

FOREST CARBON PROJECTS WITH INDIGENOUS PEOPLES REFLECTIONS ON GLOBAL GOVERNANCE FROM THE PERSPECTIVE OF THE EARTH SYSTEM GOVERNANCE PROJECT¹

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There is a consolidated research agenda on global climate governance in the field of International Relations. However, one of the considerations regarding this agenda is the manifold meanings of the concept and their implications for the analysis of real-world phenomena. The Earth System Governance Project (ESG) reflects a decade of interdisciplinary research on global environmental governance. The project has scientific plans that aim to guide the research agenda of the community, identify central issues, methods, and research processes for the field of global governance of Earth systems. The present work makes use of the framework of the 2018 scientific plan² to reflect on how the research lenses proposed by the ESG allow us to analyze the case of carbon credit negotiations with the Munduruku indigenous people. This case was chosen for its specific features, without any aspirations to generalize.³ It is worth noting, however, that this was not an isolated case: as reported by Mesquita, between 2010 and 2012, over 30 ethnicities were approached by companies or intermediary institutions regarding carbon projects⁴. The attempt to formalize the contract for the sale of forest carbon credits with the Munduruku is part of global climate governance processes, as the instrument used to approach the indigenous people was REDD+, negotiated under the United Nations Framework Convention on Climate Change (UNFCCC), with the aim of preventing gree-



ABSTRACT

The Earth System Governance Project is an interdisciplinary research network on global environmental governance that presents a proposal organized around contextual issues and analytical lenses. This work aims to apply the five analytical lenses for global governance by Earth System Governance Project in a carbon credits negotiation case in 2011 between an Irish company – Celestial Green Venture PLC – and the Munduruku indigenous people in Brazil. Based on this case, we identify the scope and challenges of applying these analytical lenses in governance processes at the local level and with specific groups, such as indigenous peoples.

Keywords: global climate governance, Earth System Governance Project, REDD+, indigenous peoples.



RESUMO

PROJETOS DE CARBONO FLORESTAL COM POVOS INDÍGENAS: REFLEXÕES SOBRE GOVERNANÇA GLOBAL DO CLIMA ATRAVÉS DA PERSPETIVA DO PROJETO EARTH SYSTEM GOVERNANCE



O Projeto Earth System Governance é uma rede de pesquisa interdisciplinar sobre governança global ambiental, que apresenta uma proposta organizada em torno de questões contextuais e lentes analíticas. Este trabalho tem como objetivo aplicar as cinco lentes analíticas para governança global num caso concreto de negociação de créditos de carbono realizada em 2011 entre uma empresa irlandesa – Celestial Green Venture PLC – e o povo indígena munduruku no Brasil. Partindo deste caso, identificamos o alcance e os desafios de aplicação destas lentes analíticas em processos de governança no nível local com grupos específicos, como povos indígenas.

Palavras-chave: governança global do clima, Projeto Earth System Governance, REDD+, povos indígenas.

house gas emissions by fighting deforestation and promoting sustainable forestry practices. REDD+, due to its characteristics, involves both State and non-State actors and creates spaces for international negotiation beyond conventional formal institutions. The intersection of norms related to REDD+ requires looking at different levels – in this case, the local level.

The analytical lenses of the ESG project allow the study of a phenomenon through multiple perspectives, as proposed by the analytical framework of global governance, encompassing aspects of the institutionalist agenda, such as architecture and agency, to environmental justice aspects, such as allocation issues and power considerations. However, the lenses are unable to encompass the totality of the issues proposed by the case, such as the agency of non-human actors and the encounter of different worldviews.

The article is divided into three sections, in addition to the introduction and conclusion. The first section provides a brief review of the literature on global climate governance, followed by a detailed explanation of ESG's second scientific plan. The second section offers information on carbon credits and the contextualization of the REDD+ case with the Munduruku people. The third section explores the five analytical lenses of the ESG in the case at hand.

