in.

**Redd** The United Nations Framework Convention on Climate Change (UNFCCC) defines REDD as a "mechanism that allows for the remuneration of those who maintain their forests intact, without clearing them, and thus prevent greenhouse gas emissions associated with deforestation and forest degradation." This mechanism was officially introduced into climate negotiations in 2005. In addition to deforestation and forest degradation, it currently includes forest management, the

conservation and expansion of forest carbon stocks, and the generation of co-benefits, which is why it is now called REDD+. During the 19th session of the Conference of the Parties to the UNFCCC, held in Warsaw, Poland in November 2013, governments approved the "Warsaw Framework for REDD+". The framework creates "an international architecture to provide financial incentives to developing countries that are implementing REDD+ policies" (BRASIL, n.d., s/p).

As for the more specific impacts on the territory, the report on the two REDD projects visited by the RDHMA, which were in the process of being registered in the SISA, follow below.

### **PURUS PROJECT**

This was the first private environmental services incentive project registered with Acre's Institute on Climate Change (Instituto de Mudanças Climáticas, IMC) (in June 2012) as part of the SISA. According to the Project Design Document (PDD), it is a REDD or payment for ecosystem services forest conservation project on an area of 34,702 hectares (ha) of privately owned land, located in two rubber plantations (Porto Central and Itatinga) separated by the Purus River in the municipality of Manoel Urbano, 200 kilometers from Rio Branco. The project proponents are the Moura & Rosa Empreendimentos Imobiliários Ltda firm owned by Normando Sales and Wanderley Rosa; CarbonCo, LLC, a subsidiary of the Carbonfund.org Foundation from Maryland (United States) owned by Brian MacFarld; and Carbon Securities, run by Pedro Freitas. CarbonCo is responsible for the project's certification and initial funding. Carbon Securities acts as a liaison between CarbonCo and Moura & Rosa, and assists with translation and the logistics of field visits. Moura & Rosa, the Acre-based company owned by local landowners, is responsible for the day-to-day management of the project and the implementation of activities to mitigate deforestation (CARBONCo, LLC, n.d.).

According to the Project Development Document (PDD), the project's main objective is "to generate sustainable economic opportunities for the local communities and to implement social projects, while mitigating deforestation (i.e., which results in less greenhouse gas emissions) and preserving the Project's rich biodiversity" (p. 31). The project is based on the idea that the generation of environmental services will create economic opportunities for the communities and allow for the implementation of social projects. According to the proponents, this will result in improvements in the communities' livelihoods, which, in turn, will reduce pressure on the forest and reduce deforestation. The project was certified by the Verified Carbon Standard (VCS, composed of companies) and the Climate, Community, Biodiversity Standard (CCBS, made up of non-governmental organizations, NGOs).

The PDD states that there are 18 families living in the project area - some have been there for nearly 20 years. They are said to be "settled in areas that were originally private property", where they "cut down the forest to practice subsistence agriculture and raise cattle". The proponents describe the area as a "forest without protection". The PDD also asserts that as of April 2012, "the majority of community members" have either signed the Memorandum of Understanding or verbally agreed to participate in the project.

From an analysis of secondary sources and a meeting held with the community during the Mission, it was possible to detect concerns about the community's lack of understanding of the project, as well as divisions in the community and an escalation of conflicts. It was also evident that it was impossible for community members to carry out a series of activities that are fundamental for their subsistence without facing criminalization. Furthermore, the increase in income will be minimal, if any, for those who participate in the project voluntarily. The social actions proposed are, in fact, the State's responsibility and the population's constitutional rights, which should not be associated with, much less dependent on, the execution of the project.

Moreover, there is an ongoing land dispute that violates the settlers' property rights. These families affirm that they have been living in the area for nearly 30 years, and usually use much more than the 100 hectares defined by the project for their use. Fearful of losses and uncertain whether the opportunities and improvements promised by the project's proponents will materialize, the community is now trying to get out of the project and to secure legalization of their land titles. One rubber tapper affected by the project (RUBBER TAPPER, PORTO CENTRAL E ITATINGA, 2013) clearly expresses these problems in his statement:

They want us to stay in here all huddled up in a corner, without being able to do anything, so that a few days from now, we won't even have fields to plant our crops in.

