Indigenous Peoples and the Reducing Emissions from Deforestation and Forest Degradation **(REDD+)** mechanism in the

BRAZILIAN AMAZON

Subsidies to the Discussion of Benefits Sharing

The **AMAZON ENVIRONMENTAL RESEARCH INSTITUTE (IPAM)** is a non-profit, independent research, policy and outreach organization that has worked over the past 18 years towards achieving sustainable development in the Amazon region in a way that reconciles people's economic aspirations and social justice with the maintenance of the functional integrity of tropical forest landscapes.

In collaboration with 90 employees in seven offices/research unities, we work to provide information and encourage initiatives to support public policies, local initiatives and international agreements. Our actions are taken with the involvement of householders, farmers, indigenous peoples, traditional communities and various government sectors. IPAM's activities and researches are carried out by experts of academic excellence through three major research programs: Community-based Management of Floodplains and Forests, Amazon Scenarios and Climate Change.

Indigenous Peoples and the Reducing Emissions from Deforestation and Forest Degradation (REDD+) mechanism in the Brazilian Amazon

INDIGENOUS PEOPLES AND THE REDUCING EMISSIONS FROM DEFORESTATION AND FOREST DEGRADATION (REDD+) MECHANISM IN THE BRAZILIAN AMAZON

Subsidies to the Discussion of Benefits Sharing

Demian Nery
Mariana Christovam
Isabel Mesquita
Juliana Splendore
Osvaldo Stella
Paulo Moutinho

1st edition

Coordination:

Amazon Environmental Research Institute
IPAM

In Partnership with:

Coordenação das Organizações Indígenas da Amazônia Brasileira
COIAB

With support from:

GOBIERNO DE ESPAÑA
MINISTERIO DE ECONOMÍA Y HACIENDA
Spanish Fund for Latin America and the Caribbean

NORWEGIAN EMBASSY

Amazon Environmental Research Institute (IPAM)
Brasília, DF
September, 2013

Indigenous Peoples and the Reducing Emissions from Deforestation and Forest Degradation (REDD+) mechanism in the Brazilian Amazon - Subsidies to the Discussion of Benefits Sharing – 1st edition (September 2013) – Brasília, DF: Instituto de Pesquisa Ambiental da Amazônia, 2013.

76 p.; il, 24 cm

ISBN 978-85-87413-04-8

Available from: http://bit.ly/IPAM719

Page layout and design: Felipe Horst (www.felipehorst.com)
Cover Photo: Demian Nery
Photos: André Nahur, Associação Metareilá and Demian Nery
Maps: FUNAI and IPAM

ACKOWLEDGMENTS

The authors wish to thank Sonia Guajajara, Marcus Apurinã and Marcelo C. C. Stabile for their valuable contributions to the manuscript. The authors are also grateful to the many interviewed organizations who contributed with inputs for the case studies, in particular Forest Trends, Metareilá Association, ECAM, CTI, Wyty Cate, as well as partner organizations who added to the broader discussions on REDD+ and indigenous peoples conducted by IPAM, particularly IEB and FUNAI. Some of the content herein follows the various projects undertaken in recent years by IPAM, which relied on the financial support of the Spanish Fund for Latin America and the Caribbean, through the World Bank, Climate Land Use Alliance (CLUA), the Norwegian Embassy and the Norwegian Agency for Cooperation (NORAD).

This report is part of the activities carried out under Contract PO 7162084, established between IPAM and the World Bank. This publication's concepts, conclusions and recommendations are of the authors' full responsibility and do not necessarily reflect the World Bank's position on the theme. Its reproduction and distribution is forbidden, except under expressed authorization of IPAM.

SUMMARY

The Brazilian Amazon has a population of over 25 million people. It is a source of a wide range of environmental services and it represents a huge stock of forest carbon (≅50 billion metric tons) that, if disrupted, could significantly speed up global climate change. In the last three decades, more than 16,000 km^2 were deforested annually (19,000 km^2 in the 1980s, 16,643 km^2 in the 1990s and 17,654 km^2 in the 2000s - PRODES, INPE 2012) contributing within 2-3% of the global greenhouse gas (GHG) emissions. From 2005 onwards, deforestation declined in the region. According to official estimates, 2012 had the lowest deforestation rate ever measured: 4,656 km^2, a decrease of 27% compared to the previous year.

In large part, this reduction can be explained by the creation and maintenance of protected areas. Between 2005 and 2008, about 24 million ha of new protected areas were created in the region, bringing deforestation rates down. Among the protected areas, the Indigenous Lands (IL) are the largest contributor to the decrease in deforestation. Together, they hold a stock of 13 billion metric tons of carbon and total deforestation rates inferior to 2% of the area, a value well below of that found in neighboring regions (25-30%).

In this context, the maintenance of Indigenous Peoples' land rights, as well as their territorial management and protection, implies the guarantee of maintaining standing forests and the avoided emission of carbon dioxide (CO_2) due to deforestation. Therefore, the maintenance of Indigenous Lands is an important factor in achieving the Brazilian goals of reducing GHG emissions established by the National Policy on Climate Change (Law 12.187, December 29th, 2009) and the balance of global climate. Thus, the discussion of any international mechanism, strategy or public policy aimed at compensating those who pursue efforts to reduce deforestation and forest conservation should consider, clearly and effectively, the role of indigenous peoples, their livelihoods and territories.

Currently, the mechanism that seeks to establish rules for such compensation, discussed internationally under the United Nations Framework Convention on Climate Change (UNFCCC), is known as REDD+. By this mechanism, those that have demonstrated efforts for conserving the forests and reducing deforestation may be rewarded in relation to the efforts made and the achieved results.

However, the lack of institutionalized definition on REDD+ in the national and international spheres, combined with the proliferation of forest carbon "projects" on Indigenous Lands for the voluntary market is a reality in the Amazon. These "projects" have generated concerns in

indigenous institutions, the Federal Public Ministry and the Brazilian government, especially in the figure of the official indigenous' agency, the National Indigenous Peoples Foundation (FUNAI), regarding the risks and benefits associated to these projects to indigenous peoples and their lands. Some indigenous initiatives have already experienced benefits related to the strengthening of their autonomy and self-governance; even before the negotiation of forest carbon credits, as is the case of Suruí people and the Suruí Forest Carbon Project. Nevertheless, other contracts of these projects which are illegal, according to Brazilian law, are potentially harmful to indigenous' traditional activities and biodiversity within the Indigenous Lands. Some "projects" restrict the institutes of permanent ownership and territorial exclusive fruition to indigenous communities involved.

Considering these risks and the recurring interpretations of REDD+ associated exclusively with the forest carbon market, there is resistance from indigenous organizations in adopting such mechanism in Brazil or in the Amazon.

Additionally, the participation of indigenous groups willing to discuss the issue, especially in official forums, it is still very incipient. The official discussion forums with direct participation of indigenous peoples that progressed the most, were those focused on social and environmental safeguards for REDD+. However, the debates focused on the means and criteria for distribution of REDD+ benefits do not include, officially, indigenous representatives so far.

The purpose of this publication is to provide a better understanding on the contribution of indigenous perspectives to the discussion of REDD+ benefit sharing, based on some indigenous' points of view and experiences of the Amazon indigenous peoples in Brazil. More specifically, the aim from a participatory and consultative process is to provide support for the construction benefit sharing models for REDD+ programs, which actually promotes inclusion of these people, focusing on the Brazilian context.

Therefore, the work presented here aims to: (1) raise, along with the specialized literature, different approaches to REDD+ in an indigenous context; (2) examine some initiatives in indigenous governance within the Brazilian Amazon and how they deal with the issues of benefit sharing; and finally (3) promote dialogues on the subject, in partnership with the Coordination Body of Indigenous Organizations from the Brazilian Amazon (COIAB) and its organizations. These debates involved over 90 leaderships from several indigenous ethnicities, originated in nine Amazon States, such as: Apurinã, Wajãpi, Munduruku, Guajajara, Krahô, Xavante, Suruí, Wapichana and Manchineri.

Based on the results from the activities described above, recommendations are presented for the implementation of a national REDD+ strategy in Brazil, which effectively incorporates the perspectives and claims of Amazon indigenous peoples, to promote their livelihoods as well as their rights.

Considering the Brazilian context and the current stage of discussions on the topic, the main recommendations on the equitable sharing of benefits between indigenous peoples suggest: 1) that indigenous peoples and supporting organizations, such as FUNAI and others must be trained and informed on climate change and REDD+. It is also necessary to raise awareness of decision makers and developers of public policies on climate change and REDD+, in order to provide conditions for wider indigenous approaches on the subject and their own proposals for the mechanism. At the same time, is it necessary to have a broad and effective participation (by the promotion of intercultural dialogues) of the indigenous peoples in official forums to guarantee the assimilation of indigenous perspectives and claims in the government's strategies and public policies; 2) the potential benefits should be used for the community (e.g. cultural empowerment of indigenous peoples, implementation of environmental and territorial management plans, improvements in health and education) and for collective goods or services, but not transferred or used directly by individuals in the community, as this can lead to internal conflicts; and 3) strengthening of autonomous organizations of indigenous peoples, considering their social and cultural characteristics, to manage these resources and ensure the maintenance of their livelihoods, the premise for the maintenance of forest carbon stocks.

The hope is that these recommendations may serve as a basis for discussion about sharing the potential benefits of REDD+ programs on Indigenous Lands in a global context, such as the example of national REDD+ initiatives being supported by the UN REDD Program and The World Bank REDD Programs/ Funds, like FCPF and FIP. This discussion is also fundamental to the effectiveness of the REDD+ mechanism or any other initiative dedicated to valuing environmental services and the role of the forest dependent populations.

ACRONYMS

APIB – Articulation of Indigenous Peoples of Brazil (in Portuguese, *Articulação dos Povos Indígenas do Brasil*)
BRL – Brazilian reais (Brazilian currency)
CAFI – Amazonian Indigenous Training Center (in Portuguese, *Centro Amazônico de Formação Indígena*)
CLUA – Climate Land Use Alliance
COIAB – Coordination Body of Indigenous Organizations of the Brazilian Amazon (in Portuguese, *Coordenação das Organizações Indígenas da Amazônia Brasileira*)
COICA – Coordinating Body of Indigenous Organization of the Amazon Basin (in Spanish, *Coordinadora de las Organizaciones Indígenas de la Cuenca Amazónica*)
COP or CP – Conference of Parties
CTI – Indigenist Work Centre (in Portuguese, *Centro de Trabalho Indigenista*)
DEPIMA – Funai's Department of Indigenous Heritage and Environment (in Portuguese, *Departamento de Patrimônio Indígena e Meio Ambiente da Funai*)
EMBRAPA – Brazilian Agricultural Research Corporation (in Portuguese, *Empresa Brasileira de Pesquisa Agropecuária*)
ENREDD – Brazilian National REDD+ Strategy (in Portuguese, *Estratégia Nacional de REDD+*)
FCPF – Forest Carbon Partnership Facility
FIP – Forest Investment Program
FPIC – Free, Prior and Informed Consent
FUNAI – National Indian Foundation (in Portuguese, *Fundação Nacional do Índio*)
FUNASA – National Health Foundation (in Portuguese, *Fundação Nacional de Saúde*)
FUNBIO – Brazilian Fund for Biodiversity (in Portuguese, *Fundo Brasileiro para a Biodiversidade*)
GHG – Greenhouse Gases
GTA – Amazon Working Group (in Portuguese, *Grupo de Trabalho Amazônico*)
IBAMA – Brazilian Institute of Environment and Renewable Natural Resources (in Portuguese, *Instituto Brasileiro do Meio Ambiente e dos Recursos Naturais Renováveis*)
IDESAM – Institute for Conservation and Sustainable Development of the Amazon (in Portuguese, *Instituto de Conservação e Desenvolvimento Sustentável do Amazonas*)
IEB – Institute of International Education in Brazil (in Portuguese, *Instituto Internacional de Educação do Brasil*)
IL – Indigenous Lands
ILO – International Labor Organization
INPE – National Institute for Space Research (in Portuguese, *Instituto Nacional de Pesquisas Espaciais*)
IP – Indigenous Peoples
IPAM – Amazon Environmental Research Institute (in Portuguese, *Instituto de Pesquisa Ambiental da Amazônia*)
ISA – Social and Environmental Institute (in Portuguese, *Instituto Socioambiental*)
MMA – Ministry of Environment (in Portuguese, *Ministério do Meio Ambiente*)
MCTI – Ministry of Science, Technology and Innovation (in Portuguese, *Ministério de Ciência, Tecnologia e Inovação*)
PGTA – Territorial and Environmental Management Plan (in Portuguese, *Plano de Gestão Territorial e Ambiental*)
PNGATI – National Policy on Territorial and Environmental Management in Indigenous Lands (in Portuguese, *Política Nacional de Gestão Territorial e Ambiental em Terras Indígenas*)
NPCC – National Policy on Climate Change (in Portuguese, *Política Nacional de Mudança do Clima*)
PES – Payment for Environmental Services
REDD+ – Reducing Emissions from Deforestation, forest degradation, conservation, sustainable management of forests and enhancement of forest carbon stocks in developing countries
UN – United Nations
UNFCCC – United Nations Framework Convention on Climate Change
UN-REDD – United Nations Collaborative Programme on Reducing Emissions from Deforestation and Forest Degradation in Developing Countries
UHE – Hydropower Plant (in Portuguese, Usina *Hidroelétrica*)

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INTRODUCTION

The conservation of the Brazilian Amazon rainforest depends on the indigenous peoples who live in it. In the region, there are 414 established Indigenous Lands (IL) covered by 1,086,950 km^2 of native forests (21.7% of the Brazilian Amazon) and inhabited by 450,000 indigenous peoples (IP). The preservation and management of these lands exclusively by the indigenous peoples represent an important strategy to ensure the permanence of the largest rainforest on the planet, preserving its biodiversity and its role in regional and global climate balance (Malhi et *al.* 2008; Ricketts et *al.* 2010, Soares-Filho et *al.* 2010, Moutinho et *al.* 2011). The indigenous lands are also a fundamental element for Brazil to meet its targets of GHG emissions reductions, established by the National Policy on Climate Change (NPCC), reinforcing their cultural value and their role as the "guardians of the forest" and "environmental services providers" (Moutinho et *al.* 2011).