GLOBAL CLIMATE GOVERNANCE AND THE ANALYTICAL PROPOSAL OF THE SCIENTIFIC PLAN OF ESG PROJECT

In International Relations (IR), the concept of global governance has a strong institutionalist bias, and the origin of its usage is related to the concept of international regimes.⁵ Governance, a broader concept, has to do with the need to guide behaviors toward a common goal, whether through formal or informal mechanisms and supported by common values.⁶ Global governance, as an analytical lens, is associated with reflections on global order,⁷ acknowledging the diffusion of State power to subnational and transnational actors, and expanding the scope of analysis to various levels – from the global to the local. Thus, global governance includes more actors beyond the State and consequently alters power relations and the construction of rules and institutions. Global climate governance refers to an analytical category for studying the 'construction of institutions and policies to respond to global climate change'.⁸ These institutions are characterized by involving formal and informal actors and processes in traditional spaces for climate debate – such as the UNFCCC – as well as non-traditional spaces – such as the United Nations Security Council, the International Civil Aviation Organization,

the World Trade Organization, etc., configuring its multi-sectoral nature and potentially involving various research agendas, such as the environment, political economy, security, among others.

Among the analytical efforts to study governance processes, the ESG⁹ stands out, working, through a research program,¹⁰ on the dimensions of governance architecture

AMONG THE ANALYTICAL EFFORTS TO STUDY GOVERNANCE PROCESSES, THE ESG STANDS OUT. THE OVERALL FRAMEWORK OF THE RESEARCH PROGRAM ASSUMES THAT THE WORLD IS COMPLEX AND DYNAMIC, JUST LIKE THE EARTH SYSTEM, AND THAT MULTIPLE WORLDVIEWS COEXIST.

and agency, allocative justice, democracy and power, anticipation and imagination, and adaptation and reflection. The overall framework of the research program assumes that the world is complex and dynamic, just like the Earth system, and that multiple worldviews coexist. The plan uses four contextual conditions that define the research

framework and are addressed in a broad empirical base and social and academic debates – transformations, inequality, the Anthropocene, and diversity.

The analytical lenses of the scientific plan offer a broad view of the governance system, here the climate governance system, through various research fields. They are organized in pairs to highlight the relationship between the concepts.

ARCHITECTURE AND AGENCY

The focus of this lens is on institutional aspects and actors of the governance system and how they interact, considering changes over time. Architecture is a network of widely shared principles, institutions, and practices that influence decisions in all areas of a governance system.¹¹ Although the plan does not present an explicit definition of agency, Inoue¹² defines it as the ‘ability of individuals and collective actors to [change] the course of events or the outcome of processes, provided that such ability is based on authority, and not force’. The inclusion of other actors in the analytical framework, as previously highlighted, implies complex interactions between agents and architecture, resulting in diverse patterns of power distribution, alteration, creation, and diffusion of institutions and norms.

DEMOCRACY AND POWER

Domestic political regimes have implications for governance systems as they influence the ability to act across levels (from local to global) to address collective problems in terms of transparency, decision-making processes, the quality of deliberative processes, and the transmission of values from citizens to institutions at the global level.¹³ There is also literature addressing the outcomes of democratic processes for environmental issues and the representation and participation of vulnerable groups, such as indigenous peoples and traditional communities. As for power, it is considered an inherent characteristic of all types of governance. It is viewed as a multidimensional concept that

can be expressed through the control of material and ideational resources in a relational, diffuse, structural, and discursive manner. Moreover, different societies define power differently.¹⁴

JUSTICE AND ALLOCATION

The scientific plan employs the concept of justice in three dimensions while acknowledging the diversity of possible approaches by different fields of study. The three dimensions are: intergenerational (among generations), international (among states and regions), and intersectoral (among human groups or categories in society defined through the intersection of age, class, caste, gender, race, among other categories).¹⁵ The aspect of allocation is related to the concept of distributing negative impacts and benefits of cooperation, but there are various principles to define what would constitute a fair distribution. Recognition and representation then become necessary elements for achieving a fair allocation of negative impacts and benefits.

