

PARTICIPATION AND REPRESENTATION: REDD+ IN THE NATIVE COMMUNITIES OF BELGICA AND
INFIERNO IN THE PERUVIAN AMAZON

BY

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THESIS

Submitted in partial fulfillment of the requirements
for the degree of Master of Arts in Geography
in the Graduate College of the
University of Illinois at Urbana-Champaign, 2013

Urbana, Illinois

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ABSTRACT

This Master's thesis illustrates the process of arrival of REDD+ and the changes preparatory activities are producing on representation in indigenous communities in the Peruvian Amazon. Based on data gathered in interviews with community members, communal authorities, project developers, government authorities, and other relevant actors, I examine the reasons by which communities end up engaging in REDD+, the mechanisms for democratic participation and representation employed in the process, and the rules and institutions that are being created or changed as a result of projects' activities. The study shows that access to economic benefits from carbon sales and land titling are the two main reasons why communities engage in REDD+. During the process of negotiation of entry, consent and development of the activities, communities employ existing governance structures and mechanisms for representation and participation in decision making and benefits that reproduce exclusion, inequality and elite capture in some sites where representation is not democratic. Under these conditions, the creation of rules for social order and access to resources influenced by REDD+ may cause people to lose important assets and freedoms. The study shows on what people gain or lose in the process, indicating the need for the development of social protections not only to avoid adverse outcomes, but also make positive contributions to poverty alleviation.

ACKNOWLEDGEMENTS

The following pages are the result of an extended effort. I would especially like to thank the unconditional support of Professor Jesse Ribot, my advisor. His guidance and assistance along my two years in graduate school were crucial for the final development of this thesis. I also wish to thank my committee members, Professor Ashwini Chhatre and Doctor Anne Larson for providing encouragement and significant help with the analysis of my research.

I am thankful with the Center of Latin American and Caribbean Studies, the Tinker Fellowship for their financial support, and Angelina Cotler for her encouragement and trust. Thanks to Melanie Waters and the Department of Spanish, Portuguese and Italian for the financial support. Many thanks to professor Hildegardo Cordova of Universidad Catolica del Peru for his constant support and encouragement.

I am absolutely grateful to the comuneros of Bélgica and Infierno for receiving and treating me so generously. To my friends Ilson Lopez, Federico Durand and Pedro Mishaja for helping me understand the history of the Yine, the Ribereños, and the Ese Eja. To AIDER and their team for the help and logistic support they provided for this investigation. Finally, thanks to my friend Julio Cusurichi, indigenous leader and recipient of the Goldman Prize 2007, for his important insights on indigenous affairs and regional politics.

Thanks to my dear friend Tracy Barrueto for helping me with the translation of some sections of my work. Thanks to my longtime friend Milagros Sandoval, who is involved in the implementation of REDD in Peru since it all started, for her valuable feedback and her patience to answering my questions and clearing my doubts.

This work would not have been possible without the long distance support of Gene and Charo, my parents, and my sister Katherine. Finally, I would like to express my endless gratitude to Lucho, my dear husband, for his constant support and his critiques, for enduring my absence while doing fieldwork, and for our simple and happy life together.

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ABBREVIATIONS AND DEFINITIONS

Abbreviations

AIDER	Asociación para la Investigación y el Desarrollo Integral (Association for Research and Integral Development)
AIDSEP	Asociación Interétnica de Desarrollo de la Selva Peruana (Interethnic Association of the Peruvian Rainforest)
CI	Conservation International
C169-ILO	Convention No. 169 of Indigenous and Tribal Peoples of the International Labor Organization
DAR	Derecho, Ambiente y Recursos Naturales (Law, Environment and Natural Resources)
FENAMAD	Federación Nativa del río Madre de Dios y Afluentes (Federation of Native Communities of the Madre de Dios River and Tributaries)
FPIC	Free Prior Informed Consent
FPP	Forest People's Programme
GOREMAD	Regional Government of Madre de Dios
INRENA	Instituto Nacional de Recursos Naturales (National Institute of Natural Resources).
ITTO	International Tropical Timber Trade Organization
MINAM	Ministerio del Medio Ambiente (Ministry of Environment)
PDD	Project Document Design. The PDD defines the baseline, strategy, and merit of a REDD project.
PES	Payments for Environmental Services
POA	Annual Operation Plan

PROCLIM	Programa de Fortalecimiento de Capacidades Nacionales para manejar el Impacto del Cambio Climático y la Contaminación del Aire (Programme for Fostering National Capacities to Manage the Impact of Climate Change and Air Pollution)
REDD	Reducing Emissions from Deforestation and Forest Degradation
REDD+	Reducing Emissions from Deforestation and Forest Degradation and enhancement of forest carbon stocks
RFE	Rainforest Expeditions
SINAMOS	Sistema Nacional de Apoyo a la Movilización Social (National System for the Support of Social Mobilization)
SPDA	Sociedad Peruana de Derecho Ambiental (Peruvian Society of Environmental Law)
SUNARP	Superintendencia Nacional de Registros Públicos (Superintendent of Public Registries)

Definitions

Comunero	Registered community member that is over eighteen years of age. The term ‘comunera’ is used for females.
Native Community	Is a legal term introduced by the Law of Native Communities of 1974 to designate a collectivity of indigenous people that hold legal capacity and collective property title and user rights over an area of land. For practical purposes, I use the words ‘community’ and ‘commune’ to refer to the same concept.
Ribereños	Spanish word for “river-side dwellers” to designate non-indigenous individuals who settled along waterways in the Peruvian Amazon.