I want someone to explain to me what carbon is, because all I know is that this carbon isn't any good to us. It's no use to us. They're removing it from here to take it to the U.S... They will sell it



there and walk all over us. And us? What are we going to do? They're going to make money, but we won't?

They came here with a document for me to sign. I asked what document it was and if it was going to do me any harm. They said it wouldn't. So I signed the document without knowing anything about it. That document tying us down and harming all of us here. Within a few days, we discovered that the document was filthy, dirty.

And this project, the way we're going to live here, the law, the fake document that they have—we won't be able to do anything and anyone that does will be handcuffed right here.

When questioned on the problems in the territory that were denounced before and witnessed by the mission, representatives of the government of Acre affirmed that they were aware of the situation. They also stated that due to the territorial conflict, the Purus project would not be registered in the SISA as long as the landowner has not resolved the situation. However, the project is still in progress and its proponents are actively working on its implementation. In June 2013, the international soccer federation FIFA declared its support for the Purus Project as a way of offsetting its carbon emissions during the World Cup. According to FIFA, the projects (Purus and two other projects) “went through a rigorous tender process and [adhere] to the standards set by the International Carbon Reduction and Offsetting Alliance (ICROA), with the final selection being made by an independent panel of environmental NGOs” (FIFA, 2014).

### **RUSSAS/VALPARAÍSO**

This case involves a REDD project that is in the process of being elaborated and registered in the SISA. It is being developed on the property of businessmen Ilderlei Cordeiro and Manoel Batista Lopes, which is located in the Valparaíso and Russas rubber reserves in the municipality of Cruzeiro do Sul. According to the project's documents, the total area is approximately 64,000 hectares (41,976 in Russas and 21,902 in Valparaíso—that is, almost twice the size of the Purus Project). Approximately 20 families live in Russas and 35 in Valparaíso; nearly all of them are smallholders. Investment in the project comes from

CarbonCo, LLC and Carbon Securities. The Project is in the process of being certified by the CCBS and VCS. The actors involved here are practically the same as the ones from the Purus Project (CARBONCo, LLC, n.d).

During the Mission, the Rapporteur was able to speak with representatives of the Terra Firme de Cima, Terra Firme de Baixo and Três Bocas communities. In the first community, participants stated that they had not signed any contract. In the second and the third ones, some signed, but now want to leave the project. Members of all three communities mentioned that the companies involved were interested in hiring a fiscal agent from the community who would be responsible for sending monthly reports to the project's owner on compliance, or failure to comply, with the rule prohibiting family farming activities. On the way to the three territories, one can see several signs with the following warnings or announcements: “the community is a partner of the Valparaíso project”; “commercial hunting and fishing prohibited” and “deforestation and buildings prohibited”.

In all three locations, the rapporteur uncovered concerns about the lack of information on the project's implications; fears regarding the use of the land and the forest; uncertainty about the future; suspicions in relation to promises to resolve land ownership issues in exchange for the project's approval, and threats of expulsion if no agreement was met. There were also concerns with the individualization of the process to legalize land ownership (through individual contracts); and the lack of access to the contract, as the company did not leave a copy of the contract with the communities. To facilitate the negotiations, the company used an intermediary: the project manager who had a long-standing relation with the communities, which helped to get the community's approval for the agreement.

## 4. INDIGENOUS COMMUNITIES

Winnic Overbeck



Profound reflection is needed on what kind of society is being prioritized in the name of protecting nature.

In our language, the idea of giving up our land does not exist. We don't see land as income. Our bond with the land is sacred because it is where we came from and where we will return.

*Indigenous leader, Acre, 2013*

**T**he Rapporteur's fieldwork revealed that not only the green economy but also the situation of the rights of the indigenous peoples of Acre received differentiated treatment by indigenous peoples and by the indigenous peoples' organizations. In the communities visited by the Rapporteur, it became clear that the communities' approach to indigenous peoples' rights and to the green economy's benefits and mechanisms were different from and, in many cases contrary to, the approach presented by environmentalist and indigenist organizations and government bodies.