Recognition of this role is, however, diffuse. Though the Brazilian Constitution guarantees the indigenous peoples' rights to their lands, evoking their cultural relevance, their role in the environmental context is still unrecognized and even questioned. For example, the recurring critiques to the excessive amount of land allocated to indigenous peoples in the region[1] and the political forces encouraging, through constitutional amendments, to open indigenous lands to agribusiness activities, indicates the lack of recognition of indigenous peoples' role in forest and climate conservation[2].

[1] Examples can be found in national newspapers, such as the ones below, accessed in February, 2013: http://www1.folha.uol.com.br/fsp/mercado/74356-ate-abuso-tem-limite.shtml; http://www1.folha.uol.com.br/fsp/mercado/75767-a-tragedia-da-funai.shtml.

[2] http://www.camara.gov.br/proposicoesWeb/fichadetramitacao?idProposicao=564668 (accessed in January, 2013)

Additionally, the protection of these lands and their populations has not been considered by the government as a relevant strategy for controlling deforestation and reducing CO2 emissions in the Amazon region. Nevertheless, these are lands that hold a significant portion of the region's forest carbon. Currently, the set of indigenous lands house a carbon stock of about 13 billion metric tons (30% of total stock) (Saatchi et *al.* 2007, Baccini et *al.* 2012, Figure 1) which, if disturbed by deforestation will result in significant GHG emissions, impacting negatively the global climate change (Soares-Filho et *al.* 2010) (Box1).

Considering the above mentioned context, it is crucial to find a way to recognize the indigenous peoples for the service provided by them in favor of deforestation reduction and climate change prevention. The most promising mechanism for this recognition is named Reducing Emissions from Deforestation and Forest Degradation (REDD+) (Box2). REDD+, currently under discussion at the UNFCCC. While REDD+ has been

In the context of the deforestation frontier in the Brazilian Amazon, indigenous lands play a fundamental role in the conservation of the forest and their biodiversity while ensuring future reductions of deforestation and their associated GHG emissions (Soares-Filho et *al.* 2010).

How many Indigenous Lands are there in the Amazon? Until December 2010, 21.7% of the Brazilian Amazon territory was occupied by 414 Indigenous Lands, housing a population of approximately 450 thousand people (Verissimo et *al.*, 2011).

How much land is protected by Indigenous Lands? This set of Indigenous Lands protects 110 million hectares of forests, which store about 13 billion metric tons of carbon (30% of forest carbon stocks – Saatchi et al. 2007, Baccini et al. 2012). They also act as major barriers to the progress of deforestation. For example, the total deforestation rates in the indigenous lands are less than 2% if compared to the 25-30% in areas surrounding these lands (Soares-Filho et *al.* 2010). As an example, in August 2012, about 53% (124.5 km²) of the recorded deforestation occurred in private areas, while this figure was 0.5% (the equivalent of 1.5 km²) in Indigenous Lands (Martins et *al.* 2012). The low deforestation rate within the IL is related to the territorial occupation of indigenous peoples according to their usages, customs and traditions which, in most cases, keeps the forest standing. The little deforestation within the Indigenous Lands is due, in general, to: a) the opening of areas for the construction of villages and plantations; and b) degraded areas related to the occupation by non-Indigenous peoples, prior to the regularization of the lands or by raids to the already recognized territories (Valle 2010).

Box 1. *Forest Conservation in the Brazilian Amazon: the role of Indigenous Lands.*

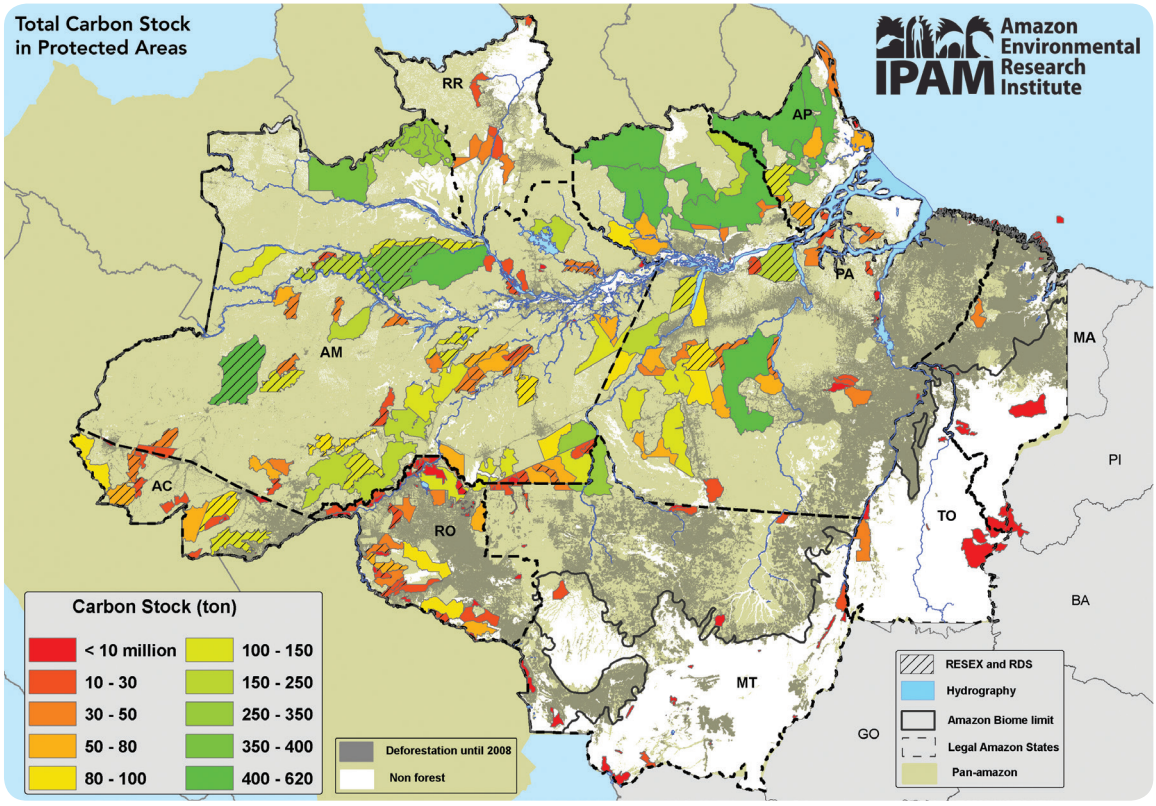


Figure 1. *Intervals of carbon stock (C) expressed in metric tons (t) in Indigenous Lands of the Brazilian Amazon (reproduced from Moutinho et al. 2011). The total volume of carbon stocked in the areas is 13 billion metric tons (30% of the Amazon total).*

considered a controversial subject among several indigenous groups, the debate has gained relevance in the various consultative forums and among their representative organizations.

As a contribution to the debate on the REDD+ mechanism under the indigenous perspective, in this report are presented several considerations and recommendations collected from: (1) a survey of the literature on different approaches to REDD+ in an indigenous context; (2) an analysis of REDD+ initiatives in producing participatory models of indigenous governance and benefit sharing underway in the Brazilian Amazon; and finally, (3) the intercultural dialogues with Amazonian indigenous leaders during meetings held in partnership with COIAB and its organizations. It is hoped that the information compiled here may improve the participation of indigenous representatives in policy discussions of REDD+, especially the Brazilian National REDD+ Strategy (ENREDD), currently under discussion by an Inter-ministerial Committee led by the Ministry of Environment (MMA).

It is also hoped that the perspectives provided in this report can contribute to international discussions on REDD+, such as the ones on the UN REDD Programme (UN-REDD), the World Bank funds/programs(FCPF, Carbon Fund and FIP), as well as the future programs and projects to be established in the Amazon and in other countries with tropical forests.

REDD+ stands for Reducing Emissions from Deforestation and Forest Degradation. The "plus" represents additional activities to reducing emissions from deforestation and forest degradation, such as protection of existing forest stocks, reforestation and sustainable management of forests. REDD+ is a mechanism that establishes compensation, financial or not, to those who prevent deforestation and/or forest degradation, contribute to forest protection or recovery and use its resources in a sustainable way.

REDD+ initiatives are being discussed, since 2005, in the auspices of the United Nations Framework Convention on Climate Change (UNFCCC), following the compensation for reducing deforestation concept launched in 2003 by Santilli et *al.* (2005). REDD+ contains a set of measures, incentives and policies undertaken by developing countries seeking to promote reductions of emissions from deforestation and forest degradation that are measurable, verifiable, quantifiable and demonstrable (UNFCCC 2007). The actions considered essential to achieve that goal were set during COP 16 (FCCC/CP/2010/7/Add. 1). Such actions aim to contribute to mitigation and adaptation to climate change, with social and environmental benefits for the planet.

The UNFCCC established that the implementation of REDD+ should follow three phases: (1) readiness, (2) implementation and (3) payment by results/performance. The financing possibilities of the mechanism include public and private sources. Social and environmental safeguards have been also established. In Brazil, for instance, there are groups, organized under the REDD Observatory, discussing the implications of the REDD+ projects and programs. There is also an Inter-Ministerial Committee, established in 2010 by the Brazilian government and lead by MMA that is focused on developing a national REDD+ strategy (ENREDD). In September 2012, a preliminary version of the ENREDD was presented to the civil society and Amazon States, since then the subject is being discussed. Recently MMA stated that it intends to have a finalized version of the ENREDD to be announced during COP19. For further information see: http://bit.ly/UnQHsV (accessed on February, 2013).The biggest challenges to complete this version of the ENREDD are precisely the definition of the sources of possible resources to fund it and the means of allocation of REDD+ resources between federal entities and the various actors who contribute to achieving effective emissions reductions from deforestation and forest degradation.

Despite these advances, REDD+ is still evolving and is not yet entirely clear how it will be implemented in practice. Several paths can be followed by national and subnational governments (states and municipalities), seeking compensation for the efforts undertaken to reduce emissions from deforestation and forest degradation.

Box 2. *What is REDD+?*

REDD+ AND THE INDIGENOUS PEOPLES IN THE AMAZON

The indigenous' opinions on REDD+ are not homogeneous at a global level, nor nationally or in the Amazon. While some groups are pursuing more information about this issue and eventually have developed their own REDD+ related initiatives, some others fear the possible social and cultural impacts. They have raised several questions on financial compensation related to REDD+ mechanism and identify it as a way to "capitalize the nature" (Belém's letter[3] 2011, Griffiths 2007). Despite the relevance of the debate on the resistance to REDD+, this document is not intended to advance in a detailed analysis of this issue. The primary objective of this work was to gather perspectives on the REDD+ mechanism along with Amazonian indigenous leaders, whom could better qualify these discussions, including the benefit sharing options.

Despite the doubts and resistance which still remain surrounding REDD+, there are several indigenous groups and organizations interested in proceeding with the debates. As a strategic option, these groups have not halted the discussion of REDD+ and are evaluating the pros and cons related to the topic. They are also following negotiations and discussions on REDD+ at the regional, national and international levels. In the Amazon region, there are two relevant regional indigenous organizations promoting debates on REDD+. These are the Coordination Body of Indigenous Organizations of the Amazon basin (COICA) and COIAB, in Brazil. Through these organizations and some others, the development of indigenous' visions on REDD+ continue to be promoted in the Amazon. Such discussions have contributed to the international discussion of REDD+ in recent years, as well as the discussions in Brazil about the establishment of the National Policy on Climate Change (NPCC), and the National REDD+ Strategy (ENREDD). Regarding to this last topic, in 2012, FUNAI and MMA agreed on some premises for the development of an indigenous component that could be integrated into the ENREDD[4]. Among the guidelines, there is one that recognizes the historical contribution of indigenous peoples to reducing deforestation in the Amazon while reinforcing the importance of the recognition of this contribution by the Brazilian Government. In this sense, both FUNAI and MMA are seeking ways to facilitate the access of indigenous peoples to adequate financial resources, including those from implementing Environmental Services and REDD+ initiatives. Although this initiative of the Brazilian government helps by adding elements to the formulation of an indigenous component within ENREDD, the delay in setting up the strategy itself has contributed to the proliferation of illegal agreements linking the voluntary forest carbon market and indigenous territories. It should also be noted that

[3] http://terradedireitos.org.br//biblioteca/carta-de-belem-os-efeitos-das-mudancas-climaticas-e-a-politica-de-redds/ (accessed in May 2013)

[4] IPAM had access to this document, however it was unavailable for public consultation until this edition was finished.

indigenous participation, both in the design of ENREDD, as in the negotiations of forest carbon projects in their lands, is still very limited and does not fully meet the principle of "Free, Prior and Informed Consent," established by the International Labor Office (ILO) Convention number 169, and endorsed by Brazilian federal government.

An indigenous response to this scenario of proliferation of forest carbon contracts involving indigenous territories in the Amazon and the voluntary carbon market came from COICA. This was done through the release of a proposal by COICA and its member-organization entitled "Amazonian Indigenous REDD+: holistic management of indigenous territories"[5] and presented during COP17. This proposal reinforces the indigenous peoples' role as protagonist in the REDD+ mechanism and sets some basic fundaments to make REDD+ programs and projects attend the minimum expectations of the indigenous peoples. These expectations are related to the need to increase the respect to their lands and their ways of life in relation to the REDD+ initiatives.

COICA Indigenous leaders present an Amazonian Indigenous REDD+ proposal in COP18, November 2012, Doha - Qatar. Photo credit: Demian Nery

[5] Available from: http://www.coica.org.ec/images/redd/cop17i.pdf, accessed in April 2013.