ANTICIPATION AND IMAGINATION

This lens refers to processes of anticipation and imagination of futures through models, scenario building, and integrated analyses. Anticipation involves the development of governance mechanisms in the present and the building of capacities for future transformations in a context of normative, scientific, and technological uncertainties, such as in the case of geoengineering. It seeks to imagine and experiment with plural and challenging futures in advance to question what futures are possible. The models and forecasts of the Intergovernmental Panel on Climate Change (IPCC) are an example of anticipation processes.¹⁶

Imagination seeks innovative alternatives for current problems, known as wicked problems due to their complexity, such as global climate change. However, imagination can be limited by the social and cultural (hegemonic) aspects of a particular society. At this point, the diversity of worlds enriches imagination exercises and reinforces the agency of diverse actors through democratic processes of participation and multiple languages (such as arts, culture, games, science, etc.) for experimenting with new ideas.¹⁷

ADAPTATION AND REFLECTION

Adaptation is considered an umbrella term for concepts such as vulnerability, resilience, adaptability, social learning, among others related to responding to changes and efforts to anticipate changes in the Earth system. Adaptation refers to both social and ecological processes and processes of the climate governance system. Thus, the capacity for critical reflection complements the effort to respond by conducting self-examination on values, practices, and actions at all levels – from local to global – to reform institutions, other elements of the governance system, and processes.¹⁸ There is ongoing

research on how to enhance the capacity for reflection either endogenously (building on existing institutions) or through external catalyst factors, such as crises or the actions of social movements, and how to respond to local issues embedded in a context of global interconnection, with ramifications for other groups, systems, or countries. The atmosphere is an example, as are hydrological systems spanning territories.

CARBON CREDITS, REDD+, AND INDIGENOUS PEOPLES: THE CASE OF CARBON CREDITS WITH TRADITIONAL COMMUNITIES AND INDIGENOUS PEOPLES IN BRAZIL

In August 2011, a meeting took place between representatives of the Munduruku indigenous people, the company Celestial Green Venture PLC, and councilors in the city of Jacareacanga, in the state of Pará, located in northern Brazil. During this meeting, a project was presented for the transfer of carbon credit rights for an area of nearly six million acres for the amount of 120 million dollars over thirty years. The transfer of rights implied all certified rights or benefits obtained from the biodiversity of the area, which might even include the traditional knowledge of the Munduruku people.¹⁹

This negotiation falls within the architecture of REDD+ (Reducing Emissions from Deforestation and Forest Degradation, ‘plus’ conservation, sustainable forest management, and enhancement of forest carbon stocks), which refers to an international initiative developed under the UNFCCC with the goal of preventing greenhouse gas emissions by fighting deforestation and promoting sustainable forestry practices, contributing to addressing climate change.²⁰ In this sense, it is a payment for environmental services, providing financial rewards for efforts to reduce deforestation and improve forest management.²¹

REDD+ can refer to two distinct types of efforts. The first – jurisdictional REDD+ – refers to the institutional architecture negotiated under the UNFCCC by states to promote financial incentives for developing countries to reduce deforestation and forest degradation (and consequently, their carbon emissions) through national projects and international financing. The second type – project-based REDD+ – refers to specific and voluntary projects and actions to reduce deforestation and forest degradation implemented by non-governmental actors, such as non-governmental organizations, private companies, local communities, and other entities. These governance processes involve non-state actors playing a more prominent role in negotiations and implementation, with a shift in power relations to transnational and local actors.

Voluntary projects are conducted based on their own initiatives and can follow different criteria and methodologies, potentially generating carbon credits to offset emissions. Project-based initiatives may be linked to certifiers with varying levels of requirements regarding the demonstration of additionality, measurement methodologies, and the assessment of social and environmental impacts of the projects. Therefore, there is a significant variation in the value of carbon credits resulting from REDD+ projects, depending on the recognition and reliability of the certifiers involved.

Brazil boasts a significant number of REDD+ projects: 23% of all REDD+ projects worldwide, according to Sylvera, a company operating in the voluntary carbon market,²² and 66 projects and 11 programs, according to the Redd Project Database.²³ Brazil possesses a well-established national REDD architecture compared to other states. It has developed its institutional and normative structures, with a focus on SISREDD+, a national system created to coordinate and promote the implementation of REDD+ in Brazil; the National Strategy for REDD+; and the National Commission for REDD+, established by Decree No. 10,144/2019.