According to data from the Instituto Socioambiental (Socio-environmental Institute, or ISA) (2014), there are 36 indigenous territories in the state of Acre, nine of which have not been officially recognized. However, according to information from the Indigenist Missionary Council (CIMI), the number of indigenous territories

that have yet to be demarcated is 21, including the land of peoples in isolation. As for the peoples whose land has been officially recognized, they do not enjoy other historically won rights. What is more, the land conflicts continue, and the peoples are almost always the ones who suffer the greatest losses.

In many villages, there is a nearly complete lack of public services, which forces many indigenous people to wander around in the cities, where they become targets of acts of violence and death threats. Due to the lack of guarantees and protection for their territories, many indigenous lands have been invaded by loggers and landowners, which generates conflicts, even violent ones.

According to the CIMI (2013), in addition to the conflicts and the absence of territorial regulations, management plans are being implemented on land that is currently under dispute. The logic behind this is that if the land has not been demarcated, it can be used. Indigenous land is also being targeted by projects that take measurements for environmental services, like carbon, so that they can be included in the SISA or the ISA Carbono program. Local organizations that spoke with the Rapporteur denounced the expansion of the green economy projects into the

territories of indigenous people without them being fully aware of them. In addition to increasing the presence of external actors in their territories, this expansion threatens the territorial and cultural rights of the peoples, who end up accepting the projects because of the promises to improve their living conditions. Furthermore, it is said that the training of forest agents is based on the principle that “everything in nature can be managed”, and therefore, it constitutes yet another element that threatens indigenous peoples’ rights.

The Rapporteur had the opportunity of getting firsthand knowledge on the current situation in two communities of the Jaminawá indigenous people: the São Paulino community, close to the municipality of Sena Madureira, and that of Beco do Adriano, located on the outskirts of the city of Sena Madureira. It should be noted that the Jaminawá people is composed of four extended families who share the same language, with only a few differences in dialect. In this process, situations of vulnerability, conflict, territorial insecurity, and physical and psychological health risks were identified among the indigenous peoples, as described in more detail below.

#### **THE SÃO PAULINO INDIGENOUS TERRITORY**

“We’ve been suffering for so many years. We’re worse off this year because we can’t grow our crops. The landowners can and we can’t? There are 24 families here. How will we survive?”

*Leader from the São Paulino indigenous village*

The São Paulino indigenous village of the Jaminawá people, near the municipality of Sena Madureira, is home to 24 families who have been trying to obtain the title to their ancestral territory for over 30 years. According to the indigenous people interviewed, they live on only five hectares of land and are under constant threat from landowners who invaded their land and have been destroying the forest with their lumber extraction and cattle raising activities. Consequently, the community lives on only one strip of land located between the Purus River and the farm occupied by the landowner. Every year, the Purus River floods this area, destroys their plantations, reduces the space they have for agriculture—which is already small—even further, which affects the community’s ability to guarantee its survival and food sovereignty.

In addition to losing the cassava, banana, corn, rice and other food they plant, the community’s houses are invaded by the floods, which destroy the few possessions they have and cause illnesses, like diarrhea and vomiting, especially in children, due to contact with contaminated water. The indigenous people, namely the leaders, also denounce that they are intimidated or threatened, verbally or even with gunshots, by the trespassers when they try to engage in their traditional practices of agriculture, hunting and fishing.

The white people are knocking everything down. The cattle are getting into our crops, eating the corn, destroying the bananas. Our lands are already small. An armed man with a shotgun coming onto our territory. How are we going to survive?

*Jaminawá leader, 2013*

This situation constitutes a clear violation of all the rights indigenous people have won, namely their original right to the land they traditionally occupy, which guarantees them permanent ownership and exclusive use of its natural resources.

It is important to point out that in 2012, the community won a court order that ordered the immediate withdrawal of the non-indigenous invaders from their land. The case is being processed in the 1st Federal Court of the state of Amazonas as case n° 12687-27.2012.4.01.3200. The court order has still not been executed. “We received a document signed by the PM [Public Ministry] saying that they are going to get the people [the intruders] out of here, and until now, nothing.”