Also, COICA's view is that REDD+ should be developed under a holistic perspective, being able to include other essential aspects such as the enhancement of traditional knowledge, biodiversity and spirituality. The fundaments of COICA's proposal are listed below:

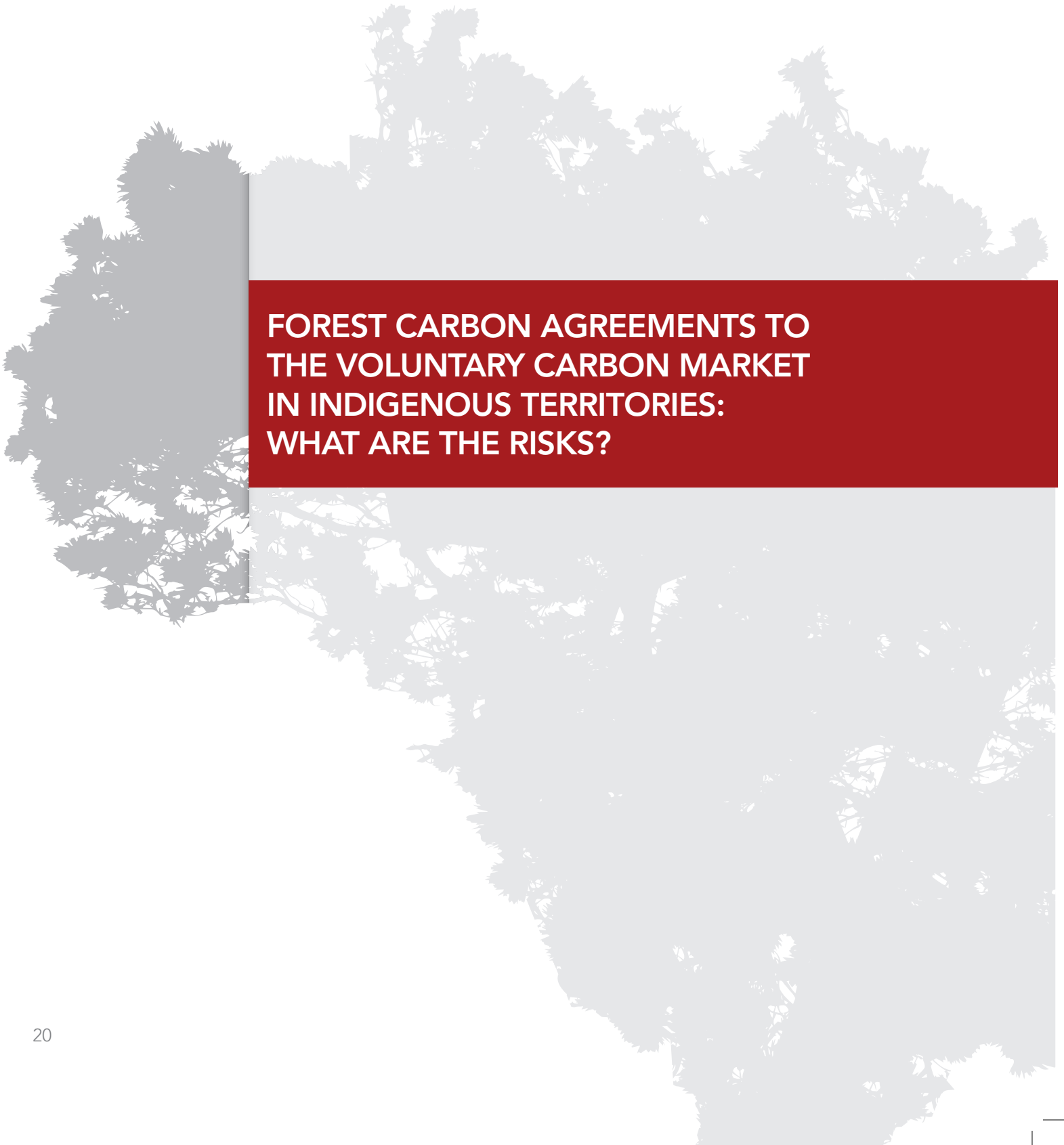
- Amazonian Indigenous REDD+ initiatives must have as its main focus the maintenance of traditional ways of life of the indigenous peoples, having the reduction of carbon emissions as a consequence and not the main objective. Otherwise, these initiatives will be imposing an unwanted change to the indigenous' way of life;

- The resources of REDD+ initiatives involving indigenous territories must not be transferred to indigenous peoples through simple projects, but rather as a form of compensation to the territories and ecosystems' management;

- The indigenous scope and governance must be preserved and the decision-making processes must be participatory, always promoting the strengthening of indigenous peoples' representative organizations.

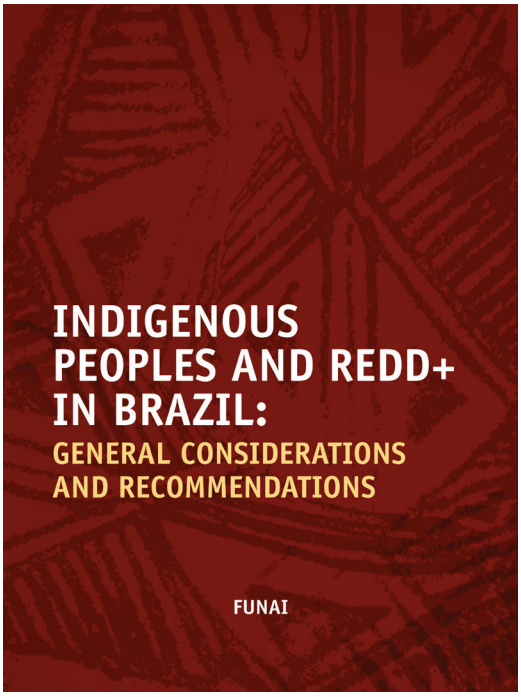
In COICA's vision, the Government's involvement is fundamental. The Government's role is to indicate possible ways and coherent legislation for the REDD+ implementation and ensure respect for international agreements on indigenous peoples' rights[6].

[6] UNFCCC. Decision /CP. 16 - Cancun. 2010. Available from: http://unfccc.int/meetings/cancun_nov_2010/session/6254.php, accessed in May 2013.



FOREST CARBON AGREEMENTS TO THE VOLUNTARY CARBON MARKET IN INDIGENOUS TERRITORIES: WHAT ARE THE RISKS?

COICA's effort in providing guidelines for an Amazonian indigenous REDD+ initiative is based on the recognition that the REDD+ approach, based on isolated carbon projects, is not appropriate. A quick analysis of these projects in the Brazilian Amazon indicates that there are concrete risks involved (Table 1). In March 2012, FUNAI's General Coordination of Territorial Surveillance (CGMT)[7] identified 30 projects involving different ethnic groups and most were offered by companies or individuals with interest in generating forest carbon credits (to be negotiated under the voluntary carbon market) (Figure 2). These agreements could be classified in two different groups, where they were made: (1) straight from indigenous leaderships to foreigners interested in eventual forest carbon credits, or (2) through participatory construction of projects to be financed afterwards. The document "Clarification from FUNAI on the role of REDD voluntary market in Indigenous Lands" (FUNAI 2012) reports the emblematic case of the Cinta Larga (IL Roosevelt, Aripuanã, Aripuanã Park and Serra Morena), who signed a contract that *"immobilizes the whole area and was negotiated by only a few individuals of the community, without the consent of all community members"* (FUNAI 2012). Another case of great impact in the national and international media involved Munduruku ethnicity, who established a 30 year contract with an Irish organization named "Celestial Green Ventures". The text of this contract, which was made available to the general public by a news agency called "A Pública", on March 9th 2012[8], mentions that *"the owner* [Munduruku People Organization] *agrees not to perform any activity or changes that could somehow negatively affect the granting of carbon credits for any of the methodologies that the company* [Celestial Green Ventures] *might use during the contract period"*. Such clause technically prevents any of the traditional activities which are needed for the sustainability of the communities within the territory. There are also contractual references of the signed terms to an eventual new owner of the Indigenous lands, which, by law, is illegal in Brazil, since these territories are inalienable (Federal Constitution of 1988, art. 231, paragraph 4).



Cover page of Funai's document published in March, 2012. (Funai, 2012)

[7] "FUNAI Clarifications on the role of voluntary REDD market on Indigenous Lands" (FUNAI, 2012). Available from http://www.funai.gov.br/ultimas/noticias/2012/03_mar/PDF/Esclarecimentos-REDD.pdf, accessed in March 2013.
[8]Direct access to the contract: http://apublica.org/2012/03/terra-e-dos-indios-carbono-e-de-quem/, accessed in April 2013.

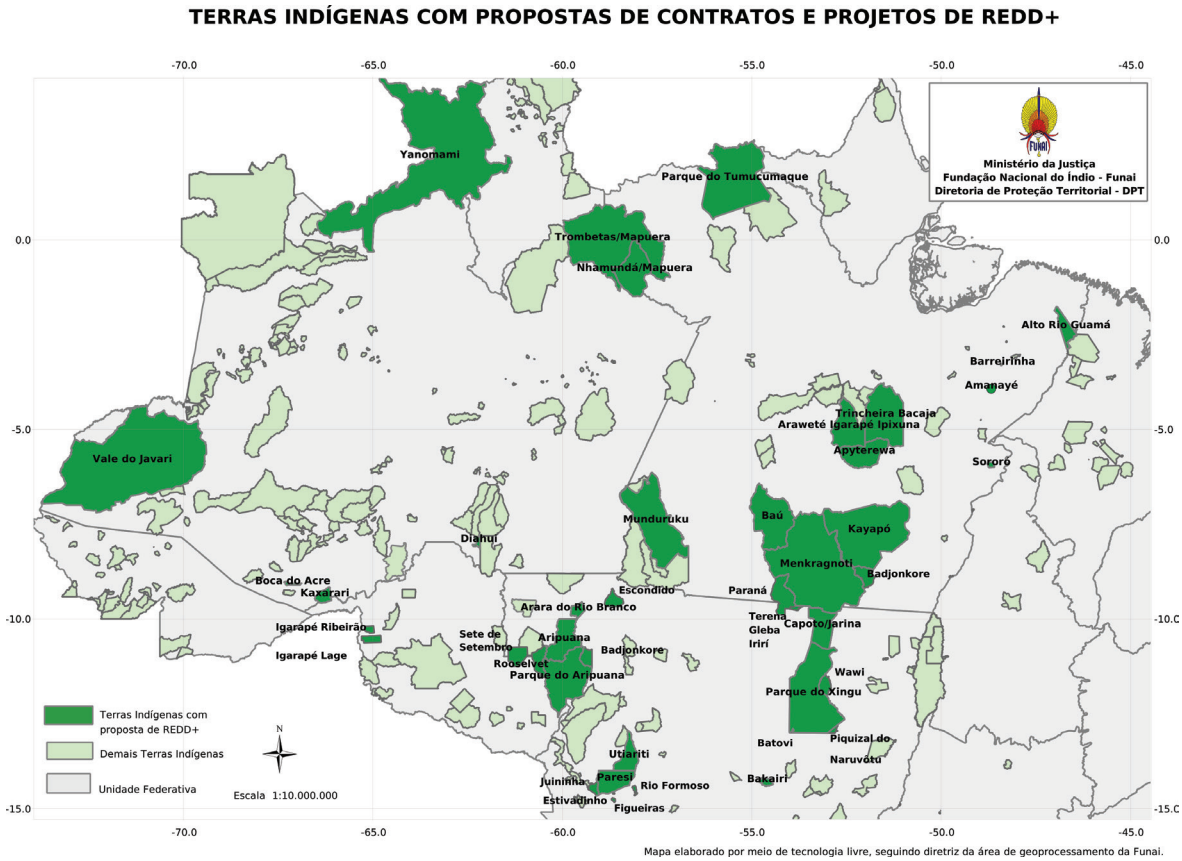


Figure 2. *Map of Indigenous Lands with REDD+ projects proposals in the Brazilian Amazon (Reproduced under FUNAI's permission: FUNAI 2012).*

An additional document on REDD+ and indigenous peoples in Brazil, produced by FUNAI (FUNAI 2012, Box 3) recommends that forest carbon contracts for the voluntary carbon market should be developed in lands which are already under full ownership of indigenous peoples. FUNAI also recommend that all contracts must be established considering the formulation of a Plan of Territorial and Environmental Management (PGTA) and where the benefit sharing scheme is established. Through PGTA, the participation of the community can be appropriately promoted. Finally, FUNAI's recommendations request for *"ensure the sustainability of the collective/common benefit, safeguards in its management and efficiency in its profitability"* (FUNAI 2012).

Despite the trend of proliferation of harmful forest carbon projects' to indigenous peoples, there are groups that seek to handle the risks before signing any contracts. As an example, there is the case of the Paiter Suruí, an indigenous group who occupy the Sete de Setembro

Indigenous Land (Metareilá Association 2010). Unlike indigenous peoples who have already signed forest carbon contracts without support or Government review, the Paiter Suruí have sought dialogue with FUNAI. In addition the Suruí people have been assisted with technical expertise on forest carbon projects, before going into contractual terms. In this way, these people count with technical and financial support to prepare their own negotiating proposal and establish governance strategies for possible distribution of benefits arising from such contracts. The case of the Paiter Suruí people will be analyzed in greater detail later, but it is important to reinforce that this project is part of a larger strategy of land management, developed in a participatory elaboration' process of what they call "the Suruí People Life Plan" (Metareilá Association 2010).

Risks	*Comments/Possible Solutions*
The land use in the territories is under an excessive control by the State or by a private entity.	State control depends on the national legislation that protects the rights of indigenous peoples. The regulation of a REDD+ policy by the State based on a jurisdictional approach (Moutinho et *al.* 2011, Nepstad et *al.* 2012) creates conditions for reducing such risks. This approach suggests that REDD+ should be established as a public policy and operate at the scale of a jurisdiction (e.g.: a state or even in the entire country) and not on the scale of projects.
Support forest conservation models aimed only at the protection of forest carbon reserves for generation of future carbon credits. Risk of distorting the ways of life of indigenous communities.	The regulation of a REDD+ policy by the Government must provide actions that respect and value indigenous traditions going beyond the exclusive protection of carbon stocks.
REDD+ can promote the violation of Indigenous Peoples' rights.	Currently the Brazilian legislation protects the rights of forest people in accordance to the UN Declaration of 2007. There are, however, some political movements to change this legislation, by loosening the parameters of protection and increasing this type of risk. The recognition of territories as essential to the country and the climate can reduce such risk.
REDD+ projects in indigenous areas developed without due participation and the free, prior and informed consent of the indigenous communities.	Although the Brazilian law anticipates the need of consultation processes with the indigenous peoples for all those activities or projects affecting them, such a right is often not respected. National rules for REDD+, such as that related to ENREDD, may decrease this risk.
Imposition to indigenous peoples of permanent and additional costs for forest protection in their territories.	Indigenous peoples already take over the responsibility of protecting their territories. REDD+, however, could consolidate this protection as a permanent obligation, bringing additional costs of protection to the population. In this case, it is essential that any compensation through REDD+ to protect the territories, favors the sustainable development and the protection of rights and not only the conservation of forest carbon stocks. Additionally, it is necessary that public bodies meet their responsibilities for the protection of these populations and their territories.
Abusive Contracts.	Without a State regulation on REDD+ policies, this is a real risk and presented in several established forest carbon contracts for the voluntary market with indigenous peoples in the Amazon. It is necessary that FUNAI and Public Prosecution keep monitoring contracts and identifying those that are considered unsuitable or illegal.
Increase of inequalities and conflicts between people who receive benefits and those excluded in the sharing of benefits from REDD+ projects.	Public policies for REDD+ would implicate in mechanisms to encourage communities that contribute to the reduction of progressing deforestation/emissions (e.g. communities established in border areas of deforestation), as those who work for the protection of stocks (communities located in remote areas without eminent risk of deforestation) (Moutinho et *al.* 2011).