CHAPTER 1

INTRODUCTION

Thirteen million hectares of forests were converted to other uses or lost through natural causes each year in the last decade (FAO, 2010). Deforestation is the second leading cause of global warming, contributing 15% of anthropogenic global greenhouse emissions (FCPF, 2009). In 2007, governments in the UN Climate Convention adopted a new forest and climate regime known as Reducing Emissions from Deforestation and Forest Degradation (REDD) and a secondary agreement REDD+, standing for countries' efforts to reduce emissions from deforestation and forest degradation, and foster conservation, sustainable management of forests, and enhancement of forest carbon stocks. REDD programs specialize in the disbursement of funds, primarily to pay national governments to reduce deforestation and forest carbon emissions in developing countries. REDD has the potential to bring benefits for millions of people around the world by helping them to ensure sustained supplies of forest products and help improve their livelihoods.

Currently, REDD strategies and policies are being formulated in more than forty countries (Angelsen, 2009). These imply the creation of a broad set of policies that “will affect the entire set of rights and institutions” of local forest dependent communities and that will launch changes in forest and land tenure rights, local representation, distributional equity, access to resources, and the ability to benefit from forest use (RFGI, 2010). These strategies are matter of domestic debate between actors involved at the local and national level regarding the “economic benefits, cost efficiency, environmental integrity, national sovereignty, fairness and social justice and political positioning” of REDD+ (Presket et al., 2008, in Anderson & Zerriffi, 2011). Although they acknowledge that REDD alone is not enough to address the root causes of environmental degradation and poverty, scholars and promoters of REDD have high expectations that REDD will improve sustainable forest management and provide individuals and communities with opportunities of generating income through the trade of forest products,

ecotourism, and participation in carbon markets. Simultaneously, researchers and indigenous rights advocates have raised many concerns about REDD+'s social dimensions due to the potential significant negative effects for the poor, who are less likely to have a voice and leverage in the negotiations, including: elite capture, potential loss of access to land, and exclusion from decision making (Presket et al., 2008, in Anderson & Zerriffi, 2011).

Meanwhile, as REDD+'s architecture is being designed at the national and international level, early experiences are taking place on the ground that are building on already existing structures, with current laws that are not yet specific for REDD+. This is the case for Peru, where rural and indigenous communities inhabiting the forests are entering into contact with REDD+ in a still undefined terrain in terms of carbon rights property, consultation processes, and benefit sharing mechanisms. Indigenous groups and their representative organizations have been trying to understand what REDD+ is and the potential risks it poses to the communities. At first, they had a radical anti-REDD+ discourse, fearing that it would have devastating impacts, such as excluding them from decision making, taking away their land rights, and impoverishing them even more. Over time, their skepticism has become more nuanced as the discussion of the need for social safeguards has brought to the table the necessity of ensuring that REDD+ will respect people's rights.

At the time of framing this investigation of REDD in Peru at the end of 2011, not much had been written about early REDD+ experiences in indigenous communities in Peru. On one hand, there were negative accounts of a few projects showing little transparency in the process of negotiation of entry and consent for REDD projects and one case in which carbon cowboys were attempting to swindle communities. On the other hand, private organizations and public institutions mainly provided information about the progress of REDD+ at the regional, national, and international levels, but not about the pilot experiences on the ground and their effects. I am interested in local representation constructed inside and outside the State and how it is changing with introduction and implementation of REDD. The lack of scholarship in the effects

of early REDD initiatives on the ground in Peru is a gap that needs to be filled in order to understand the implications for these communities.

In this Master's thesis, I explore the arrival of REDD+'s preparatory activities into two native communities of the Peruvian Amazon. Based on interviews during fieldwork with community members, non-profit organizations officers, government authorities, researchers, and indigenous leaders, I examine the reasons for which communities end up engaging in REDD+, the mechanisms for local participation and representation employed in the process, and the rules and institutions that are being created or changed as a result of projects' activities. This thesis is a detailed account of how indigenous communities and their customary authorities face the arrival of REDD+, and what people actually gain or lose in the process.

This study shows that the most important reasons that the communities of Infierno and Bélgica decided to join REDD projects are for access to the opportunity of securing land, and the possible additional economic benefits from carbon sales. Contrary to what the anti-REDD discourse appropriated by some groups, land tenure is not at risk in either of the cases examined here. Instead, since holding title is a requirement to enter REDD, preparatory activities include technical and financial assistance for clearing tenure, which is an important incentive for entering REDD. Expectations in regards to the economic benefits that REDD will possibly bring are varied. In general, communities expect that they will improve material comfort at the household level, communal infrastructure, and healthcare and education services.