The community also revealed that in 2002, a working group of the National Indian Foundation (Fundação Nacional do Índio, or Funai) initiated studies to map the São Paulino territory to meet the community’s demand for the demarcation of nearly 6,000 hectares of land. Even though the Funai proved that the land had been traditionally occupied by the Jaminawá people (there is an indigenous school in the village, for example), the organization interrupted this work in 2004. For the indigenous people, the promise from the Funai office in Acre to support the community by completing the demarcation process and thereby alleviating their suffering has been systematically broken.

### THE BECO DO ADRIANO URBAN VILLAGE

Since 1990, conflicts arising from the lack of territorial security have generated another problem for the Jaminawá people: the exodus of entire families to the outskirts of the cities. The reality of city life is brutally imposed on the indigenous people, who are obliged to modify their social and family relations and relations with work, their spiritual practices, rituals and relationship with time itself, among other changes, to guarantee their survival. What is more, in the city, they are constantly the target of prejudiced, racist and violent actions.

In this context, part of the Jaminawá people began to migrate to the outskirts of the city of Sena Madureira. Currently, they are settled in a place called Beco do Adriano, an area at risk located on the banks of the Yaco River. During the flood season, this area floods and causes the families serious harm. According to accounts from indigenous women, a major flood in 2012 destroyed their homes and their belongings. They stated that one of the causes of this migration to the city is the lack of access to land and conditions for building housing, due to the violence of neighboring landowners who stop them from using the forest's resources to build houses and meet the community's needs, including their access to water and food.

When asked why they did not return to their native land and fight to get it back, instead of exposing themselves daily to urban violence, one interviewee responded, "it's better to suffer here than to be shot to death." This testimony reveals the level of risk and vulnerability to which the indigenous people are exposed. The Jaminawá reported that their "escape" to the city was due to their people's expulsion from the territory to guarantee land for the forest management system, and the fact that, since the debate on forest management began, there has been a very large increase in land speculation, purchases and sales in São Paulino.

The testimonies from the men and women in the community and their living conditions reveal a high degree of neglect, which can be seen in the poor quality of sanitation services and limited access to health care and decent housing conditions. Moreover, the indigenous people face hostilities and racism on a daily base. The Rapporteur team was even warned by local business owners not to go into the Beco to avoid being robbed, because "there are only Indians there".

The Jaminawá people interviewed reported that their children and adolescents are exposed to a high level of social vulnerability. They state that the youth and adolescents have often been arrested and suffer from police violence. Indigenous children are targeted for sexual exploitation and pedophilia, which is practiced in the vicinity of the community. According to their accounts, this abuse and sexual exploitation are even identified as part of the indigenous culture. This issue merits a much more in-depth discussion, but we can affirm here that this practice is being taken out of context and perversely exploited by non-natives to increase the victims' vulnerability and blame them for the violence. There were also dramatic accounts of the selling of indigenous children to white people.

The adults' other concerns were the lack of prospects for the indigenous youth, the increase in the consumption of alcohol and drugs, and the loss of their identity, which causes a lot of suffering and desolation in the community.

In a broader round of conversation with men and women from the community, serious concerns and rights violations were reported. These included: the lengthy process to demarcate ancestral land; the precariousness of health care services; the absence of an education policy adapted to the community's needs; precarious access to food to meet their needs; lack of public security (and even violence from police); and government bodies' lack of preparation or training on how to respond to indigenous people's needs. In relation to the last issue, the indigenous people affirmed that the government bodies submit all their demands to the FUNAI, as if they were not "human beings just like any other". As for the FUNAI, which was recognized as a partner of the community, it has not acted decisively and, in the community's opinion, it is not even capable of resolving the land ownership problem.

## 5. PRELIMINARY CONSIDERATIONS AND RECOMMENDATIONS FROM THE RAPPORTEUR



Verena Glass

The forest peoples' traditional way of life is threatened by the imposition of a model of society based on the accumulation of profit.