Table 1. *Potential risks involving REDD+ projects in Indigenous Lands in the Brazilian Amazon.*

The regulation of REDD+ in Brazil, through ENREDD, is still under construction. However, FUNAI, in partnership with civil society organizations, has developed a set of fifteen recommendations targeted towards indigenous peoples' needs and that should be incorporated into ENREDD (FUNAI 2012).Among them, it can be highlighted:

- The acknowledgement of the ownership from indigenous peoples of the benefits generated by REDD+ and the application of such benefits towards the collective;
- The observation of national regulatory frameworks and international standards (Forest Code, norms and human rights instruments) and "Social and Environmental Principles and Criteria for REDD+" (foot note 9). Violations of these regulations involve the nullity of REDD+ contracts;
- The IP should receive information about the risks and opportunities of the facility before committing to any REDD+ initiatives that should also ensure FPIC;
- The autonomy of indigenous communities must be guaranteed, as well as their right to accuse disrespect to the safeguards provided;
- The benefits of REDD+ should extend to all IL in the country, including those without forest cover.

Moreover, there are ten other recommendations regarding REDD+ projects that may be implemented in IL after the regulation of ENREDD (FUNAI 2012). Some of these recommendations are:

- REDD+ projects may be implemented in IL already stated and under the ownership of indigenous peoples to which the community has elaborated a PGTA;
- Contracts may be canceled in case of illegality, financial distortions, damage to property of the community, inadequacy to the land management plan of the IL and any abusive relationships by third parties;
- Terms related to contract termination must be established, allowing for adaptation to the new circumstances of the contract;
- Ethno mapping communities that consider demographic, cultural, geographical and threats to IL should be done beforehand;
- REDD+ projects cannot occupy the total area of IL. The project area must be defined by the community.

Box 3. *Summary of FUNAI´s recommendations on the indigenous component of ENREDD.*

DECREASING THE RISKS: SOCIAL AND ENVIRONMENTAL SAFEGUARDS FOR REDD+ IN IL

REDD+ is a mechanism which is still under construction. Therefore, there is no clear definition of the principles, criteria and operational structures for the implementation of REDD+ strategies in the countries. Through this vacuum of definition on REDD+ strategies, numerous initiatives (projects and contracts) have been proliferated, requiring an extra attention to social and environmental safeguards. Several safeguards systems have been developed by international and non-governmental institutions, including indigenous organizations[9,10,11,12]. Invariably, the focus has been to increase the safeguards for protecting the rights of indigenous peoples and traditional communities and the potential social and environmental benefits of the mechanism in transactions via REDD+. Although some attention is given on aspects related to the fair and equitable distribution of the potential benefits derived from REDD+, this issue is still marginal in the debate on safeguards. During the Conferences of the Parties (COP) held in Cancun (COP 16, Mexico, 2010) and Durban (COP 17, South Africa, 2011) some important decisions were made on social and environmental safeguards for REDD+. Moreover, Parties have decided to establish an information system on how these safeguards are being addressed and respected. Particularly in regard to indigenous peoples, the Decision 1/CP.16/Annex I of the UNFCCC, has established the following safeguards: (1) respect for the knowledge and rights of indigenous peoples and members of local communities, taking into account relevant international obligations (UNDRIP) and national laws and (2) ensuring full and effective participation of the interested parties, in particular indigenous peoples and local communities in REDD+ actions.

In Brazil, the concern with safeguards increased in 2009, following the international trend. The Amazon Working Group (GTA) and a Multisectoral Group composed of companies and organizations promoted debates on this issue through an innovative process of social participation that included a bottom-up approach and where the result could express the true "voices of the forest peoples." (Gomes et *al.* 2010). From this process, there was the development and release of the "Social and Environmental Principles and Criteria for REDD+", which brings together a number of safeguards developed by the Amazon social movements. On these principles it was established that REDD+ mechanism must:

[9] REDD+ social and environmental principles and criteria: http://www.observatoriodoredd.org.br/site/pdf/P&C_port.pdf, accessed in March 2013.

[10] REDD+ SES Initiatives: www.redd-standards.org/, accessed in March 2013.

[11] UN-REDD PROGRAMME. Social and Environmental Principles and Criteria: http://www.un-redd.org/multiple_benefits_sepc/tabid/54130/default.aspx, accessed in March 2013.

[12] WORLD BANK. Operational Policies on Indigenous Peoples (O.P 4.10): http://web.worldbank.org/WBSITE/EXTERNAL/PROJECTS/EXTPOLICIES/EXTOPMANUAL/0,,contentMDK:20553653~menuPK:64701637~pagePK:64709096~piPK:64709108~theSitePK:502184,00.html, accessed in March 2013.

(1) be in compliance with legal requirements and relevant international agreements;

(2) ensure respect for rights;

(3) promote an equitable, fair and transparent distribution of potential benefits;

(4) promote the incentive of economic sustainability and improvement in the life quality of the people involved;

(5) promote environmental conservation and restoration of natural ecosystems;

(6) ensure the full and effective participation of all people involved in the planning and implementation of REDD+ initiatives;

(7) provide full information about REDD+ actions, and

(8) address the need for alignment of REDD+ actions with the national, regional and local policies and guidelines.

With the same concern, FUNAI, through its recommendations for the regulation of ENREDD regarding indigenous specificity (Box 3), indicated that resources from REDD+ *"should be considered property of the community and must generate resources that are invested in activities of collective interest, such as education, health, sustainable economic alternatives, food security, cultural appreciation, territorial protection, transportation infrastructure, communication, energy efficiency, as well as cultural and institutional strengthening"* (FUNAI 2012). Additionally, it states that *"benefits from REDD+ should include all the indigenous lands of the country, including those which do not have forest cover."* As already suggested by others (Griffiths, 2007), FUNAI also recommends that REDD+ initiatives should ensure the right to free, prior and informed consent of indigenous peoples (FUNAI 2012). The same is recommended by the National Policy on Land Management and Environmental Indigenous Lands - PNGATI (Brazil, Decree No. 7747, 2012) indicating that consultation with indigenous peoples in the process of environmental licensing of activities and projects (which include REDD+ projects) that directly affect people and indigenous lands directly should be observed (7747/12/PR Decree 2012, II, axis 2, item f).

Other international initiatives for the formulation of environmental safeguards have emerged recently. Some of them write about the issue of apportionment of benefits, an increasingly central theme in the discussion of REDD+ among indigenous peoples. The principal and pioneering effort in this direction was made by the World Bank, which established through its Operational Policy (OP) 4.10 on Indigenous Peoples (2005) that projects funded by the institution must be prepared to ensure appropriate benefits to indigenous peoples, contemplating their social organizations and financial needs and especially respecting their cultures. Along the same lines, the UN-REDD Programme, in its guidance document on the Principles and Criteria of Social and Environmental UN REDD program, adopted in March 2012, states that the distribution of benefits from REDD+ should be done in a fair, impartial, transparent and non-discriminatory way between the different actors, with special attention to the most vulnerable and marginalized (UN-REDD 2012).

Finally, the Indigenous REDD+ proposed by COICA recommends, additionally to other safeguards, that political and public funds contemplate land security, as well as free, prior and informed consultation to the implementation of REDD+ policies, strategies and projects. COICA also recognizes as a fundamental safeguard that REDD+ benefits are made available to indigenous peoples, regardless of the credits from the forest carbon markets and their inherent speculative problems, and there must be a clear and firm public regulation on REDD+ operations[13].

Briefly considering what has been exposed so far, the safeguards developed for REDD+ for and by indigenous peoples are focused on: (1) guaranteeing their rights to their own territories; (2) the effective participation in the processes of decision making; and (3) the implementation of policies and programs related to the mechanism. Furthermore, some of the principles, such as (4) consultation of "affected" communities should be a basic premise prior to any REDD+ initiative. This is a fundamental step for the demands and local concerns to be addressed and to ensure that decisions can thus emerge in a natural, broad and legitimate way from the community.

Despite the importance and need of safeguards related to the REDD+ mechanism, the recommendations on benefit sharing are still diffuse and often vague. For example, there is no specific guidance on what operational mechanisms could be applied and which "justice" or "equity" criteria could be adopted. It is also not clear who would be entitled to this benefit or which proportion of the benefits would be devoted to indigenous peoples.

[13] Available from: http://www.coica.org.ec/images/redd/cop17i.pdf, accessed in April 2013.

There is no definition on which government policy or subnational (state) or National REDD+ strategy will discuss these operational issues cited above. None of these basic issues have yet been defined. There are, however, efforts to promote this discussion at the subnational (state) level (within Amazon states) and at the national level through the ENREDD (Moutinho et *al.* 2011). The opportunities for indigenous participation in the discussion of these jurisdictional REDD+ system are still limited, especially at national level. It is important to include and increase the participation of indigenous groups, so that they are effectively engaged in the construction of a REDD+ strategy for Brazil.

Consultation activitiy on Social and Environmental Principles and Criteria for REDD+, organized by GTA in March 2010, Porto Velho - RO. Photo credit: André Nahur

SHARING REDD+ BENEFITS: WHO OWNS THE BENEFITS?

As the primary objective of this study is to provide information for further discussions on the distribution of the potential benefits of REDD+, this section presents the results of the consultations with indigenous leaders and review of relevant literature. Before presenting the results of the consultations, it is necessary to define 'benefits'. According to Decision 1/CP.16 of the UNFCCC, REDD+ is a mechanism based on payment by performance, which should be verified independently. Therefore, the mechanism of benefit sharing should create effective incentives for the additional emission reductions be achieved. Thus, these benefits can be understood as the improvements that may arise from the implementation of a REDD+ project, program or policy, minus the costs of implementation. Accordingly, the benefits can be translated not only as direct payments (increase in income) to those who provide environmental services derived from the reduction of emissions from deforestation or forest conservation, but also through improvements aimed at rural and forestry development. It is understood then that REDD+ benefits are a full range of environmental services arising from the maintenance of the forest, such as maintenance of biodiversity, regulation of the water cycle and its purification, local and regional climate maintenance processes, as well as biogeochemical and soil processes (Stickler et *al.* 2009).

Despite the relatively vast literature on REDD+, analysis on the issues surrounding the distribution of benefits from REDD+ remains scarce. In most cases, the authors offer a set of principles and criteria to distribute benefits among stakeholders (including indigenous and traditional communities), but few cite the models that could be adopted to regulate this distribution. There is some consensus, however, that any (1) design and implementation of REDD+ model (and its systems of distribution of benefits) must deeply involve the indigenous peoples; and (2) respect their right to lands and ownership of forest carbon (Griffiths 2007, Angelsen et *al.* 2009; Gomes et *al.*, 2010, Peskett 2011, Moutinho et *al.* 2011).

Some authors indicate the protection of the right to land as a fundamental premise in order to have a proper and fair distribution of benefits from REDD+ (Griffiths 2007). In some cases, this right to land has been extended to the right to potential forest carbon credits (Peskett 2011), leading to further debate on ownership of carbon (Valle 2010). The right to land was conquered by the Brazilian Indigenous and it is countersigned by the Brazilian Federal Constitution of 1988 (CF/88[14]). Consequently this land right

[14] Indigenous lands are owned by the federal government, but are dedicated to the permanent protection and to the livelihoods of the indigenous peoples who occupy these lands. The indigenous peoples retain the right of permanent possession and exclusive use of natural resources of those lands, except the eventual mining and hydropower plan projects which may occur in their lands.

could be transferred to the right on forest carbon credits or to other benefits produced by REDD+ activities in indigenous lands (Valle 2010). In other words, forests in IL belong to indigenous peoples as well as its handling (Valle 2010). Following this rationale, the indigenous peoples could decide their lands' use and be recognized as holders of the resources, being the direct beneficiaries of any benefits from REDD+.

An alternative view to the ownership of forest carbon and the related REDD+ benefits can be also linked to the assumption of responsibilities. Moutinho et *al.* (2011), for example, state that *"the one who shall receive REDD+ financial compensation (or benefits) must be named beneficiary, that is, those who by law have the responsibility for maintaining forests, are complying with this burden in order to contribute effectively to the emissions reduction measured on national scale"*. No particular relationship, therefore, between carbon ownership and territories is established. They understand that the right to benefits is linked to the responsibility for forest preservation and not to the land titling. In this sense, those stakeholders (the extractive workers, for example) who, unlike indigenous, are not supported with the right to permanent possession and the exclusive use of their lands, are contemplated to have carbon rights (Moutinho et *al.* 2011). In a recent report released by MMA (2012), suggestions have been made to identify the beneficiaries of REDD+ and eligible areas (public and/or private). REDD+ policies, programs and projects could target areas with or without forest cover. That report also highlighted the need for investment to support all actors who contribute to the reduction of emissions, including indigenous peoples (MMA 2012). The report however, does not mention any links between carbon rights and land ownership/right.