The study shows that participation and decision making in the context of REDD implementation are different among the communities, but in all cases are greatly influenced by local representative authorities, who are the members of the community council. These local authorities concentrate knowledge, power, and resources in order to convince the community to support REDD+ or any activity they consider convenient. However, local participation proves to be more effective where communal organization is stronger and more experienced. Previous

experience in project management (certified timber and ecotourism) provide basis on which new benefit sharing arrangements for REDD will be built. In a community where previous arrangements are not transparent and do not promote equity, we can expect that REDD will reproduce elite capture and exclusion.

At the advent of REDD, communities have experienced changes in rules and institutions. New rules for land allocation and use of the forest have been established by the local authorities with the aim of reducing deforestation. These have important implications for the economy of the households and their food security. The rules for social order —that establish the rights and responsibilities of the community members, the powers and duties of the authorities, and procedures for elections, among others— are also changing and severe sanctions are imposed over those who do not comply with these rules. In the particular case of Bélgica people can be removed from the community and lose their rights to revenues.

The present study also reveals the lack of involvement of the district governments (also called ‘district municipalities’) and the indigenous federation. This absence entails risks to communities as they are not backed by elected or customary authorities who could join and advise communities as they go through processes for sharing information and gaining consent, so that their rights are respected, and equitable benefits sharing mechanisms are designed and implemented. Otherwise, REDD+ could only reinforce exclusion and inequality.

Thesis and Theoretical Discussion

The literature on REDD+ emphasizes that local and indigenous people’s participation and representation in REDD processes is essential in order to avoid potential negative effects these processes may have on their rights and livelihoods (Angelsen, 2009). Following Przeworski, Stokes, & Manin (1999) I adopt the concept of “democratic representation,” which is defined by responsiveness and accountability. Responsiveness is a set of powers and abilities that enable authorities to translate local needs and aspirations into policy, so a regime is responsive when it adopts policies that are preferred by the people. Responsiveness is also

defined by the powers to act on behalf of the people and the ability of the authorities to translate signals into policy (Ribot, 2004). In democratic representation, citizens have the ability to balance arbitrary actions by their authorities or institutions through the exercise of accountability. Thus, accountability is the ability of one body to sanction another in response to their actions (Agrawal & Ribot, 1999; Ribot, 2004). The relation of accountability between citizens and leaders is established through an ensemble of sanctions to ensure that policy outcomes are consistent with people's aspirations (Ribot, 2004: 18). It is only when leaders can be held accountable by the people that representation is democratic. Local authorities are a mechanism of representation if they bring knowledge, needs, and aspirations of the local people into public decision-making processes that are translated into policy (Ribot, 2004). Accountability employs mechanisms such as elections, public meetings, public reporting, and transparency, which ensures that policy outcomes are consistent with local needs and aspirations (Ribot, 2004).

Anderson & Zerriffi define participation in governance as “the ability of local people to participate in decision-making with respect to the design and implementation of projects” (Anderson & Zerriffi, 2011). Some theorists argue that substantive local participation in binding decision-making is important because it enables management effectiveness and equity (Ribot, 2004) but this is not guaranteed without representation. In regards to REDD+ governance, inclusion and participation in new policies promotes trust and acceptance by different actors involved, reducing the risks of conflict or failure of REDD+ projects (Forsyth, 2009). Ribot (2011) warns us that local people may be engaged in project activities and forums in which their voices are heard, but are not necessarily binding for decision making. Often, participation and representation are confused, so it is essential to distinguish between the two (Ribot, 2011).

I argue that due to the rapid advancement of REDD+'s preparatory projects in Peru, communities are giving consent without going through an exhaustive processes in which people are informed and consulted. Local active participation is reduced to bringing people into project activities without them having the ability to influence decision making or without binding

control of the process. Simultaneously, ostensibly representative authorities monopolize project knowledge and resources, with the risk of reproducing new forms of exclusion, inequality, and elite capture. Focusing on the role of the authorities and the local people at the village level, I examine local representation and participation in addition to changes in rules and institutions during the process of the arrival of REDD+'s early initiatives in two native communities in the Peruvian Amazon. The analysis is driven by the following research questions:

1. *Why and how (through what mechanisms) do local people end up engaging with REDD+?* What are people's logic, motives, and expectations from REDD+?
2. *Who represents the people both in their decision to consent and during the preparatory activities?* What are the means by which they are represented? Are the authorities representative and accountable? To what degree do they represent the population in question?
3. *Why and through what mechanisms do local people participate (or not) in preparatory activities?* Who participates or who is excluded – and to what degree? Do they have control over REDD+? Who influences decision-making?
4. *What rules and institutions are being created or changed as a result of REDD activities at the village level?* Is REDD+ building over already existent governance structures or is it creating new ones? Are there changes in institutions or rules of social order and use of the forest resources? Are these changes restricting peoples' access to the resources?

The next section provides a brief background on the reasons Peru is participating in REDD at both the national and local levels. I describe how the national REDD strategy is being structured, how projects are taking place at the local level, and to what extent these processes converse with each other. Later, I turn to the definition of "indigenous peoples" and "native communities" in order to provide background information about the population in question and their institutions.