Regarding safeguards, the National Commission for REDD+ approved Resolution No. 09/2017 in July 2017, which establishes the interpretation of the Cancun safeguards in the Brazilian context. Among the points of interpretation, we highlight item 'c', which addresses the recognition and respect for the knowledge and rights of indigenous peoples, traditional communities, and family farmers in the implementation of REDD+ actions, and item 'd', which concerns free, prior, and informed consent, as well as the effective participation of the involved populations.²⁴

However, Brazil still lacks a defined regulatory framework for voluntary carbon markets, as emphasized by Wenzel,²⁵ and it is in this absence that many projects involving indigenous peoples and traditional communi-

ties have been carried out, with the participation of major credit-buying corporations and intermediary institutions. This is because REDD+, by creating the framework for payment for results in reducing emissions from deforestation, has inadvertently encouraged actors in the voluntary market to invest in such projects. Mesquita²⁶ mentions the proliferation of forest carbon projects between 2010 and 2013 in small areas, involving 30 ethnicities, including the Munduruku and the Cinta Larga. The negotiation conditions often violated the rights of indigenous peoples, national legislation on indigenous lands, and international norms.²⁷

Although Resolution No. 3/2020 of CONAREDD recognizes the voluntary forest carbon market, it does not validate its projects, methodologies, traded emission volumes, or any other aspects of voluntary projects.²⁸ Thus, in Brazil, there is no precise information on the number of REDD+ projects linked to the voluntary market, nor is there centralization of records, facilitating the actions of companies and organizations interested in associating with projects that generate forest carbon credits without, however, adhering to the international norms and guidelines of REDD+.

According to Chief Osmarino Manhoari Munduruku,²⁹ in the case of the contract with Celestial Green Venture PLC, only a few indigenous representatives and councilors signed contract No. 473531-11-PV01, in a hotel, together with the company. According

HOWEVER, BRAZIL STILL LACKS A DEFINED REGULATORY FRAMEWORK FOR VOLUNTARY CARBON MARKETS, AS EMPHASIZED, AND IT IS IN THIS ABSENCE THAT MANY PROJECTS INVOLVING INDIGENOUS PEOPLES AND TRADITIONAL COMMUNITIES HAVE BEEN CARRIED OUT.

to the terms of the contract, the Munduruku were not allowed to make any changes in the territory without the company's consent and reference to the territory use methodology established by it.³⁰ As Chief Osmarino Manhoari Munduruku expressed in an interview with the Humanitas Unisinos Institute: 'In my opinion, this project is bad because for the next 30 years, we won't be able to hunt, plant, fish, pick fruits from the forest, or cut wood when needed'.³¹

Due to variations in the reliability of projects (whether regarding methodology, additionality, and compliance with safeguards), their governance structure, and the economic rationale involved, various organizations and forest peoples express opposition to REDD+ projects (such as the Global Alliance of Indigenous Peoples and Local Communities on Climate Change against REDD and for Life).³² This is because the proposed strategies to mitigate potential social and environmental risks of REDD+, and generate benefits for the involved communities, may not actually yield the outcome that forest peoples and their advocates strive for.³³

Critiques of REDD+ revolve around three aspects: i) REDD+ projects reflect a neoliberal rationale that promotes the commodification of nature, as even projects that do not involve the generation of tradable carbon credits weaken the relationship with the forest through an economic logic, transforming the relationship of the peoples with the forest into a monetizable, quantifiable, and tradable service; ii) projects result in the appropriation of forest peoples' lands by external actors, as decision-making capacity over the territory is transferred to third parties; iii) projects may violate the self-determination of peoples by not conducting free, prior, and informed consent, using mechanisms and strategies that hinder understanding of what is being negotiated and creating mechanisms to discourage refusal by these populations.³⁴ The contract between Celestial Green and the Munduruku leaders is not an isolated case and highlights a weakness in the voluntary market for carbon credits related to REDD+: the diversity of actors involved, of regulations, methodologies, criteria, and forms of compliance verification, and the various interests of the parties require the entire process to be anchored in the reliability of the actors involved and their reputation. Reputation analysis in the carbon market is challenging for credit buyers, but even more so for the communities receiving REDD+ projects, as they need to navigate unclear and complex languages, regulations, and practices.