Regardless of the ownership of carbon credits (benefits) resulted from REDD+ actions, there is not in Brazil, or anywhere else in the world, a clear definition of the criteria, institutional structures and foundations for a fair distribution of REDD+ benefits. Other than the already established (NPCC) national policies or those under development (ENREDD), which have a clear influence in the indigenous' issues related to REDD+ and benefit sharing, the most relevant one is the National Policy for Territorial and Environmental Management of Indigenous Lands (PNGATI[15,16]), recently launched by the Brazilian government. The PNGATI is focused on the management of the indigenous lands, including their populations and lifestyles, as well as its natural resources. More spe-

[15] Approved by a Presidential Decree on June 5th 2012, this Policy is the result of a participatory process coordinated by MMA, FUNAI and APIB, with the support of international cooperation and civil society organizations.

[16] The proposed text for PNGATI is recognized by its attention to indigenous participation, respecting the ILO Convention n. 169 guideline of Free, Prior and Informed Consent. About 1.250 indigenous representatives, representing 186 IP in Brazil have supported PNGATI.

cifically, it promotes the conservation and sustainable use of natural resources in the indigenous lands to ensure the integrity of indigenous heritage and improving their quality of life. By representing the institutionalization of some indigenous' claims to the Brazilian Government beyond land titling, referring to territorial and environmental management, with a view to sustainability in Indigenous Lands, PNGATI has certainly converging points with REDD+'s principles. In its 2ndArticle (which deals with ethno-mapping and ethno-zoning of IL) there is a reference to plans of Territorial and Environmental Management on Indigenous Lands (PGTA) as a means of guiding activities that meet the objectives of the policy itself. Accordingly, the incentives for environmental services, commonly known as PES (payments for environmental services), have emerged as a potential source of funding for the implementation of PGTA throughout Brazil.

The premises agreed between FUNAI and MMA in 2012 indicated the need for alignment between ENREDD, especially in indigenous component, and PNGATI. Thus, REDD+, in the way it will be implemented to contemplate the indigenous peoples in the context of a public policy in Brazil (ENREDD), could support actions for design, implementation and monitoring of PGTA in Indigenous Lands, defining more clear and legitimating means by which REDD+ benefits may be distributed among the indigenous peoples.

INDIGENOUS DIALOGUES AND PERSPECTIVES ON SHARING REDD+ BENEFITS

Recognizing the desires and concerns of indigenous peoples related to REDD+, especially through a "bottom-up" approach, is the first step in promoting a fair distribution of REDD+ benefits to those who are fundamental in protecting the forest and its ecosystem services. During 2012, there were a series of discussions related to REDD+ benefit sharing, involving various indigenous leaders of the Brazilian Amazon. The results of such discussions and reflections are presented in this section.

Over ninety leaders participated in the discussions which occurred in three separate meetings in 2012. The first dialogue on the topic was conducted with 14 young indigenous students from a Climate Change Course, hosted by the Amazonian Indigenous Training Center (CAFI) in 2012. The course was sponsored by COIAB in order to prepare young leaders to follow the Rio +20 Summit meetings in Rio de Janeiro. During the course, students (from several Amazon states) presented their contributions individually; and the contributions were immediately systematized in a table. In the proposed methodology, students were asked to identify the perceived advantages (or benefits) and disadvantages (or risks) concerning the suggested benefit sharing models, such as funds (with full, partial or no management by indigenous peoples) and governmental programs, such as the "Green Bag"[17]. The contributions of the students were collected, systematized and presented to all participants.

The second meeting was held in June, prior to the UN Conference on Sustainable Development (Rio +20). It occurred within the workshop "Indigenous peoples, climate change and REDD", organized through the partnership of the Forum on Readiness for REDD (which IPAM is the secretariat) and COICA. This workshop brought together about 30 participants including indigenous leaders from the Amazon linked to COIAB, government representatives (FUNAI and MMA) and partner institutions (Woods Hole Research Center, IEB and the World Bank[18]). Given the presence of leaders from the nine states of the Brazilian Amazon, three groups were randomly organized. Thus, the results did not express indigenous' perspectives systematized per state, but allowed a regional exchange of experiences and suggestions. At that time, the questions were directed to identify the main expected benefits from the compensations related to REDD+, as well as the most suitable models for sharing those benefits, among the indigenous peoples.

[17] The Green Bag Program is a federal government initiative that consists of quarterly benefits of R$300 (BRL) to low income families of traditional, riverfront and extractivist communities that perform activities related to environmental projects. For further information: http://www.mma.gov.br/desenvolvimento-rural/bolsa-verde and http://www.mds.gov.br/falemds/perguntas-frequentes/bolsa-familia/bolsa-verde/beneficiarios/bolsa-verde, accessed in April 2013.

[18] This workshop was the 8th in a series of nine workshops organized in partnership between the "Forum on Readiness for REDD," COICA and their Organizations in nine Amazon countries, with support from the Norwegian Agency for Cooperation (NORAD).

The third one entitled "Dialogue for Building Foundations for Indigenous Plan to Combat Climate Change"[19] was held in August (in Pará). This meeting was organized in collaboration with COIAB, IEB and FUNAI and 50 indigenous representatives from states of Maranhão, Tocantins, Amapá and Pará attended the meeting. Other than the discussion of benefit sharing, the participants heard of the experience of the CESTE Fund (described in detail on the next section) from a Timbira participant. As a result, this gave the participants a first reflection on the issue of REDD+ benefit sharing. The participants were then divided into groups, according to their states of origin and encouraged to go over the potential benefits and risks of compensatory experiences, such as REDD+, as well as to provide suggestions or share experiences on models for benefit sharing with indigenous peoples. The results were then systematized and presented in a plenary session by each group, followed by discussions and manifestations from other participants.

Indigenous leaders discuss REDD+ Benefit Sharing on Forum on readiness for REDD workshop, Indigenous Peoples, Climate Change and REDD+*, in June 2012, Rio de Janeiro - RJ. Photo credit: Demian Nery*

[19] More information from: http://www.ipam.org.br/revista/Rodada-de-dialogos-para-o-enfrentamento-indigena-das-mudancas-climaticas-e-encerrada-com-encontro-regional-no-Acre/489, accessed in January 2013.

From the pooled results it was possible to establish some basis for the sharing of benefits from compensations like REDD+. Such basic elements for benefit sharing are described below and grouped into three areas: allocation (of benefits), use (of benefits) and access (to benefits).

Fundaments for allocation of benefits:

- **Fundament 1:** The decision on how to allocate the benefits will be up to each community, while respecting their own specificities, may they be cultural, geographical or organizational;

- **Fundament 2:** The dialogues on the subject should include at least one representative indigenous organization. Such organization(s) must be able to promote the dialogue between the villages of an Indigenous Land, or between different ethnic groups (in the case REDD+ actions involving more than one territory). Furthermore, they must promote a clear and effective communication, which assures ample participation and consent of the involved parties, resulting in a fair allocation of benefits;

- **Fundament 3:** Benefits must be used in order to strengthen the indigenous community, rejecting thus any mechanisms that strengthen individuals or small groups only;

- **Fundament 4.** The sharing of benefits arising from REDD+ should focus on all indigenous peoples of Brazil, even those whose lands does not have forest cover in their territories or in which the threat of deforestation and degradation is small;

Fundaments for use of benefits:

- **Fundament 5.** REDD+ resources should be used for institutional strengthening of indigenous organizations, including their structuring and formalization, to ensure full autonomy (political, technical and economic);

- **Fundament 6.** Benefits should assist in the implementation of the PGTA, including its components of forest protection, preservation and environmental restoration, as well as the activities related to supporting the natural resource management;

- **Fundament 7.** Benefits should also strengthen the uses, customs and traditions of IP aiming at the physical and cultural reproduction of the involved groups, with special attention to ensure the land rights of indigenous peoples in Brazil;

- **Fundament 8.** The proceeds from REDD+ should be invested in technical training of indigenous peoples, to enable their participation in further discussions on public policy and self-management of the resources of their territories;

- **Fundament 9**. Investment in priority areas, such as health and indigenous education should be one of the benefits promoted by REDD+;

Fundaments for Access to Benefits:

- **Fundament 10.** The funding and management of REDD+ should consider political and social indigenous specificities, to promote the indigenous' autonomy and governance through direct access, without intermediaries (e.g. government agencies).

With the dialogues promoted during the three events resulted in the fundaments mentioned above, it was also possible to collect the views of some leaders about the potential risks associated with REDD+, some of which had already been mentioned above (Table 1). The perceived risks are directly related to the potential social and cultural impacts, at: the local (internal) level and the impact related to their relations with other indigenous (or not) populations (external):

- **Internal social and cultural impacts:** REDD+ initiatives in indigenous territories, especially without the participation and consent of the affected groups in their design and implementation, can impact practices and social and cultural dynamics of these populations, promoting for example disputes over power and access to resources, whether natural or financial;

- **External social and cultural impacts:** In the context of indigenous mobilization for ensuring IP rights, an arrangement in which the benefits of REDD+ contemplates their territories using as reference only the quantity of forest carbon stored in trees inside a territory can impact the dialogue and the common regional and national indigenous policy. This can promote the emergence of conflicts of interest for the review of the indigenous governance model itself.

All of the information compiled from the dialogues with indigenous leaders, when contrasted with the information offered by FUNAI and MMA (related to the discussion of ENREDD), reveals some synergies and some significant differences (Table 2). For example, the recommendations of FUNAI on REDD+ sought to *"reflect on the subject [REDD and indigenous peoples in Brazil] and generate recommendations to contemplate the specificity of indigenous on REDD+ initiatives that are being developed"* (FUNAI 2012). Inter-ministerial articulation efforts subsequent to this document led to a seminar in April 2012, when premises[20] were defined, jointly by FUNAI and MMA, *"that aim to serve the interests of indigenous peoples, meet NPCC objectives and guide the design and implementation of concrete applications of REDD+ in indigenous lands"* (FUNAI MMA-2012, Table 2).

Comparing the recommendations offered by FUNAI and MMA with those from consultation with indigenous leaders and reported in this document (Table 2), it was possible to notice that various topics addressed in the initial recommendations of FUNAI were not agreed upon or adopted by the indigenous component in ENREDD. Especially regarding the distribution of benefits from REDD+, FUNAI clearly relies on the National Fund for REDD+ as a mechanism dedicated to indigenous participation, but in the joint recommendations with the MMA, this is not mentioned. Furthermore, issues related to indigenous ownership of forest carbon credits potentially generated in the Indigenous Lands were not cited. Lastly, there is no reference to the models of governance, or resource management in the contributions of FUNAI and MMA to ENREDD. However, when the issues are safeguards, there is consensus on the need for greater indigenous accessibility to REDD+ resources (Table 2).

In addition to the recommendations listed above, FUNAI's document indicates that the execution of REDD+ projects/contracts on indigenous lands should only occur in declared lands and which carefully possessed by indigenous peoples. In FUNAI and MMA's joint paper, the recommendation is that projects should be carried out by the indigenous peoples themselves, but not directly associated with contracts. Finally, the consulted indigenous leaders believe that the projects should be conditioned to guarantee and respect land rights, autonomy and specificities of indigenous peoples, including appropriate procedures for obtaining free, prior and informed consent.

[20] FUNAI-MMA. "Premises agreed between the National Indian Foundation and the Ministry of Environment for the Development of the Indigenous component of the National REDD+ Strategy." 2012.

Considering the existence of agreements involving indigenous peoples, directed to providing forest carbon credits for the voluntary markets (as identified by FUNAI) and the results of the dialogues exposed above, it can be concluded that there is not a single and consensual position on the acceptance or rejection of REDD+ mechanism from indigenous peoples from the Amazon. Thus, it is important to highlight that the compilation of views on benefits sharing described above does not represent a final and homogeneous vision of indigenous peoples on the subject. Some participants of the meetings promoted by this work, for instance, perceive that the inflow of funds in the communities is not good, and view it in an extremely pessimistic manner. Something like a "one way street towards the loss of cultural identity". On the other hand, others believe and defend that it is possible to reconcile receiving benefits from REDD+ with the maintenance of their traditional way of life. Furthermore, they identify REDD+ as something to help ensure the maintenance of their livelihoods, with the caveat that the resources need to be appropriated by them in a participatory and planned manner. In this sense, it is important that the benefits are not seen as the solution of all the problems, nor that they are used as welfare, in which case could generate or worsen dependency of these communities to a source of funds that is limited and measured by the results on the GHG emissions reductions.

Recommendation/Premise	FUNAI	FUNAI and MMA	Indigenous Leaders
Respect to the autonomy of indigenous peoples in relation to their territories and natural resources.	+	+*	+
On the exclusive use of indigenous peoples over their resources and their physical and cultural maintenance	+	-	+
Information and consultation processes prior to REDD+ for indigenous peoples	+	+	+
Establishment and use of social and environmental principles and criteria	+	+	+
Indigenous ownership on forest carbon credits in Indigenous Lands	+**	-	+
Indigenous Institutional Strengthening from REDD+	+	-	+
REDD+ Benefits dedicated to indigenous collectivity	+	-	+
REDD+ Benefits applicable in all IL of the country regardless of their forest cover	+	-	+
Attention to the possibilities of elitism of benefits	+	-	+
Models of benefits sharing constructed in a participatory way and aiming at the sustainability of resources	+	-	+
Resources Management from the creation of special funds for indigenous peoples	+	-	+
Accessibility to resources and accountability, considering specific characteristics of indigenous organizations	+	+	+
Fund managed by accredited financial institution in line with the management plan and the placing of benefits plans	+	-	-
Indigenous fund to be accessed by collective projects and/or guided by management plans	-***	-	+

* Preach to strengthen the principle of IP's self-determination (ILO Convention n.169).

** For legal activities.

*** FUNAI recommends the creation of a National REDD+ Fund, within a specific budget line dedicated to indigenous issues, but they do not mention Indigenous funds (governance and management).