Background

Peru contains 72 million hectares of tropical rainforest, covering almost 60% of the national territory. These highly bio-diverse forests are also rich in valued natural resources such as hydrocarbons, minerals, and timber, which are the motor of national economic growth. The construction of large infrastructure for oil and gas exploitation, roads, and dams—as well as the expansion of the agricultural frontier and illegal extractive activities (logging, mining and coca production)—are among the leading causes of deforestation and the main sources of GHG emissions in the country (SPDA, 2010).

The current deforestation rate is unknown. The most updated estimate (using remote sensing analysis in 2005) comes from the Map of Deforestation of the Peruvian Amazon of 2000, made by the Program for Strengthening National Capacity to handle the Impact of Climate Change and Air Pollution (PROCLIM). According to this map, Peru lost approximately 7,173,000 hectares mainly in the Amazon regions of San Martin, Amazonas, and Loreto up until the year 2000 (SPDA, 2010; DAR, 2011). The same study asserts that, between 1990 and 2000, the deforestation rate was 149,600 hectares per year. Projections of deforestation between 2010 and 2041 are pessimistic; it is estimated that in thirty-two years, Peru will lose between 85,000 and 161,000 hectares of rain forest per year (Dourojeanni, Barandiaran, & Dourojeanni, 2009).

Both the presence of a vast and rich area of forests and the collection of practices and factors that endanger them are the two main reasons why Peru has a strong potential to participate in REDD (SPDA, 2010; DAR, 2011). The Ministry of the Environment (MINAM) is the main actor of REDD and represents the country in global discussions and negotiations of REDD¹. Peru is participating in five of the six international processes (at different intensities) that are currently underway for REDD implementation: (1) United Nations Framework Convention on Climate Change (UNFCCC), (2) Forest Carbon Partnership Facility of the World Bank (FCPF), (3)

¹ DAR (2011) provides a detailed account of the progress Peru has made in REDD negotiations both at the international and national level.

Program for Forest Investment (FIP) (Peru is a pilot country since 2010), (4) REDD+ Interim Partnership (Peru is only an observer since 2011), and (5) the voluntary carbon markets². The sixth process is the UN-REDD, in which Peru does not participate.

All countries engaged in the construction of REDD at the national level should go through three phases: (1) readiness or preparatory, (2) implementation, and (3) payment for results. These phases all involve actions at the regional and national level, but only in the third phase is the local level included (DAR, 2011). Peru is currently at the readiness phase, which consists of enabling capacity building and stakeholder engagement and the construction of a national strategy for REDD. Peru's readiness began in 2008 with the creation of the "Grupo REDD+ Peru" – a group of more than forty public and civil society organizations (DAR, 2011). Even though participation is free and voluntary, neither forest dwellers and users nor native and peasant communities directly participate, as they are only represented by the regional and national indigenous federations (CI, 2012). Grupo REDD+ Peru has taken on an advocacy role, an advisory role, and an informative role on the national REDD+ process in support of MINAM (CI, 2012). In particular, Grupo REDD+ Peru had a crucial role in assisting MINAM in the elaboration of the Readiness Preparation Proposal (R-PP) for the FCPF that was approved in Vietnam in 2013, in which Peru will receive 3.6 million dollars for the readiness phase. In this phase, Grupo REDD+ Peru led the creation of five REDD Regional Roundtables (Mesas Regionales) in Piura, San Martin, Loreto, Cusco, Madre de Dios and Ucayali that aim at analyzing specific regional contexts and enabling dialog between all actors involved. All the REDD+ Regional Roundtables are conducted by their own Regional Governments, who voice local agreements and discussions to the Ministry of Environment in the central government. In addition to the Regional Roundtables, the Interethnic Association of the Peruvian Rainforest (AIDSESEP) and its regional federations created three Indigenous Roundtables (Mesa Indígena) in Ucayali, Madre de Dios and San Martin. Their aim is to enhance the participation of indigenous communities in the process of REDD.

² For detailed information on about each process in relation to Peru, see DAR (2011).

While REDD is under construction at the international and national levels, a wide range of initiatives are advancing simultaneously at the project level, including demonstration activities, national and subnational programs, and bilateral and multilateral agreements (DAR, 2011). There are nearly forty REDD related initiatives underway, mostly in the Amazon that are targeted at the voluntary carbon market (AIDSEP, 2011; DAR, 2011 and 2012; CI, 2012; Entenmann, 2011). In Peru, these projects can take place in native communities, protected areas, or forestry concessions and may directly involve asset holders or use intermediaries. Projects are validated by internationally recognized voluntary standards such as the Voluntary Carbon Standard (VCS) and the Climate, Community and Biodiversity Alliance Standard (CCBA) (DAR, 2011). These projects are being developed under existing laws, in absence of a recognized REDD+ mechanism in international and national laws. The experiences gained during the course of the project are helping in the readiness or preparatory phase by providing feedback through the Regional REDD+ Roundtables for the design of the future national REDD regime.