To this point, we highlight the Munduruku Consultation Protocol, developed in 2014 based on the International Labour Organization (ILO) Convention 169. According to the document, the Munduruku people from all villages must be consulted on any matter affecting their territory because there is only one Munduruku people, and decisions are collective.³⁵ Furthermore, the consultation must be conducted within the villages and not outside the territory. Consultation mechanisms like this protocol become relevant tools for bridging different worldviews, languages, rules, and practices, as was the case in the negotiation of forest carbon credits.

ANALYSIS OF THE CASE THROUGH THE LENSES OF THE EARTH SYSTEM GOVERNANCE PROJECT

The lenses of the Earth System Governance (ESG) scientific plan allow for an examination of the case of the carbon credit sales contract between Celestial Green and representatives of the Munduruku people within a mainstream perspective of global climate governance. Additionally, they help raise new questions and research agendas based on particular aspects of this case.

ARCHITECTURE AND AGENCY

This lens enables the observation of a governance process – voluntary markets for forest carbon credits – in which the State is not necessarily the central actor but shares space with private companies, intermediary institutions, and local actors. However, even though it encompasses other actors as an analytical lens, since the scientific plan itself extensively acknowledges the advancement of research in this direction, the distribution of power is still quite unequal, consequently influencing the agency of these actors. Therefore, a relevant aspect for understanding the case is the role of norms and institutions for the protection of indigenous peoples as crucial to its outcome (contract annulment). To a lesser extent, negotiation and carbon credit trading are also highly important, as the unclear and evolving rules of the voluntary market were unable to prevent negative socio-environmental impacts on the Munduruku people. However, it is noteworthy that there have been advancements in principles, institutions, and practices for protecting vulnerable actors at the international and national levels in REDD+ processes after this occurrence.

Nevertheless, there is a constant critique of the development of REDD+ projects with indigenous peoples and traditional communities, which often need to resort to alternative instruments within the governance system for their own protection. The architecture of global governance conditions the actions of climate global governance agents, but it does not determine them,³⁶ and these agents turn to different spaces of normative production to get involved and produce diverse results. In this context, local judicialization, forming networks with other actors such as international non-governmental organizations, and influencers (artists) are examples of possible responses.

DEMOCRACY AND POWER

This lens, by illustrating how the exercise of power occurs is not restricted to formal and traditional negotiation spaces, allows us to focus on how democracy and power can be constructed and understood in various ways by different social groups – which does not necessarily imply positive outcomes. In the case under analysis, a greater protagonism by non-state actors in the negotiations and the implementation process was expected, and while this shift from the State to these other actors did indeed take

place, it did not do so in an altogether positive way. The power imbalance among the actors involved in the negotiation process for carbon credit rights on the lands of the Munduruku indigenous people is expressed in who had the information, who drafted

THE POWER IMBALANCE AMONG THE ACTORS INVOLVED IN THE NEGOTIATION PROCESS FOR CARBON CREDIT RIGHTS ON THE LANDS OF THE MUNDURUKU INDIGENOUS PEOPLE IS EXPRESSED IN WHO HAD THE INFORMATION, WHO DRAFTED THE CONTRACT TERMS, AND WHO SIGNED THE CONTRACT.

the contract terms, and who signed the contract. The regulation of REDD+ and voluntary carbon markets in Brazil made significant advances in the period following the case. The mechanism of free, prior, and informed consent of the indigenous people also came afterwards. Therefore, there is a need to devise efficient mechanisms to address the material and discursive

power disparity and ensure the implementation of the advancements already made. There are still questions concerning the insecurity of an unregulated scenario, such as in Brazil, where local communities have few resources to engage in the process and require intermediaries.³⁷

The Munduruku cosmology also prompts consideration of power relations between humans and non-humans. The inclusion of foreign (non-indigenous) conditions, as expressed in the contract, potentially impacts the relationship between humans and non-human entities (other animals), which has a disruptive power for the Munduruku.³⁸ Thus, locally establishing an institutionally and internationally legitimized mechanism may have unforeseen consequences if different worldviews and their distinct scopes are not taken into account or are intentionally made invisible. The quality of deliberative processes plays a fundamental role in this regard.