**A**fter conducting visits to the communities and interviews with representatives of civil society organizations, the RDHMA held meetings with members of several government bodies, including the Brazilian Agricultural Research Corporation (Embrapa), the National Institute of Colonization and Land Reform (Instituto Nacional de Colonização e Reforma Agrária, Incra) and the Funai. It also held a meeting with representatives of the state of Acre from: the State Department for Forestry, Industry, Trade and Sustainable Services Development (Secretaria de Desenvolvimento Florestal, da Indústria, do Comércio e dos Serviços Sustentáveis, Sedens); the Institute on Climate Change (IMC), the Secretary of Environment (SEMA); the Secretary of Justice and Human Rights (SEJUDH); the Acre Land Institute (INTERACRE); the Acre Environmental Institute (IMAC), and the State Attorney General (Procuradoria Geral do Estado, PGE). The session was coordinated by the state attorney general and the president of the IMC at the time, Rodrigues Neves.

On the occasion, the Rapporteur inquired about the problems and conflicts it witnessed during the mission and the measures taken by the state to address them.

In general, the government representatives justified the green economy policy as an institutional effort to engage in socio-environmental management and to use the state's conditions to address historical social and economic problems. They hope that with the "modernization of public management of the environment", it will be possible to integrate Acre into international green economy networks, which they believe will continue to grow one way or another. Therefore, they consider that the state has to be prepared to avoid finding itself at the mercy of corporations and the international market. They defend the SISA's integrity and argue that all institutional efforts are made with the goal of guaranteeing the population's well-being and care for the forests and local cultures.

Furthermore, according to members of the government of Acre, the problems found are related to historical issues that cannot be resolved easily and rapidly, and that

require time and preparation. Even so, they reported that the government has been making efforts to resolve them. They view criticisms as acts against the government, and affirm that if some communities and organizations have not participated, it is because they themselves refuse to, and not due to the lack of government incentives. Finally, they admit that advances must still be made in terms of the provision of information on green economy initiatives, especially the SISA, in order to overcome the population's lack of understanding of these processes.

It is understandable that in a state like Acre, with all of its environmental specificities and cultural and ethnic diversity, it is difficult to resolve all the land and socio-environmental conflicts simply and rapidly. However, it should be emphasized that by opting for green economy policies, the government is treating the environmental issue as a problem that must be dealt with by applying the logic of the market. By doing so, it is making a choice and exposing the population to the risks that arise from this decision, given the enormous inequality that exists between the actors involved: the communities on one hand, and the landowners and corporations on the other.

In relation to forest management, the favoritism towards those who are better off and who historically privatize land and territories is notorious. In Acre, land conflicts that pit private property (i.e. legal ownership) versus land occupation are longstanding and well known around the world, as the historical struggles of rubber tappers and expropriated settlers exploited by economic and political powers clearly illustrate.

Policies that treat the financialization of nature as a source of economic potential for the state and the private sector transform environmental management efforts into opportunities to exploit the forest (even if it is "standing") in the market's favor. With the SISA as an explicit component of the market, there is a tendency to give priority to and consolidate the interests of actors who are active in this market (namely businessmen and landowners) via chronic environmental injustices, such as the ones faced by smallholder settlers. Due to their limited political power, the settlers find themselves in a perverse situation whereby they are forced to bow to the economic and political interests of the State and the private sector.

What is worse, the responsibility for environmental degradation is transferred to those who have historically promoted environmental balance through their traditional subsistence activities. Even so, traditional communities

and indigenous peoples' different modes of occupation and use of the land are threatened and disrespected.

The main agents of environmental degradation, like the landowners, on the other hand, receive financial incentives and compensation, as if they were providing a service to society. What is worse, society has to pay for it. From this point of view, the effects of the green economy are visible in the territories and accentuate historical injustices and inequalities that, in addition to placing the communities at a disadvantage, put the blame on them and legitimize the penalization of their existence.