Table 2 – *Comparison of key premises and recommendations to the inclusion and treatment of an indigenous component on ENREDD offered by FUNAI (2012), by FUNAI in conjunction with the MMA (FUNAI / MMA 2012) and by indigenous leaders consulted in this work ("+" means this recommendation was present;" -"that it was absent)*

INDIGENOUS GOVERNANCE: THE BASIS FOR MANAGING REDD+ IN THE BRAZILIAN AMAZON

Brazilian indigenous peoples have a vast experience with the distribution of benefits from social and environmental compensations usually related to infrastructure projects. Roads constructions, transmission lines and dams for hydroelectric plants have forced, and still force, several indigenous communities to adapt (well or badly) to direct and indirect social and environmental, financial and cultural impacts derived from these tradeoffs. Watching out for potential risks and benefits, some groups have developed governance regimes that seek to minimize such negative impacts and optimize potential benefits. For example, the territorial development and environmental arrangements and management plans (PGTA) driven by dialogues are providing opportunities to establish a robust governance structure that addresses the issues related to benefit distribution from compensation. These PGTA's, if connected to REDD+ policy, regulated by the government, could provide guidelines on how to deal with REDD+ projects proposed in indigenous lands. The PGTA inserted in the context of the ENREDD could provide the best way to guide indigenous peoples on how to participate in the REDD+ initiatives in the Amazon region.

In this section a brief analysis of two indigenous initiatives that could provide some fundamental elements for the development of an indigenous component for REDD+, especially regarding the distribution of benefits is presented. The first initiative was conceived by the Suruí People (Suruí Forest Carbon Project) in the state of Rondônia. The second initiative was developed by the Timbira People from the states of Maranhão and Tocantins (called CESTE fund). It is important to note that the CESTE Fund is not derived from a REDD+ initiative, but from ethno-environmental compensations related to the construction of the Estreito hydroelectric plant. The CESTE Fund was selected as a case study in this publication, due to its participatory experience to build a model of indigenous governance and benefit sharing which could be perfectly applied in REDD+. The experience of the CESTE Fund was discussed and commented during two meetings with indigenous leaders from the Amazon during the workshops held in June and August 2012, as previously mentioned.

It is important to point out and stress that neither of these two initiatives mentioned here are fully implemented and/or operating. Furthermore, the descriptions below are the result of a compilation of data, obtained through interviews of indigenous peoples and representatives of partner organizations involved in these initiatives, as well as through review and discussion of documents provided by the interviewed people. Subsequently a preliminary version of this publication was provided to the indigenous representatives and the partners involved in these initiatives, so that they could critically review the text.

Suruí Forest Carbon Project

Conceived by the Metareilá Association of the Suruí[21] people in 2007, with support from Organizations such as the Amazon Conservation Team (ACT Brazil), the Association of Ethno-Environmental Protection Kanindé, the Institute for the Conservation and Sustainable Development of Amazonas (Idesam), Forest Trends and the Brazilian Biodiversity Fund (Funbio), the project supports environmental conservation and strengthening of cultural aspects within the Indigenous Land Sete de Setembro (RO). In October of 1983, the boundaries of this IL were approved by Decree[22], totaling an area of 247,870 hectares and population of about 1,350 inhabitants in 25 villages (Cardozo 2011). Through payments for environmental services, such as the commercialization of carbon credits[23], the Suruí people wish to establish a sustainable, long-term, funding mechanism to finance the activities set out in the management plan of the communities (protection and monitoring of the territory and sustainable production). Among the additional benefits of the Suruí Forest Carbon Project are: the conservation of biodiversity, the improvement in the quality of life of communities, the maintenance of hydrographic basins, the recovery of degraded areas and reforestation.

The initiative for the project came from *"A cooperation agreement between the four clans, seeking social and environmental safeguards for communities"* (Metareilá Association, 2010). The actions and activities foreseen in the Suruí Forest Carbon Project originated in the Suruí's 50 Year Life Plan. In 2000, a participatory agro-environmental diagnosis was undertaken and resulted in the construction of the 50 Year Life Plan. The process of discussion involved not only the Suruí people, but also the Coordination of Indigenous Heritage and Environment (CGPIMA) of FUNAI, the Regional Executive Directors of FUNAI in Cacoal/RO, the Brazilian Institute of Environment and Renewable Natural Resources (IBAMA), the Brazilian Agricultural Research Corporation (EMBRAPA), the Cacoal's Municipal Department of Health, the National Health Foundation (FUNASA), the Coordinating Secretary for the Amazon from the Ministry of Environment and the Association of Ethno-Environmental *Protection* Kanindé. In 2012, the Suruí Forest Carbon Project gained even greater recognition receiving validation by two international standards: the Climate, Community and Biodiversity (CCB) and the Verified Carbon Standard (VCS), both of which have established criteria for determining the environmental and social safeguards of a carbon project.

[21] The Suruí indigenous peoples call themselves Paiter, which means "real people". The Suruí people speak the Tupi language of the Mondé Family (Kanindé, 2011).

[22] Decree No. 88,867 of October 17th, 1983.

[23] The carbon rights of the Paiter Suruí within the IL Sete de Setembro are discussed in a paper by Sales, Kwon & Frederighi (in Valle 2010).

The actions foreseen in the Plan include many spheres of the life in the communities of Sete de Setembro and are grouped in a set of priorities, such as: health, food, territorial control, institutional development, production of economic alternatives, culture and education. These axes were defined based on the identification of problems and the anticipated benefits for each community. The Forest Carbon Project Suruí therefore has its foundation in the 50 year Life Plan[24].

The management of the financial resources of the project was one of the major issues discussed among the Suruí people. They opted for the creation of a fund, the Suruí Fund, which serves to finance the implementation of the Life Plan, with a focus on long-term sustainable management, performed according to established governance by the indigenous peoples, in their territory. Thus, the fund was created for all types of actions, from environmental projects to agricultural activities (production of food for the people), land inspection and institutional support. It aims to politically strengthen the Suruí people and better articulate the fundraising.

Paiter Suruí leaders in a meeting with partners to discuss Suruí Forest Carbon Project. Photo credit: Associação Metareilá

[24] More information about the Life Plan and the proposed methodology can be found in the document entitled "Ethno environmental Management Plan of Sete de Setembro Indigenous Land", ACT Brazil Editions, 2008. 1st edition.

The model of governance of the Fund strengthens the organization of the Suruí people since the deliberative body is entirely composed of natives: the "bigger leader" (Labway Esaga), the deliberative council (Labway-Ey), which is composed of the presidents of each Clan, and a conflict resolution chamber (Pamatot-Ey), composed of the heads of villages. At the executive level there is broad participation of associations and indigenous leaders. The proceeds from the carbon credits will be fully integrated to the Fund. The Brazilian Biodiversity Fund (Funbio) has been responsible for the design and development of the Suruí Fund, and has also enabled the community to implement this mechanism. Funbio will manage the assets generated in the project and other income-generating activities that are developed within the Management Plan. All of the proceeds from the sale of carbon credits will revert to the Suruí people to implement their Life Plan, as will also be used to technically support the implementation of the plan through the partner organizations. In the long run, the intention is to train technicians within the Suruí people in financial management, which would increase their autonomy in the management of the Fund.

The debate over the construction of the plan and the allocation of Fund resources was done according to the mode of Suruí peoples' governance, based on clans called *Pamatot*. Today, there are four clans, the Gameb, Gabir, Kaban and Makor[25] distributed in 27 villages in the IL Sete de Setembro, organized to ensure protection of the territory, especially against new invasions. With regards to the relationship with the communities, the project was developed in accordance to the FPIC process, which lasted about four years. This is one of the key differences of the Suruí project; its origins are not in governmental organizations or in support of the indigenous cause, it is an initiative of the Suruí people and their local organizations who sought economic and environmental alternatives for their people. Throughout the FPIC process, several workshops and visits to communities occurred. This involved the Metareilá Association and community leaders from the four clans, represented by their respective associations. During the consultation process, it was decided that each clan would have to follow the development of the whole project.

In 2009, there was a milestone in the elaboration of the Suruí Forest Carbon Project. A memorandum of understanding between the four Clans of the Suruí people, legitimizing the Metareilá as the representative of the Association Suruí in the project development, was signed. The document was signed again in the beginning of 2013 to include the Young Association and reaffirm the commitments. One important note is that while the memorandum was produced entirely in Portuguese, it was translated to tupi-mondé, the

[25] Gameb-black hornets, Gabgir-yellow hornets, Makor-bamboo, a special bamboo from the Amazon, and Kaban-mirin-diba, a regional fruit (Kanindé, 2011).

Suruí language and all members of the Association were able to receive a copy of the document. Coupled with the internal process, there was a determined effort on behalf of the partners so that both; indigenous leaders and the community fully understood the issues concerning the Suruí Forest Carbon Project, the potentially positive and negative impacts caused by the project, in their specific context.

The previously structured political organization of the Suruí people facilitated governance throughout the process of elaboration of the project. They have an Indigenous Parliament responsible for major decisions concerning their 50 Year Life Plan. In addition, community associations implement the actions resulting from the parliament's decisions. Currently most members of the Suruí people support the project and Metareilá represents all associations by mandate. According to the representatives of the Suruí people, those who disapprove the project (about 5%[26], according to one of the initial meetings) may be involved with illegal activities, such as logging, or may be part of those who want to achieve short-term results.

The construction of the entire Suruí Forest Carbon Project followed the premise of free, prior and informed consent, through a participatory methodology that demands the full involvement of indigenous participants in all stages of the process, e.g. *"effective and horizontal interaction of different social actors involved in the Suruí Forest Carbon Project (whether internal or external)"* (Metareilá Association, 2010).

For didactic purposes, the formation process of FPIC of the project was divided into three stages: (1) the first which involved discussions among the Suruí people, to agree on the possibility of minimal development and implementation of the Project, (2) the second, which brought together indigenous leaders, representatives of local associations and clan leaders with the other institutions participating in the project and FUNAI; and the last (3) that included fieldwork, visits and community meetings in villages. The process of implementing FPIC for the Suruí Forest Carbon Project recognized the temporal needs for indigenous peoples to make decisions collectively. This resulted in a lengthy process, which lasted about four years, the result of several meetings with all political actors mentioned above and that are important to the current internal governance system of the Suruí people. The consultations took place in general meetings and through community meetings in villages, in which some representatives of partner NGOs brought information that was passed on to bases in the villages and where questions were brought from. There were also organized public consultations at the Chamber of the Representatives in

[26] In 2013, after collecting all of the signatures restating the commitment between clans, the disapproval rate fell to 2%.

the municipalities of Cacoal (Rondônia) and Rondolândia (Mato Grosso, so that non-indigenous people could manifest themselves in relation to the project.

The exercise of the Suruí's autonomy in the FPIC process was also relevant, in various instances. The meetings were held only among the indigenous themselves, where they could discuss the Suruí Forest Carbon Project without any external interference. In these meetings they could position themselves in favor or against the development of REDD+ activities and decide what to do with forest carbon credits, and only after a decision was made, it was passed along to the other participating institutions in the project.

Among the main recommendations of the Suruí people (expressed in interviews with leaders) to other indigenous peoples interested in similar projects are:

- The constant dialogue, both internally (among the indigenous communities of the territory, recognizing the role of each member of the community, identifying the problems and characteristics of the territory) and externally (between indigenous, partner institutions and non-indigenous involved).

- Need for an internal structure with minimum conditions for informed decision-making, with a high degree of acceptance and within a vision of autonomous development.

- Development of a land management plan where a REDD+ project will strengthen the plan and not become only an isolated initiative.

The Suruí people do not recommend hiring consultants for the development of projects by entities that do not know the general context of the indigenous territories and the specifics of each people, as these are crucial to the success of the project and is what will make its implementation complex or not. They also highlighted the importance of consulting FUNAI on the project in order to get support from the Brazilian government and the need of the communities to make a diagnosis of the territory, especially through ethno-zoning, as well as the importance of certification of products. The leaders interviewed by IPAM also highlighted the advantages of the benefits generated by the sale of carbon credits to be the exclusive property of the Suruí people and, therefore, they disclose the brand "100% Paiter."

Consequently, the Suruí people have identified indirect benefits arising from the process of developing the project. Studies of potential services and products, such as ecotourism and nuts, which would open the way for other projects aimed at ensuring the sustainability of the Suruí Life Plan are examples of the mentioned benefits. In addition, the project design allowed the expansion of the recognition of the population on the wealth and potential of its territory. They understand that the preparation for REDD+ will allow them to do other projects. Another key recommendation from the Suruí people to those considering beginning a REDD+ project is to have patience. After all, even after all these advances, the Suruí people are still in the construction and implementation phase of the project and cannot talk of financial results.

Ceste Fund

The Ceste Fund is not an arrangement made specifically for REDD+ or in search of carbon credits, but it represents an example of governance of resources from compensation directed to the Timbira[27] people of the States of Maranhão and Tocantins. The resources come from compensation for social and environmental impacts arising from the construction of the hydroelectric power plant of Estreito (Ceste Consortium). Despite not having completed any of the required environmental pre-requisites, this plant has the license to operate and it is being implemented on the Tocantins River.

The first proposal, in 2007, by the Wyty Cate Association, an Indigenous organization that reunites groups of the Timbira people, and CTI was the disbursement of R$30 million (BRL) by Ceste Consortium in compensation for impacts provoked by the plant, paid in full. As discussed in the villages, this amount would then be applied into an account under the responsibility of Wyty Cate and the accrued income used for project execution in the affected villages. The execution and approval of the project activities would be overlooked by a Management Committee, with representatives from FUNAI and Ceste Consortium included. After negotiations which lasted five years and were mediated by FUNAI, the compensation which was agreed upon was R$16 million (BRL) to be paid in 11 installments and Ceste Consortium representatives would not be part of the Management Committee.

[27] Most of the Timbira people are from the Cerrado and sum up, in total, approximately 9000 people. Timbira is the term used to account for nine people of the Jê linguistic family, being: Apinajé, Krahô, Krikati, Gavião, Pykobjê, Canela Apanjekra, Canela Ramkokamekra, Krepynkatejê and Krenjê. Only the first four are part of the Ceste Fund and have their territories located in the southern region of the state of Maranhão and northern Tocantins.

In 2011, FUNAI and Ceste Consortium finally signed a covenant whereby the government agency would not control the application of resources. The accord established that Wyty Cate would manage the fund, with collaboration from FUNAI, and the expenses related to the implementation of the project would be covered by the fund. One of the terms in the covenant requires an evaluation process that will decide if Wyty Cate will remain as an implementing agency.