In terms of the development of REDD in the Region of Madre de Dios and its connection to the national process, there are a total of forty-two public and private institutions and organizations participating in the “REDD+ Roundtable of Madre de Dios” (MDD Roundtable) – a space created in 2007 by civil society organizations. The Roundtable is led by the Regional Government of Madre de Dios (GOREMAD) and is open to any organization or institution who wishes to participate. Its main objectives are to develop official deforestation baselines, to create REDD+ methods specific to the region, and to address governance and financing matters (Hajek et al. 2011; Entenmann, 2012). According to a recent analysis of the participation of stakeholders in REDD+ by Conservation International (2012), there was a lack of participation on behalf of the district governments and the indigenous in the MDD Roundtable sessions. On the one hand, District Governments do not have jurisdiction over land and forests. On the other hand, indigenous issues were not included in the discussions and were poorly addressed. It is expected by Indigenous organizations, project developers and government official that the creation of Indigenous REDD Roundtable in Madre de Dios will enhance the participation of Indigenous Communities (CI, 2012; Entenmann, 2011; DAR, 2011).

When projects are developed at the local level, there may be a great number of actors involved—for example, native communities, forest concessions, etc.—and with the Project Developer. Interacting with asset holders or project developers requires knowledge, time, and resources and can often be overwhelming for some actors, some who work directly in the field and others who are in the international arena. In the field, we find non-profit conservation organizations, non-profit natural resources management organizations, forestry companies, financial consultancy firms, grassroots organizations, and the Peruvian government. In the international arena, there is a group of organizations providing services, funds, and acting in the role of intermediaries; such is the case of technical consultancies, standards organizations, registry organizations, accredited project verifier organizations, information providers, and international funding bodies and financiers (Hajek et al., 2011). In some cases, the relationships between asset holders, project developers, and other intervening institutions may predate REDD+'s arrival, providing some advantages for the project developers (Hajek et al., 2011).

In Madre de Dios, there are currently 13 REDD+ projects underway with different levels of completion (CI, 2012). They are called “REDD+ projects” because they prepare communities, concessions, or natural protected areas for the future sale of Carbon credits in the voluntary market. From a technical point of view, projects need complete three phases³ before being finally inserted in REDD to be able to sell carbon credits: (1) identification, (2) feasibility, and (3) implementation (Olander & Ebeling, 2011); the process may take several years. During the “identification” phase, the project’s potential is analyzed to determine whether or not the project will be able to generate carbon credits. This is the phase in which the contact with the local stakeholders is established and approval is granted by the rights-holders. In the “feasibility” phase, the project practicality is analyzed to produce an ex-ante quantification of the project’s carbon benefits; the Project Document Design (PDD) is made and validated according to the standards (ONF, 2011). Lastly, during the “implementation” phase, the project

³ Based on the document “Building Forest Carbon Projects: Step by Step Overview and Guide” developed by Forest Trends, Eco Decision, Katoomba Incubator, with the financial support of Bio CF, Norad, UNPD and the Global Environment Facility

is finally able to generate carbon credits and is enabled for further monitoring and credit certification sessions (ONF, 2011; ITTO, 2009). Up until the end of 2012, only one project has sold carbon credits⁴; the rest are either at the identification or the feasibility stage. The cases examined in this study are currently in progress in native communities and are in the feasibility phase. These cases are not yet REDD+ projects, however, they are locally named “preparatory activities” or “REDD projects.”

In order to understand the implications of a REDD project for indigenous populations, it is essential to define who “indigenous peoples” are and how they became recognized as “native communities.” Also, it is important to understand the difficulties they have faced in the process of recognition of their collective rights and the process through which indigenous representation was constructed inside and outside the State. Peruvian law defines indigenous peoples as tribal groups of families who: (1) descend from aboriginal populations established within the Peruvian territory, (2) have lifestyles and spiritual and historical links to their customary territory, (3) have their own traditions and social institutions, and (4) cultural patterns and lifestyles different from the rest of the Peruvian nation.⁵ Indigenous peoples of the Amazon⁶ have progressively lost their ancestral domains and suffered changes in their patterns of occupation of the forest, due to a long term process of State-led colonization of the jungle that intensified in the nineteenth and twentieth centuries. Tribal groups used to live in scattered family clans moving in the forest until the arrival of missionaries, farmers, extractive companies, and migrants who—by pacific or violent means—disrupted their lives and social structures (IBC, 2012). Some groups escaped from forced labor, illness, and killings and retreated into the forest and headwaters, others were forced to concentrate in small towns to be converted into Christians or to serve as labor, and others still formed villages and mixed with

⁴ This is the case of the project named “Avoided Deforestation through Sustainable Forest Management via Timber Production for FSC” in forestry concessions MADERACRE and MADERYJA.

⁵ Ley de Comunidades Nativas y Promoción Agropecuaria of 1974 [*Jungle Law – Law of Native Communities and agricultural promotion of 1974*]

⁶ There are Indigenous groups in the Andes and in the Peruvian coast too, but for the purpose of this study, I will only concentrate in the ones living in the Amazon.

the migrants. This process took place over several different waves of occupation and extractive booms (gold, oil, rubber, timber, furs, medicinal plants, etc.).

