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FUNBIO INDIGENOUS PEOPLES POLICY

Brazilian Biodiversity Fund

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 FUNBIO				FUNBIO ENVIRONMENTAL AND SOCIAL SAFEGUARDS POLICY			
FUNBIO – Fundo Brasileiro para a Biodiversidade				Responsible Unit: Climate Change and Clean Energy – Focal Point			
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0		06/03/2013		Angelo Santos (consultant Paul Little)		preparation	

Introduction

1. With 236 distinct Indigenous peoples, located on 565 different Indigenous Lands, and speaking over 180 languages,ⁱ Brazil is one of the most culturally diverse nations in the world. Indigenous Lands encompass over 12% of the total area of Brazil, which operate under a special regime of protection, and Indigenous peoples are important managers of this rich natural heritage. Although FUNBIO does not have as part of its direct mandate working with Indigenous Peoples, it has prior experience with several projects that involve Indigenous Peoples and anticipates that future projects may incorporate such involvement.

2. To adequately address Indigenous Peoples issues within its institutional framework, Funbio has established an Indigenous Peoples Policy containing (a) a set of principles to orient its work with Indigenous Peoples; (b) internal structures for the screening, consultation and assessment of projects; and (c) norms for the design, implementation, monitoring and evaluation of projects involving Indigenous Peoples.

Statement of Principles

3. Funbio recognizes the importance of Indigenous Peoples for the social and cultural development and environmental sustainability of Brazilian society as a whole.

4. Funbio follows the guidelines of the International Labor Organization Convention 169 on Indigenous and Tribal Peoples in Independent Countries (1989) and the United Nations Declaration on the Rights of Indigenous Peoples (2007).

5. Funbio respects the rights of Indigenous Peoples to the lands they traditional occupy, as enshrined in the Brazilian Constitution of 1988, and recognizes their customary laws and institutions used in internal governance.

6. Funbio supports the active participation of men and women and of people of different age groups when working with Indigenous people in ways that respect the cultural and social traditions of the Indigenous community.

7. Funbio considers Indigenous Peoples to be significant partners in the long-term process of environmental conservation and sustainable development and will work collaboratively with them in the realization of its institutional goals whenever appropriate.

Institutional structures

8. Funbio will have one staff person designated as the institutional Focal Point for Indigenous Peoples. This staff person will be responsible for the coordination, implementation and oversight of the Indigenous Peoples Policy.ⁱⁱ

9. Funbio will maintain a pool of specialists in the area of indigenous affairs, taken from the fields of anthropology, sociology, archeology and related disciplines, which will be used to perform specific functions in the implementation of the Indigenous Peoples Policy.ⁱⁱⁱ

Project preparation and implementation

Screening

10. Funbio's Request for Proposals includes a section in which applicants need to explain if the proposed project involves, or potentially impacts, Indigenous Peoples. This information will be used as a baseline for conducting additional, independent research by the institutional Focal Point Person for Indigenous Peoples and/or consultants specifically hired for this task, who will then determine whether or not Indigenous Peoples are involved, directly or indirectly, in the proposed project. The results of this review will be annexed to the proposal and serve as the formal indicator of the applicability Funbio's Indigenous Policy.

11. If this review indicates that no Indigenous Peoples are involved in the proposed project, then the remainder of this policy will not be applicable.

12. Funbio will use the existing federal system of identifying indigenous peoples, formally classified as "Indians", as outlined in the Brazilian Constitution and applied by the National Indian Foundation (FUNAI) of the Ministry of Justice.

Social and environmental assessment and consultation

13. If Indigenous People are involved in the project, Funbio will undertake a social and environmental assessment as a prerequisite for further development of the proposal. Based on the information contained in the screening review (item 10), the Focal Point Person for Indigenous Peoples will develop terms of reference to be used for the hiring of a consultant (or consultants) for the undertaking of a social assessment.

14. Each assessment will establish parameters of its scope indicating: (a) which ethnic groups are involved; (b) the names and population of their communities and/or indigenous land(s); (c)

the organizations and institutions that represent them politically, including formally established associations and traditional modes of internal governance; (d) a description of any existing relationship between the project proponent and the indigenous peoples involved; (e) the ways that they may be impacted by the project, including potential adverse impacts and benefits; and (f) the specific geographic area of potential impact. The breadth, depth and type of analysis required for the social assessment are proportional to nature and scale of the proposed projects' potential effects on the Indigenous Peoples.

15. Using the parameters established in item 14, a consultation process will be undertaken using the guidelines of Free, Prior and Informed Consultation as outlined in the mechanisms referred to in item 4 and as applied by Funbio in the Paiter Suruí Forest Carbon Project. The consultation process should provide to the affected Indigenous Peoples all relevant information about the project, including potential adverse effects and benefits, should be conducted in a culturally appropriate manner and should provide for the inclusion of intergenerational and gender-related inputs. The culmination of the consultation process should be the consent by the representative Indigenous entities to proceed with the project. If this is not gained, then the project proposal should either be appropriately modified to achieve such consent or it should not be continued.

Project design

16. If it is determined that there is a potential for adverse effects, then mitigation and/or compensation mechanisms should be developed collaboratively between the project implementer and the institutions representing the Indigenous Peoples and incorporated into the project design.

17. If it is determined that there is a potential for direct benefits accruing to Indigenous Peoples, then specific mechanisms for the generation and equitable distribution of social and economic benefits in culturally appropriate ways should be developed collaboratively between the project implementer and the institutions representing the Indigenous Peoples and incorporated into the project design.

18. The mechanisms developed in items 16 and 17, together with the social and environmental assessment (item 14), will collated to form the Indigenous Peoples Plan for the project. Its content should be presented to the organizations representing the Indigenous Peoples for their approval as a prerequisite for continuation of the project.

Disclosure

19. The content of the Indigenous Peoples Plan, along with accompanying documentation of the consultation process, should be made readily accessible in appropriate form and language and in a timely manner to the affected Indigenous Peoples prior to implementation of the project. The means for this disclosure may include, but are not limited to, community-level meetings, regional workshops, radio announcements, flyers and other written documents and electronic media.

Monitoring and evaluation

20. In addition to the regular process of monitoring of projects conducted by Funbio for all its projects, for those projects involving Indigenous Peoples, monitoring of the items listed in the Indigenous Peoples Plan will be conducted. This portion of the monitoring process will be supervised by the Focal Point Person for Indigenous Peoples, who may decide to hire consultants to perform this task, and should involve the participation of the Indigenous peoples in a collaborative manner. Special attention should be given to the monitoring of (a) adverse impacts; (b) the results of the implementation of the mitigation/compensation measures; (c) the benefits generated by the project; and (d) the ways that these benefits were distributed. Results of each monitoring cycle should be communicated in a timely manner to the affected Indigenous Peoples.

21. The evaluation of the content of the Indigenous Peoples Plan will incorporate the cumulative results of the additional monitoring outlined in item 20 and should also provide for an overall assessment of (a) the adequacy of the implementation of Funbio's Indigenous Peoples Policy and (b) the effectiveness of the project results in terms of the mitigation and/or compensation of impacts and the generation and distribution of benefits. This evaluation should be conducted conterminously with the overall project evaluation, with its results duly incorporated into the final evaluation report.

ⁱ Instituto Socioambiental. *Povos Indígenas 2005-2010*. São Paulo: ISA. 2011.

ⁱⁱ The person currently occupying this position is Ângelo Augusto dos Santos, Program Manager for Funbio.

ⁱⁱⁱ The first member of this pool is Paul E. Little, Ph.D. in anthropology (University of Brasilia), who has extensive experience in working with Indigenous Peoples.