This reality leads to the conclusion that the process takes place in a context of extreme inequality, which is worsened by the communities' lack of adequate training and information about fundamental issues that affect their lives—a situation that, it must be acknowledged, favors the actions of the companies and facilitates the imposition of their projects in the communities. As the communities do not duly apprehend information regarding the projects, they end up being coerced into accepting proposals from outsiders in hopes of having their needs fulfilled at the expense of their autonomy. One illustration of the inequality between the parties is the fact that the communities visited by the Rapporteur do not possess a copies of contracts or other proof of the formalization of agreements (forest management, green grant or REDD). As the communities stated, not only are they prohibited from using their territories for subsistence activities, they do not have an instrument they can use to question or fight this imposition.

In the drama imposed on them, then, the communities can choose between two unique and perverse options: 1—losing the forest and their territories, and dealing with the absence of public policies; 2—forest management projects, green grants or REDD. The regularization of their land titles and recognition of rights are used as a bargaining chip to get the communities to accept the projects. One can even note that the responsibility for resolving the settlers' land situation—which is the population's right and the State's duty—is neglected by the State and handed over directly to the "owner" of the land/project, who is in a privileged position and interested in exploiting it on the market. Also, cultural differences and the absence of work methodologies based on the local culture make it impossible for the communities to effectively appropriate the "technical" language used by the projects' proponents. Thus, in

an environment where their needs are neglected by public authorities, the communities are held hostage by technical language and promises that, judging by the community members' comments, are questionable and unlikely to be kept.

This situation is even more complex due to the fact that large conservation and indigenist organizations, as well as the ones providing technical assistance, are collaborating in the elaboration and implementation of green economy projects. In the case of Acre, the World Wide Fund for Nature (WWF), the Comissão Pró-Índio (Pro-Indian Commission, or CPI), Forest Trends and the Centro de Trabalhadores da Amazônia (Amazon Workers Center, or CTA) were cited numerous times by people interviewed during the mission and secondary sources. They not only act as collaborators in the elaboration of public policies, but also implement or coordinate related projects. The REDD policies themselves and the SISA originated from the proposals of these organizations that count on specific actors who are "trusted" by the communities and therefore, play an important role in the promotion and legitimization of the projects. In the context of all this inequality, these organizations' practices risk leading the communities to bow before the orders of national businesspeople and international markets.

Therefore, in this Rapporteur's opinion, there is a real and concrete risk of increasing the vulnerability of the disadvantaged populations. Observations based on the mission's results follow below.

In general, in the territories where green economy projects are being executed, the population:

- has low education levels, which puts them at a disadvantage in relation to access to information and in discussions with entrepreneurs and technicians;
- has a high level of dependency on the landowners, loggers and cattle growers, especially due to the fact that the peoples' land rights are not guaranteed;
- is vulnerable in terms of food sovereignty and security;
- has little chance of addressing problems of domestic violence. There is a high level of vulnerability among women and they have limited access to health care services for their specific needs;
- in its attempts to secure its different rights, has

very limited access to public institutions and the legal system.

## **GENERAL IMPRESSIONS ON THE OVERALL CONTEXT OF THE STRUGGLE**

During this mission, the Rapporteur also observed that:

- Even if the representatives of government bodies affirm that they make all possible efforts to guarantee the communities' participation in processes involving the green economy, the communities' testimonies and the organizations' complaints show that social participation in the political decision-making processes is insufficient;
- Those who question the green economy expressed constant complaints and fears of persecution and of institutional surveillance being used against groups that are critical of green economy policies. For this Rapporteur, it was obvious that the capacity of the representatives of the government bodies to recognize the problems and the limitations of the bodies' actions are limited. Their limited capacity was accompanied by a generalized tendency to disqualify all criticisms and a notorious effort to build a kind of "shield". There was not even a minimum of effort on their behalf to reflect on the situation and engage in self-criticism;
- Another important concern is that, even though public bodies guarantee that they make efforts to mediate, the communities' comments and objective conditions clearly indicate that the projects reproduce the privileges that businesspeople and landowners have in terms of access to land, the forest and the benefits from the policy. It is also obvious that government authorities are not paying equal attention to the implementation and control of environmental policies, which favors the landowners and companies. This, in turn, clearly reveals the lack of institutional capacity to resolve territorial conflicts and to guarantee the rights of the population under pressure from the economic projects;
- Finally, this Rapporteur highlights the communities' limited access to important information on green economy policies and projects, which is extremely serious, as it constitutes a vulnerability factor.