Regarding the allocation of benefits, during initial negotiations led by FUNAI, a proposal was made to distribute the resources among local leaders, disputing the proposal of creation of the fund made by CTI and Wyty Cate. During the course of field visits for this study, CTI and Wyty Cate leaders defended their position and argued that a distribution of resources among local village leaders would only benefit the current generation, while future ones would only be left with the damages of the dam, similar to what happened with Xerente people and the UHE of Lajeado. Therefore, in order to access resources from the Fund, it would be necessary to present small projects (up to R$10 thousands BRL). There was doubt about the submission of projects to the Fund by the communities or associations, as there was some fear of political and community divisions that might weaken the communities. It was decided that the local organizations should develop the projects, but the size of these projects would be limited by the age and geographic cover of

Timbira people in the Timbira Penxwyj Hempejxà Research and Education Center. Photo credit: Demian Nery

the organization. As such, larger organizations may present larger projects, covering more villages or even the whole community. Moreover, part of the projects should be directed towards institutionally strengthening the organizations proposing the project.

During negotiations, Timbira people, just like Suruí people, decided to set some themes for the use of resources. They are: food security (food production and plantations), institutional and cultural strengthening, and territorial monitoring. Such axes were created on top of the demands made by indigenous peoples themselves and integrated the Territorial and Environmental Management Plan of Timbira People of Maranhão and Tocantins, developed in partnership with CTI.

Since the program was a compensation for environmental impacts from UHE of Estreito, the Fund should consider all of the different environmental impacts on the IL. Timbira representatives agreed that fairness in compensation would be achieved by having a compensation value graduation, according to the size of identified impacts over the IL and its people. In that way, the Apinajé and Krahô people would receive a larger percentage of the compensation, respectively 50% and 30%, while the Krikati and Gavião, which were indirectly affected, would receive 10% each.

A Managing Committee was formed without Ceste Consortium representatives and represents the highest instance for decisions in the Ceste Fund. The managing committee is composed according to the allocation of resources of each group and the impacts suffered by them. Thus, the Apinajé have four representatives, Krahô has three, and Krikati and Gavião have two each. Each of the indigenous groups chose their own representatives and their substitutes for the committee during the consultation meetings. Besides the Timbira people, FUNAI, as demanded by Ceste Consortium, is also represented in the Steering Committee, with three seats. Two of those seats are leaders from Regional Coordination from Imperatriz and Palmas, while the third seat belongs to the Licensing Coordination representative from Brasilia's office. Other partner organizations, such as CTI, public prosecutors, members of universities, etc. are invited to act as observers at semiannual meetings of the Committee. If a consensus is not achieved, the decision is made by a majority of 10 of the 14 valid votes.

The Managing Committee is above Wyty Cate within the Fund's system and its role is to review and approve projects and indicate changes in the governance system and distribution of benefits. A manager and a technical assistant will be hired for the implementing agency. Besides these, four indigenous coordinators, representatives of the four people

who comprise the Fund will accompany the technical work of the Agency. The managers' role will be to help manage and distribute resources (50% Apinajé, 30% Krahô, 10% Krikati and 10% Gavião), while the technical assistant, aided by indigenous coordinators, will be responsible for supporting the development and analysis of projects. The indigenous coordinators will be responsible for facilitating the understanding and articulation of communities in relation to the Fund.

Regarding projects submitted to Ceste Fund, they follow a defined cycle. Once they are elaborated, they are sent to Wyty Cate for technical analysis. If the project is deemed feasible, it goes to the Council for approval and, if approved, will then be sent to Wyty Cate again for the disbursement of resource for the village. After using the resources, the village must report on the expenses and send it to Wyty Cate. Once the project expenses are approved, the Implementing Agency will forward the report to the Managing Committee for final approval. If something goes wrong, the Implementing Agency must go to the village and assist technicians in redesigning the project or helping with bookkeeping. In addition to the Managing Committee, FUNAI will also receive the expense report to submit it to Ceste Consortium. The Consortium, which is acting as an observer, intends to monitor the use of funds, besides FUNAI.

Dialogues to try to achieve consensus guided the entire construction of the Fund. To that end, the involvement of the lands and villages of all four affected Timbira people was needed. This search for consensus took about 10 years and it was necessary to consult with each village to explain the proposal, etc. The roles of FUNAI and CTI have recently been recognized. They were important actors in the process, not only technically, but also helping with transportation and food during consultations because the indigenous peoples did not have any resources for it. Another important point is that during the consultations, representatives for the Steering Committee were elected by the village people to represent them. These representatives were responsible for taking information to the villages and bringing new information and questions to the Managing Committee.

One of the major difficulties encountered by the Timbira was reaching consensus among the four people, since each has its particularities. At certain times this caused disputes and disagreements. It was noted that the consensus was very difficult to achieve in the Managing Committee, but the four people managed to reach an agreement on compensation and the governance structure of the Fund, upon seeing that by simply dividing it, there would be little left for each. That made a large difference in the negotiations, with the realization that, together, they would be much stronger and possibly get more resources

from Ceste Consortium. Another difficulty was to find a model of resource distribution that was accepted by all.

However, some challenges remain. Until mid-2012 the affected Timbira people had only received two installments, worth approximately R$5 million (BRL). These funds were deposited into the account, but not used yet. This is due to the fact that the hiring and training of technicians in the Implementing Agency had not happened. Furthermore, the submission of internal rules of the Fund and the Managing Committee that guides all actions and systems within the Fund was still pending. Thus, the challenge is to conceive a program that can be operational when the resources become available.

Lessons learned from Timbira and Suruí peoples

In general, based on the analysis conducted on the experiences of the Suruí and Timbira peoples, there are some key elements and care to be taken prior to the implementation of REDD+ models for and by Indigenous peoples. They are:

- **Organization level.** The success of an initiative of indigenous governance and sharing of benefits from REDD+ depends heavily on the level of organization of indigenous peoples.

- **Previously agreed upon rules.** The strengthening of organizations should be done by establishing rules and strengthening the pacts between political leaders. Among the Suruí people, this was a crucial element in the REDD+ project vision, as one of the possible financial strategies to achieve the resources needed for the implementation of what they call "Life Plan" for the next 50 years. Likewise, for the Timbira people, Ceste Fund was designed to support the demands and collective and community interests. In both cases, it began with the premise that the benefits would be additional compensation, necessary for the survival and welfare of the community, and should promote traditional activities, management of territories and reproduction of their livelihoods.

- **Consultation time.** A consultation process taking in account the time necessary for reaching consensus and caring for the indigenous peoples' particularities is a key to having a successful process. For the Suruí, this took four years. For Timbira, the time was much longer: ten years. In both cases, it was important to present the

project translated into the indigenous language, as well as some of the key documents. Regarding REDD+, this is a new issue for the vast majority of indigenous peoples, and they need to deeply understand all the potential risks and benefits of the mechanism before embarking on writing or accepting a project.

- **External technical support.** Due to the need of particular technical knowledge of REDD+ initiatives, it is necessary to have, at least in the beginning of the process, to have external technical support government organizations (e.g. FUNAI) and non-governmental organizations. Both initiatives counted with such external support, even if using different institutional arrangements, being FUNAI's participation fundamental to the development of actions.

- **Indigenous Peoples Participation.** Any structure that involves the distribution of benefits from REDD+ must be understood and agreed with the indigenous peoples of each region. The basic premise is the respect for their traditional ways of life and their customs, aiming at strengthening the political and economic autonomy.

During the dialogues promoted within the scope of this publication, according to indigenous leaders, the most interesting models was the establishment of indigenous funds for REDD+, as they are able to promote the sustainability of organizations. Using only the income derived from the investment of funds, for example, it is possible to count on a long-term benefit for the community. Nonetheless, it is worth noting that REDD+ benefits are connected to results, especially coupled to the monitoring of forest carbon in the areas participating in the mechanism. This can compromise expectations and the beneficiaries' commitments.

Models associated to the development of Indigenous Fund have been perceived as more interesting, from and indigenous' point of view, than a grants mechanism (direct distribution), as the latter do not reflect the specificities of the social organization of indigenous peoples and do not allow autonomy in how and where to invest resources.

Another model historically used within indigenous peoples is the indirect transfer of funds through the intermediation of the government and, more specifically, FUNAI and MMA. Although many indigenous organizations do not have technical capacity and autonomy to handle the funds directly, the alternative of resource management through FUNAI implies in the possibility of a bureaucratic process, which could hinder the arrival of benefits to communities. FUNAI has been identified as a key player in guiding,

monitoring and strengthening of indigenous communities and organizations, but not in the direct management of resources.

Except in isolated cases, where the interests of indigenous leaders in the appropriation of REDD+ funds go over the actions of planning and engagement of communities in REDD+ projects and other obscure criteria for application of the proceeds, the vast majority of consulted and interviewed indigenous, believe that investments should be directed to: (1) land management, (2) land-use monitoring, (3) monitoring the territory, (4) ethno mapping, (5) health, (6) high-quality education, adapted to indigenous peoples, (7) food security, (8) cultural and traditional strengthening; and (9) institutional strengthening.

GOING BEYOND THE SAFEGUARDS: OPERATIONAL MECHANISMS FOR BENEFIT SHARING OF REDD+

With the progress of REDD+ discussions at the international level and of ENREDD by the Brazilian government, it is crucial to begin a broader discussion on how the potential benefits of REDD+ reach the involved actors, especially the indigenous peoples. As previously described, indigenous peoples retain important forest extensions in their territories and therefore should be part of any strategy that involves forest conservation or actions to reduce deforestation. However, lack of: a) access to information on the topic; and b) participation in official spaces of discussion for its regulation in Brazil, could compromise the appropriation of indigenous' perspectives and claims related to REDD+ policies (e.g.: ENREDD).

In this section a succinct discussion is made on some structural principles, basic premises and institutional arrangements for a REDD+ system, at least in the Brazilian Amazon, to ensure a fair distribution of benefits among those who promote legitimate actions of REDD+. There is still no clarity on what exactly are the potential benefits from REDD+. As briefly mentioned, various types of benefits can be considered, such as: 1) direct payments for carbon or through actions that strengthen the rights over natural resources, 2) community access to REDD+ funds, or even 3) strengthening of public policies already made to improve the "welfare" of the poorest or most vulnerable communities. In this sense, some rules for the operation of benefits distribution systems in REDD+ should be adopted at the national level. They are: (1) the existence of laws and policies that deal with land rights and their usufruct, as well as on the rights of indigenous peoples, from international legal frameworks, (2) compliance with standards that specify procedures to be followed for the establishment of forest carbon projects, such as free, prior and informed consultation to the affected traditional communities, (3) the specification of the distribution of resources in terms of duration and deadlines for payments, (4) compliance with community conditions that may define decision making within communities, as well as the distribution of resources among the members; (5) the establishment of contracts that structure the distribution of resources or benefits in communities where the lack of governance arrangements might compromise their fair distribution (Peskett 2011).

Despite the relevance and need of the rules proposed above, the fact is that there is still not a clear definition of an institutional framework that regulates and operationalizes the distribution of benefits from REDD+. So far, there is only one set of safeguards, standards and criteria to ensure the proper use of REDD+, however there is no clarity on how to operationalize it.

The debate and proposals on institutional and operational structures to enable the distribution of benefits within a system of REDD+ in Brazil is just as fundamental as the discussion on the sources of funds from REDD+. This is because there are plenty of financial sources that can feed such a system, which are additional to those linked to the carbon market compensation.

A report released in 2012 by MMA (MMA 2012), regarding the possible benefits of REDD+, already points in this direction. It makes clear reference to this point when it states that *"resources to encourage conservation behavior"* may come from tax cuts, subsidies, credits, taxes, welfare etc. It also shows that compensation, as payment for ecosystem services, would be to offset the cost of the benefits of reducing deforestation (calculated, in most cases, using opportunity cost). The report also mentions that interventions would be done by allocating resources to implement measures that enforce REDD+, like the establishment of institutional arrangements (rights, land tenure etc.), support for territorial monitoring, including training. Finally, the same document (MMA 2012) indicates that the administration of a REDD+ benefit sharing system could result in *"a centralized management, decentralized management, or a combination of both. The centralized distribution would be concentrated in institutions that act at the federal level. The decentralized distribution of benefits would involve state institutions and agencies and eventually, municipal institutions and agencies"*. Therefore, multiple forms of benefit distribution seem to be designed or thought, considering resource allocation based on practice (measures to promote actions for capacity building in order to achieve the emission reduction - "readiness") or on performance (payment by reductions achieved).

As shown above, a set of actions towards building a REDD+ system in Brazil is underway. Considering that Brazil is a key country (as it gathers sufficient conditions to monitor deforestation, has advanced legislation on the rights of indigenous peoples, has various REDD+ state programs under implementation and counts with many engaged civil society organizations on the issue,) to implement a National REDD+ Strategy, if it can progress with a model of benefit sharing that will indeed benefit the local actors, it may establish the bases and influence other models of REDD+ benefit sharing schemes worldwide.

FINAL THOUGHTS AND RECOMMENDATIONS

The discussion on REDD+ is advancing and, in particular among indigenous peoples. This has happened due to the relevance of this issue to the rights of the indigenous population which resulted in its insertion on the indigenous communities' debates, organizations and indigenous movement agenda, as well as in the local, national and international level.

Under the UNFCCC, REDD+ is the item on the agenda of negotiations that has progressed the most, to the point that one of the most expressive coordinators of the indigenous organizations, COICA, has released its REDD+ Indigenous proposal. This progress is the result of the efforts of many actors promoting and disseminating the importance of maintaining the forest for the global climate regime's sake and all the co-benefits associated to it.

In Brazil, the discussion on REDD+ has progressed recently to the formulation of a National REDD+ Strategy, which is still being debated by an inter-ministerial committee, states and civil society, but with little integration of indigenous peoples and traditional populations, even though these last two actors have a key role in forest conservation. Although FUNAI participates in discussions for the construction of ENREDD and was able to establish specific premises for an indigenous component within the Strategy, it is necessary to examine the proposals coming from indigenous peoples and their leaders. It is still early to conclude that indigenous perspectives and claims are being addressed in the REDD+ debate.

The following recommendations, compiled from the dialogues promoted with indigenous leaders, aim to provide insights and suggestions to the process of designing the ENREDD and associated policies (such as the NPCC for example)[28] to allow an effective indigenous participation when defining such strategy.