In the decades of the 1950s and 1960s, State policies intensively incentivized the occupation of the lowlands and the establishment of towns, with the aim of alleviating demographic pressure in the Andes, accessing land and natural resources, and protecting the borders from neighboring countries (Huertas & Altamirano, 2003). One of the strategies the central government employed to incorporate indigenous people into the society was the expansion of the school system. Starting in 1950, in agreement with the State, the Summer Linguistic Institute (ILV) of Peru provided of bilingual education to indigenous groups. ILV helped the process of concentrating the population in villages. Several groups formed villages to reach the minimum population requirement in order for their children to gain access to schools. Grouping also brought new forms of political organization, authority, and representation for the collectivity in their interactions with the State (IBC, 2012; Alexiades, 1999).

In 1974, the Revolutionary Military Government of General Velasco Alvarado promulgated the Law of Native Communities in 1974 and formalized indigenous villages by giving them the status of “Native Communities,” along with legal capacity and collective property titles. However, titles only covered small areas of their ancestral territories (IBC, 2012). Land titles are divided into areas over which title holders have different rights, including property rights over agricultural areas and user rights over forest lands. Up until 1978, title holders had property rights over all the titled areas, but a change in the law returned forests’ property rights to the State – giving communities only user rights. Currently, since the competent institutions do not usually have the resources to do its work, many of the titles have been obtained with funding from international funding and NGOs.

The regulations of the Law of Native Communities also included the creation of the status of “comunero” for males, and “comunera” for females to designate registered

community members that are over eighteen years of age (age of majority in Peru). The law established representative governing bodies such as the Community Council and the Community Assembly. Community Councils were introduced as new political structures to enable a direct interface with the central government and to facilitate local governance (Alexiades, 1999). These councils are composed of one President (also called “chief”), Secretary, Treasurer, and two members-at-large. Members of the Council are elected every two years by the Community Assembly, the main decision making body, which is composed by all the comuneros. The Community Assembly holds Ordinary Meetings on a monthly⁷ basis with the aim of discussing local affairs and the progress of the community. Extraordinary Meetings are called when there are urgent matters to discuss. According to the same law,⁸ communities establish their rules for social order and write them in the “Communal Statutes,” which need to be registered in the National Public Registries. The Superintendent of Public Registries (SUNARP) requires that these documents include sections for elections, rules for the use of resources and land, governance bodies, and their functions (among others). Statutes need to comply first with the Law of Native Communities and the Constitution and are then reviewed by SUNARP, which approves or rejects them. In 2011, with the aim of adapting recent changes in the laws regarding native communities and to facilitate their registration, SUNARP presented a “general template” that communities can use and adapt to their own needs. Although the content of the template is not mandatory, the statutes need to comply with the current laws referring to indigenous communities. Outside of the governance structure of the communities, there are community groups that have been created as a result of projects—such as committees of fruit collectors, fishers, artisans, etc.—that represent particular interests. In some cases, these groups are large and can be taken as representative of the village as a whole (even though they are not) by NGOs, companies or other organizations (Ribot, 2004).

After the recognition of the native communities, several institutions inside the State apparatus were adapted or created to assist land titling and to enable indigenous

⁷ This is flexible, communities are free to establish the frequency of their ordinary meetings.

⁸ Law of Native Communities of 1974.

representation. Institutions have been changed, merged, eliminated, and reinvented according to the political objectives of the different governmental factions in power (IBC, 2012). During the military governments of the 1970s, the National System for Social Mobilization (SINAMOS) was in charge of organizing non-indigenous rural populations into cooperatives and indigenous settlements into native communities. Land titling in native communities was the responsibility of the General Directorate of Agrarian Reform of the Ministry of Agriculture. This Directorate was very active until the early 1980s, when it suffered a slowdown resulting from the emergence of terrorist groups that took control of the rural areas in the country and resulted in many communities not completing the titling process. Land titling responsibilities were transferred to the Special Land Titling and Cadastre Project (PETT) in 1992, which operated with international funding and resumed land titling processes that were halted in the previous decade. In 2007, PETT was absorbed by COFOPRI, which had only been in charge of titling property in urban areas. Later, land titling responsibilities were returned to the Regional Agrarian Directorates assigned to the Regional Governments during the consolidation of the decentralization process (IBC, 2012; Abanto, 2011). All of these institutional changes have caused a number of problems—such as lost files and interrupted or delayed processes—because of lack of resources in the titling agencies. Moreover, changes in titling methodologies and technology have created conflicts due to inaccuracies and the overlapping of titles.

Since the early 1980s, indigenous groups and their advocates have demanded a State establishment of a public indigenous institution to see to their interests. Similarly to what happened with land titling, there has been a constant change of institutions in charge of indigenous affairs. In the decade of 1980s the Peruvian Indigenous Institute (IIP),⁹ attached to the Ministry of Labor, became in charge of affairs with regards to land, territories, and resources in accordance to the 107th Convention of the International Labor Organization (ILO).¹⁰

⁹ The IIP was established in 1946.