JUSTICE AND ALLOCATION

The lens of justice and allocation allows us to reflect on the unequal nature of relationships between actors in environmental governance, as well as on the diverse expressions of justice. The perspective of intersectoral justice stands out in the case under analysis, primarily between private groups and indigenous peoples. The Munduruku cosmology also evokes a proposal for justice between human and non-human species. The historical difficulty of acknowledging the rights of indigenous peoples, highlighted by the struggle for land demarcation, is an obstacle to achieving justice and allocating impacts and benefits in this case. The demarcation of Munduruku indigenous lands only took place in 2001, but the struggle for the recognition of their rights is ongoing. To this day, the Munduruku indigenous people continue to face injustices regarding their territory, such as illegal mining and the construction of hydroelectric dams impacting the Tapajós River.³⁹

The scientific plan of the ESG project draws a connection between democratic processes and fair outcomes in terms of allocation. Regarding this, like in the 'Munduruku' case, there is a need to also consider the diffusion of alternative agency norms and processes

beyond the conditions of national regimes and governance system architecture. Governance through networks of solidarity can be explored as an alternative for outcomes based on justice concepts founded in the diversity of worldviews, taking into account both human and non-human actors.

ANTICIPATION AND IMAGINATION

In this binomial, the meeting of distinct perspectives on time, territory, and the relationship between human and non-human groups acquires renewed prominence. The concepts of anticipation and imagination vary according to each society's concept of future and the actors involved. There is also the possibility of conflicting encounters between a hegemonic vision and marginalized worldviews.

Even if they do not generate credits, projects such as the 'Munduruku' case are linked to a set of symbols involving preservation, sustainability, and respect for biodiversity, making investments in REDD+ projects attractive for the image of funders/buyers. They represent the promise of a different future, even as practices of destruction reproduction persist. When projects involve traditional communities and indigenous peoples, they unintentionally transfer part of a highly desired symbolic capital to these funders/buyers: the possibility of coexistence with the maintenance of the standing forest, even if, at their core, buyers do not really change their practices.

ADAPTATION AND REFLECTION

This lens allows us to focus on how different societies have dealt with the challenge of changing economic, social, and political practices due to ongoing climate change and other environmental transformations. As REDD+ is primarily a mitigation initiative, a critical approach to change and reflexivity requires questioning how governance architectures and proposed solutions can reproduce hegemonic patterns of sustainability practices and values. For instance, forest carbon projects imposing a carbon-centric focus on forest use may hinder other possible values and uses. Creating environments for co-production of learning that are receptive to diverse worldviews can enhance the necessary response capacity in a more just and effective manner.

CONCLUSION

Although the ESG contributes to advancing research on global governance by recognizing actors seen as vulnerable, there are few indications on how to do so in each of the lenses. Thus, indirectly, they overshadow the possibility of studying the agency of such actors, issues of justice, adaptation, and power, whose consequences are interpreted based on concepts constructed in a context very different from the Munduruku worldview. Therefore, the case may be 'captured' by governance lenses based on institutional responses produced in traditional research spaces. In other words, the lenses do not indicate how to advance research that encompasses other normative and worldviews that escape the logic of formal spaces.

By recognizing, for example, that from the organization in the Pusuru Association of the Munduruku Indigenous people in the early 1990s to the formulation of the Munduruku Protocol in 2014, the indigenous Munduruku people's plea for the recognition and defense of their lands persists, this case becomes emblematic. If we consider them as an example of various other groups, this case invites us to move towards spaces where different worldviews meet, requiring a reflective effort from the consolidated hegemonic research framework to ponder over the governance of Earth systems, including the climate, with imagination and creativity. In light of this, we invite others to consider other binomials under the analytical lenses and starting from this experience. ^{RJ}

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ENDNOTES

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¹² INOUE, Cristina Yumie A. – 'Governança global do clima...'. p. 105. This reference is used in a complementary manner to the scientific plan, as the author is a member of the scientific committee of the Earth System Governance Project.

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