From the information presented in this report, five general statements can be made: (1) there is still widespread misinformation among indigenous peoples about what REDD+ is and its implications for their peoples and ways of life; this misinformation causes (2) a rejection of the debate on benefit sharing (why discuss the benefit of something still unknown?) by some indigenous groups ; or (3) limited participation of its representatives in policy debates surrounding the topic, for instance the National REDD+ Strategy (ENREDD); (4) on the same path of misinformation and participation in debates, there is a proliferation of REDD+ projects on indigenous lands. Most of which do not comply

[28] Brazil has specific legislation concerning Indigenous peoples; this legislation guarantees their rights and territories. Due to such characteristics and dynamics of the indigenous´ cultural organization, it was decided to make recommendations targeted to this audience, rather than merging these recommendations in to others, concerning a wider range of actors, which would increase the complexity of the text and would reduce the objectivity of the recommendations.

with the internationally renowned principles of law and the rights of indigenous peoples, therefore possibly compromising their sociopolitical arrangements and traditional land use and, finally; (5) this proliferation occurs by the absence of a national (federal) regulation on REDD+ activities, despite state efforts (Brazilian Amazon only) in creating their own structures of REDD+.

These factors ultimately feed a cycle (disinformation → rejection / low participation on debates → proliferation of inappropriate projects (technically and legally) → rejection / low motivation) that endangers indigenous rights and has given rise to negative reactions to REDD+. Considering this, a number of recommendations are offered by the authors of this publication, for the reflection on the future of REDD+ in Brazil and its indigenous component.

About Training/Participation

1. ***Large training programs on climate change and REDD+*** **for indigenous peoples and the institutions in support of IP (e.g.: FUNAI)** ***must be implemented.*** **This will enable the indigenous peoples to make decisions (in favor or against) in an informed, lawful and independent manner.** Considering that indigenous visions on REDD+ are diverse and that there is a gap in knowledge among different groups, **training can be better channeled if there is engagement of collective representations of these populations**, especially the ones already involved with this theme.

2. **A systematic, planned and structured** ***participation of indigenous peoples on the debates related to REDD+ must be supported and stimulated by the government,*** **assuring them to freely express their aims and requests in relation to REDD+ and related policies and strategies.** The limited insertion of indigenous in these decision-making processes is chronic and must be overcome urgently.

3. ***The dialogues on REDD+ involving indigenous peoples should include other dimensions of their concerns*** (health, infrastructure, rights, and investment policies in the protection and development of their territories) and *go beyond carbon*. **Such dialogues shall be organized utilizing a "bottom-up" approach, respecting the particularities of the indigenous peoples**, aiming a fair and equitable REDD+ benefits distribution.

About REDD+ Projects/Safeguards/Risks Reduction

4. ***Contracts must not be signed without being in compliance to current legislation*, especially regarding indigenous peoples' rights (with respect to indigenous specificities, adequate procedures to free, prior and informed consent and autonomy, for example).** Regulation for REDD+ initiatives in Brazil might avoid misuse, as seen in some cases of contracts for the voluntary market of forest carbon. The recurrent leadership and indigenous organizations show some concern with possible sociocultural damage derived from these initiatives.

5. ***It is necessary to urgently include indigenous peoples from other biomes and/or regions of Brazil in REDD+ dialogues.*** REDD+ discussions have a primary focus on the Amazon, creating a risk of geographic clipping among those who may or may not receive benefits. There are current worries about the possible social and cultural impacts to the dialogue and the indigenous movement articulation on this issue.

On REDD+ benefits sharing

6. ***REDD+ activities (and their benefits) should be linked to implementation of territorial and environmental management plans of IP territories.* The plans must prioritize the development and strengthening of the indigenous peoples and indigenous organizations, as well as acting in favor of the interests of these groups and the community.** Despite the expanded REDD+ concept, which includes the conservation of forest carbon stocks or reforestation, there is a particular desire from indigenous peoples to include all indigenous peoples as beneficiaries of REDD+, regardless of forest cover existing on their lands. There is also the rejection of individual direct payments, which could cause conflicts and other sociocultural changes.

7. ***The development of models that strengthen indigenous autonomy (without the State surveillance) over the access and management of REDD+ benefits should be further promoted.*** It has been identified by indigenous leaders participating in the dialogues, that the previous experiences of access to resources and their management via the State or Federal institutions

are very bureaucratic, and sometimes never reach the engaged groups. The indigenous leaders believe that dedicated funds, managed by indigenous peoples are ideal. However, the demand for institutional and operational capacity (capacity of technical staff for doing the management, for example) may result in the need of a joint management (indigenous and non-indigenous) of the funds. This discussion needs to progress, as it can be the reason of conflicts between what is being developed by the government under the scope of ENREDD and the needs and desires of the indigenous people in relation to their autonomy.

8. ***Is necessary to offer support to the development of internal decision-making structures and arrangements from indigenous peoples on REDD+ initiatives, as to provide legitimacy and autonomy to these decisions, which should be made through a broad and participatory processes.*** This is an important contribution from the experiences of two case studies presented here.

From the collection of the recommendations described above, it is possible to conclude that the dialogues about the aspirations and concerns of indigenous peoples about REDD+, through a "bottom-up" approach, must be the first step. Understanding the aspirations and concerns may be the most important step in promoting a fair distribution of benefits. However, the most important element extracted from the consultations with indigenous leaders is that, once they are well informed, indigenous peoples will be able to make a decision and manage the potential benefits of REDD+ in an autonomous manner.

If Brazil can establish a fair system of allocating the potential benefits of REDD+ with the effective participation of indigenous peoples, it could serve as a model for other forest-rich tropical countries, in which important carbon stocks are conserved by traditional practices and populations that live in and from the forest. Advances in this sense, may result in significant reductions of forest carbon emissions to the atmosphere, contributing to tackle the climate change and the impacts on vulnerable populations, such as indigenous peoples.

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APPENDIX

Glossary

Indigenous organizations:

Metareilá Association is a local organization founded by the Paiter Suruí in 1989. Its aim is to promote the protection and conservation of their territory and culture, as well as to build and strengthen the group's autonomy. Learn more: http://www.paiter.org/blog/?page_id=325

APIB (Articulation of Indigenous Peoples of Brazil) is a group of six indigenous organizations founded in 2005. Its aim is to consolidate indigenous claims from all over the country. Learn more: http://www.apib.org.br

COIAB (Coordination Body of Indigenous Organizations of the Brazilian Amazon) is an indigenous organization founded in 1989, that gathers 75 local and regional organizations of the nine Brazilian Amazon States. Collectively, COIAB represents around 160 indigenous communities and an estimated number of 430 thousand people (about 60% of Brazil´s indigenous population). Learn more: http://www.coiab.org

> **CAFI** (Amazonian Indigenous Training Center) is one of COIAB's projects to develop technical and political skills of young indigenous leaders from all regions of the Brazilian Amazon. The center is located in Manaus (AM) and the courses are related to themes such as environmental and indigenous legislation, public policies, indigenous land's control and monitoring and geographical information. Learn more: http://www.coiab.org

COICA (Coordinating Body of Indigenous Organization of the Amazon Basin) is a network of indigenous organizations that represent the groups living in the Amazon basin territory, an area that includes nine countries. COICA was founded in 1984 and acts in national and international forums representing the indigenous peoples of the Amazon basin. Learn more: http://www.coica.org.ec

Wyty Caté is an association founded in 1994 that gathers five indigenous groups (Krahô, Apinajé, Krikati, Gavião-Pukobyê and Canela-Apaniekrá) known as "Timbira", who live

in the Brazilian States of Tocantins and Maranhão. The association represents Timbira people in their relations with other institutions and the Brazilian government, working for the benefit of these indigenous groups in their education, health and extractive activities. Learn more: http://www.trabalhoindigenista.org.br/pagina.php?p=pd/wytycate.php

Brazilian government's agencies:

EMBRAPA (Brazilian Agricultural Research Corporation) – The federal government's Agricultural research organization, part of the Ministry of Agriculture, "Cattle" and Fishery. It is dedicated to research and development of innovation for the national agricultural sector. Learn more: http://www.embrapa.br

FUNAI (National Indian Foundation) is the federal government's agency, created in 1967, responsible for the execution of Brazil's policies regarding indigenous peoples. FUNAI's main attributions are related to the protection of Indigenous Lands and the promotion of their sustainable development. Learn more: http://www.funai.gov.br

> **DEPIMA** (FUNAI's Department of Indigenous Heritage and Environment) is the sector dedicated to advise FUNAI's president in the decisions regarding indigenous heritage and the coordination and control of indigenous' income. Learn more: http://www.funai.gov.br/quem/departamentos/depima.htm
>
> **CGMT** (FUNAI's General Coordination of Territorial Surveillance) is part of the Territorial Protection Direction dedicated to coordinate actions related to protection and monitoring of Indigenous Lands.

FUNASA (National Health Foundation) is the federal agency dedicated to public health issues in Brazil. Until 2010, this agency was responsible for indigenous' health assistance. Since 2011, this attribution was transferred to another agency, SESAI (Indigenous Health Special Secretariat, in Portuguese, *Secretaria Especial de Saúde Indígena*). Learn more: http://portal.saude.gov.br/portal/saude/Gestor/area.cfm?id_area=1708

IBAMA (Brazilian Institute of Environment and Renewable Natural Resources) is the federal agency, created in 1989, responsible for the environmental control and monitoring (especially of protected areas), as well as for environmental licensing processes, which necessary for all activities (private and public) that have environmental impacts. Learn more: http://www.ibama.gov.br

INPE (National Institute for Space Research) is an institute linked to the Ministry of Science, Technology and Innovation dedicated to research, innovation and technology regarding spatial issues, as well as weather forecast and climate change. Learn more: http://www.inpe.br

Civil society organizations:

CTI (Indigenist Work Centre) is an organization founded in 1979 that works directly in Indigenous Lands with indigenous peoples from Brazilian biomes, such as the Amazon, the "Cerrado" (Savannahs) and the Atlantic Forest (Mata Atlântica), providing them within information and technical advice. Learn more: www.trabalhoindigenista.org.br

FUNBIO (Brazilian Fund for Biodiversity) is an association that provides services regarding the conservation of biodiversity, such as designing and management of financial mechanisms and environmental projects and territorial analysis. Funbio acts in association with public and private agents. Learn more: http://www.funbio.org.br

GTA (Amazon Working Group) is a network created in 1992, composed by twenty regional associations of nine Brazilian States, representing around six hundred associations of indigenous peoples and other traditional communities, fishermen, farmers and environmental groups. GTA promotes campaigns focused on the Brazilian Amazon, in themes regarding environmental and social diversity and conflicts, sustainability, familiar agriculture and the pan-amazonic cooperation. Learn more: http://www.gta.org.br

IDESAM (Institute for Conservation and Sustainable Development of the Amazon) is an institute founded in 2004, dedicated to execute projects and scientific studies about conservation and sustainable development of the Amazon. Learn more: http://idesam.org.br

IEB (Institute of International Education in Brazil) is an institution focused on training people and organizations that work in areas related to natural resources/ environmental management and sustainability. IEB works in networks, with partner organizations from civil society, community associations (composed by indigenous and other traditional groups), government and private sector. It also promotes the communication among these partners. Learn more: http://www.iieb.org.br

IPAM (Amazon Environmental Research Institute) is an independent research, policy and outreach organization that has worked over the past 18 years towards achieving

sustainable development in the Amazon region in a way that reconciles people's economic aspirations and social justice, with the maintenance of the functional integrity of tropical forest landscapes. Learn more: http://www.ipam.org.br/

ISA (Social and Environmental Institute) is an organization founded in 1994 that works with environmental and social issues, focused on the defense of collective and human rights of traditional groups. ISA's main projects are with the indigenous groups that live in Rio Negro (AM) and Xingu (MT/PA). The organization also works in the monitoring of protected environmental and indigenous areas and produces information about indigenous peoples in Brazil and their rights. Learn more: http://www.socioambiental.org/

Brazilian National policies and plans:

PGTA (Plan of Territorial and Environmental Management) is an important tool to build indigenous peoples protagonism and autonomy in processes and actions to control and protect their territories. PGTA it is also central to the construction of PNGATI. Learn more: http://www.funai.gov.br/ultimas/noticias/2013/08_ago/20130822_09.html

PNGATI (National Policy on Territorial and Environmental Management in Indigenous Lands) is a national policy established in 2012, focused on the management of the indigenous lands, including their populations and lifestyles, as well as its natural resources. Its objectives, among others, are 1) to promote the conservation and sustainable use of natural resources in the indigenous lands, 2) to ensure the integrity of indigenous heritage and 3) to improve indigenous peoples' life quality. Learn more: http://www.planalto.gov.br/ccivil_03/_ato2011-2014/2012/decreto/d7747.htm

NPCC (National Policy on Climate Change) is a national policy that formalizes Brazil's commitment in COP-15 to reduce GHG emissions. Brazil's goals are to reduce emissions in approximately 40% (between 36.1% and 38.9%) up to 2020in relation to the emissions of the 1990s. One of the policy's specific goals is to reduce deforestation rates in Amazon by 80%. Learn more: http://www.planalto.gov.br/ccivil_03/_Ato2007-2010/2010/Decreto/D7390.htm

The **COORDINATION BODY OF THE INDIGENOUS ORGANIZATIONS OF THE BRAZILIAN AMAZON** (in Portuguese *Coordenação das Organizações Indígenas da Amazônia Brasileira* - COIAB) is the largest indigenous organization in Brazil, composed by 75 member organizations from all 9 Brazilian Amazon states (Amazonas, Acre, Amapá, Maranhão, Mato Grosso, Pará, Rondônia, Roraima e Tocantins). COIAB's members are local associations and federations, women's associations and indigenous students and teachers. Together, these communities sum around 430 thousand people.

COIAB was created in 1989 to represent indigenous' interests and struggle for basic rights of land, health, education and interculturality. With its headquarters in Manaus, the organization represents around 160 different indigenous peoples, on approximately 110 million hectares of amazon territory.

Coordination:

IPAM Amazon Environmental Research Institute

In Partnership with:

COIAB

With support from:

GOBIERNO DE ESPAÑA MINISTERIO DE ECONOMÍA Y HACIENDA

Spanish Fund for Latin America and the Caribbean

NORWEGIAN EMBASSY