¹⁰ According to the International Labor Organization (ILO): “The Indigenous and Tribal Populations Convention, 1957 (No. 107) was a first attempt to codify international obligations of States in respect indigenous and tribal populations. It is a broad development instrument, covering a wide range of issues such as land; recruitment and

IIP was later transferred to the Ministry of Agriculture, replaced by the Directorate of Communities, and further deactivated in 1996 (IBC, 2012). Amazon indigenous federations and African-Peruvian and Andean people's organizations demanded the creation of the Ministry of Indigenous Affairs, a high-ranked institution that would enable them to participate in decision making and policy design. Instead, the government created a lower-ranked institution called the Technical Secretariat of Indigenous Affairs (SETAI), which was later incorporated into the National Commission of Andean, Amazon, and Afro-Peruvian Peoples (CONAPA) that was attached to the Presidency of the Council of Ministers. In 2005, CONAPA was absorbed by the newly created National Institute for the Development of Andean, Amazon, and Afro-Peruvian Peoples (INDEPA). Finally, INDEPA was absorbed by the Vice Ministry of Intercultural Affairs of the newly created of the Ministry of Culture. After all of these changes, the Vice Ministry of Intercultural Affairs is now the national indigenous authority. Moreover, the Vice Ministry is in charge of proposing and supervising the compliance of national policies in regards to ethnic minorities and to coordinate projects with the Regional Governments that are aimed at the promotion and defense of their rights (Abanto, 2011).

One of the main achievements of the Vice Ministry of Intercultural Affairs is to have consolidated the creation of the Law for Free Prior and Informed Consultation of 2011. The creation of this law was pending since 1989, when Peru signed the Convention No. 169 of Indigenous and Tribal Peoples of the International Labor Organization (C169-ILO). C169-ILO requires signatory countries to create legislation, policies and programs to guarantee that indigenous peoples are consulted on issues that affect them, so that they are able to engage in free, prior and informed participation in policy and development processes. The recently created Law for Free Prior and Informed Consultation of 2011 is aligned to the C169-ILO. However, the law is at risk of losing its legitimacy due to a controversy over which people will be considered "indigenous" and be included in consultation processes.

conditions of employment; vocational training, handicrafts and rural industries; social security and health; and education and means of communication"

Almost thirty-five years of advances and setbacks have not allowed for the development of consistent political institutions for the representation of indigenous peoples. In this process, their local federations that began emerging in 1969 were instrumental in pushing forward initiatives for voicing indigenous people's concerns. The Interethnic Association for the Development of the Peruvian Amazon (AIDSEP)—the national indigenous federation that groups sixty-five organizations, representing approximately 1,500 indigenous communities in the country—advocates for the recognition of indigenous territories, respect of their culture and traditions, and the implementation of programs to attend their needs.

Native communities have been a target of many developmental and environmental interventions – and REDD+ is one more. REDD+ will build upon the already existing structures and will probably bring changes in rules and institutions. Projects involving native communities are increasing in number and are raising concerns about their potential social impacts. Discussions on safeguards are starting to take place at the national and regional levels, although indigenous organizations still remain strongly skeptical. AIDSEP initially opposed to the possibility of REDD+, but altered its position in the last five years. It is now developing a proposal for “Indigenous REDD+,” which demands the central government respect international conventions that were adopted by Peru, the recognition and respect of collective territories, the design of adequate benefit sharing mechanisms, the establishment of national regulations on carbon rights, and the establishment of Free Prior Informed Consent (FPIC) consultation processes (Espinoza & Feather, 2011; AIDSEP, 2013). In regards to the latter, FPIC is only mandatory in the case of State-led projects (DAR, 2012) and private companies and organizations do not have the responsibility of making consultations if they wish to start a REDD+ project in a native community. Project proponents approach the communities to offer REDD projects and carry out processes through which they negotiate entry and seek consent – without supervision by the State. According to DAR (2012), the State has the obligation to protect their citizens by supervising these processes in order to prevent abuse and to work quickly in the implementation of such laws. This lack of regulation for REDD+ may open the

possibility for unscrupulous organizations or individuals to abuse and exploit rural and indigenous peoples, who may end up losing important assets and freedoms.

Chapter Outline

This thesis is divided into the following chapters: the second chapter provides the methods and data employed in the study and explains the site selection criteria and the limitations of the study. The third and fourth chapters are the core of this work. They describe the two case studies of the native communities of Bélgica and Infierno in detail by providing the historical backgrounds and the institutional landscape at the community level and explaining the process of arrival of REDD+. Results are presented in the fifth chapter and are structured around the research questions that guide this thesis. Finally, the sixth chapter is reserved for conclusions.

CHAPTER 2

METHODS AND DATA

Introduction

I conducted the research for this study for two months between 15 June and 15 August 2012 in the region of Madre de Dios, Peru. I used social science methods such as structured and unstructured interviews,¹¹ data collection from government and NGO documents, and participant observation in public meetings. This investigation is also based in the review of academic and grey literature on REDD+ implementation in Peru and literature relevant to the economic history of Madre de Dios and the project sites. I conducted a total of fifty-eight interviews, which included five project officers working at the Association for Research and Integral Development (AIDER) – a non-profit organization based in Lima and with a branch office in Puerto Maldonado that provides technical assistance to native communities for sustainable forest management and is currently developing REDD projects. I also interviewed twenty-one comuneros in Bélgica, twenty-three comuneros in Infierno, two government officials from the Regional Government of Madre de Dios (GOREMAD), and two representative officials of FENAMAD. A total of five informal interviews were conducted with researchers, practitioners, and indigenous leaders directly and indirectly involved in REDD+ in Peru. The information obtained from the interlocutors during fieldwork has been kept anonymous.