Verena Glass

Communities often get involved in green economy projects because of the state's failure to respect their constitutional rights.

In light of the conflicts and denunciations of human rights violations caused by the SISA and the forest management and REDD projects in the state of Acre, this Rapporteur believes that it is of utmost importance that the government of Acre conduct a broad and serious assessment of the entire process undertaken in the state up until now to implement and execute the green economy policies. As this policy will radically alter society's relation to nature, it is fundamental that the peoples and the communities—the subjects who are directly affected -- be heard, in order to confirm if the objectives of the forest management projects, the SISA and various green economy mechanisms—for example, sustainable development, environmental conservation, the rational use of natural resources and poverty reduction, among others—are actually being met. It is also particularly important to verify if the rights of the indigenous peoples and traditional communities, which are guaranteed by a wide range of national and international laws, are being respected. Based on this assessment, the policy (and all its mechanisms and processes) must be revisited and, if necessary, suspended.

Mechanisms must also be established to guarantee that the decisions on these policies take into consideration the diversity of the peoples in the state and their knowledge. Furthermore, the possibility of vetoing such projects must be respected, and adequate support must be provided to the families who want to withdraw from forest management or REDD projects already underway.

Furthermore, considering that Brazil is a signatory of Convention 169 of the International Labor Organization (ILO), as well as other resolutions on the rights of

traditional peoples and communities, it is recommended that the government hold prior consultations. During these consultations, all traditional peoples who may be impacted by the forest management projects, SISA and REDD projects must have veto power. The government must also establish an institutional process of dialogue with the peoples involved with the goal of mitigating the impacts of the forest management and REDD projects that are already being implemented. The communities and settlers' ownership of their land must be legalized immediately.

This Rapporteur is especially concerned with the denunciations received on the vulnerability, lack of physical safety and psychological insecurity of indigenous leaders and activists from human rights and social organizations. This situation demands that the State take urgent action to not only investigate the denunciations, but also to guarantee these actors' safety.

It is also recommended that processes and mechanisms to debate green economy policies be adopted at the national level in Brazil. The case of Acre should be used as an example to give visibility to the territorial, social, environmental, economic and cultural impacts of such policies. Decisions on these processes and mechanisms must be made with the effective and active participation of a diversity of subjects from the traditional communities and indigenous peoples who have the right to veto and to include alternatives.

Finally, we would like to thank the organizations, collectives and affected communities for their collaboration and trust, which made this Rapporteur's mission possible, and for accepting the challenge of





Verena Glass

It is necessary to get beyond the dominant view that claims that nature can be separated from society and that the forest peoples are "peoples of the past".

sharing the history of their struggles and resistance, and their profound knowledge on the reality being investigated. We hope that the dissemination of this preliminary report and the final report, to be finished shortly, will contribute to a profound reflection on not only the situation in Acre, but also the green economy and the financialization and commodification of nature policies currently being adopted in Brazil and throughout the world.

The interviews, field observations and perceptions this Rapporteur obtained in Acre demonstrate that it is necessary to go beyond the current dominant perspective in society that treats nature and the peoples who depend on it for their survival and relate to it in a complementary and interdependent way as something to be subjugated, controlled and dominated. This perspective claims that it is possible to separate society from nature and that forest peoples are "peoples of the past". The territorial disputes brought on by projects using the environmental sustainability discourse are endangering different ways of life.

In the territories they have historically occupied, forest peoples are excluded from decisions about their own future or—of even greater concern - they are considered obstacles to development and progress. As such, green economy policies can also be described as a way of integrating them into the dominant system of production and consumption. Yet, perhaps what is needed is the exact opposite—that is, Western society should open up to the possibility of learning from these ancient peoples, especially how to live in a more respectful and harmonious way with all forms of life.

For this, profound reflection (and action) on the kind of society we are creating and strengthening in the name of protecting nature is necessary. Sociocultural diversity and guaranteeing the rights of the peoples are, by far, the best and most sustainable way of slowing down and confronting not only climate change, but also the entire crisis of civilization that is threatening the very existence of human life on the planet.

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