In the next sections, I explain the site selection criteria employed in this study, which included a description of the main features of both communities. I provide a detailed account of my fieldwork activities in the phases of preparation, execution, and conclusion. Finally, I reflect on the problems and limitations of the study.

¹¹ All excerpts from interviews have been translated from their original language by the author (unless otherwise indicated). Only the English translations are provided in the text of this thesis.

Site Selection Criteria and Basic Description of the Sites

The universe of REDD+ projects underway in Peru are taking place in three different types of sites: natural protected areas, forest concessions, and native communities. For the purposes of examining representation and participation in the process of arrival of REDD+, I chose to work with native communities. The starting point of my research was the close examination of the recent technical reports by non-profit organizations and government agencies that provide lists and descriptions—in different degree of detail—of ongoing REDD+ projects. The most relevant is a document by Espinoza & Feather (2011). In their article, “The Reality of REDD+ in Peru: Between Theory and Practice - Indigenous Amazonian Peoples’ Analyses and Alternatives,” the authors provide a selection of cases where REDD+ projects are underway in indigenous communities in Peru. Similar to the recent literature that informs the risks REDD+ poses to forest dependent communities, “The Reality of REDD+...” makes claims about the alleged lack of adequate FPIC processes followed by the project developers, the lack of transparency in the terms of the contracts or agreements signed with the communities, and the unwillingness of the developers to coordinate actions with representative indigenous institutions such as FENAMAD and AIDSESEP. Most importantly, the authors denounce possible restrictions of the use and access to the territory by the local communities. The report includes a list of case studies that encompasses Bélgica and Infierno, both in the region of Madre de Dios.

Infierno is located in the province of Tambopata and is very close to Puerto Maldonado, the region capital. Land is communally owned (9,558 hectares) by approximately two hundred and three households from three different ethnic backgrounds: Ese Eja, ribereño, and Andean. The main subsistence and commercial activities are agriculture, tourism, forest gathering, fishing, hunting, and timber harvesting. The community receives limited support from the district and regional governments and has a limited infrastructure for education, health, and transport. It is connected to Puerto Maldonado by a precarious 19 km. road that becomes difficult to pass during the rainy season. Their lands are threatened by an accelerated process

of occupation as a result of the construction of the Inter-oceanic Highway that connects Peru and Brazil. Infierno has been engaged in ecotourism since 1996 with great success and has started preparatory activities for REDD+ since 2009.

Bélgica is located in the province of Tahuamanu, in the northern part of the region on the border with Brazil (see Annex B). Land is also communally owned (53,394 hectares) by twenty families of Yine origin from both sides of the border. The main subsistence and commercial activities are agriculture, cattle ranching, certified timber harvesting, and rubber tapping. The community receives even less support from the regional and the district governments than Infierno in terms of services and infrastructure. They only have one primary school and one medical post (that is often unattended). The road that connects the village to Iñapari, the provincial capital, is not in good condition – especially during the rainy season. The territory is now under threat of deforestation due to the construction of a new road that will connect Tahuamanu and Purus (a locality in the neighboring region). Since 2009, the community has had an agreement with a logging company that is harvesting certified timber. Bélgica has been trying to engage in REDD+ since 2008.

The choice for the native communities of Bélgica and Infierno to engage with REDD+ was based on several factors: (1) both have the most-advanced REDD+ preparation projects in native communities of the Amazon currently developed by the same organization (AIDER), (2) both have gone through a process of negotiation of entry and consent in which the local authorities have represented the population, (3) both communities have prior experiences in community based management of natural resources and the use of benefit sharing mechanisms, (4) both aim to selling carbon in the voluntary market, and (5) both are pilot projects. In regards to this last point, there is a difference between both projects. Infierno's is a pilot project developed with funding from the International Timber Organization. In this project, the national government has had participation (at least in the site selection and negotiation of entry stages.) The logic behind it is that Infierno's experience will inform the creation of policies for REDD+ in Peru. Bélgica's experience was developed first by a group of

investors that funded the activities, with the condition to be paid back by Bélgica with the revenues obtained from the sales of the first and second carbon credits (details are explained in Chapter 3.)

One important difference between the two communities is the size of the territory and the population. Bélgica holds an extensive territory that is almost five times larger than Infierno, and has only about 10% of Infierno's population. Both communities are also different in their historic contexts, their relationship with the resources and governance experiences that can influence different outcomes from REDD+. For instance, we can expect more just and equitable benefit sharing mechanisms for REDD in communities where the design of the arrangement includes the voices and views of all the members of the collectivity and where previously-established, well-designed benefit sharing mechanisms have been put in practice. We can also expect that benefits will be more secured when communities have stable authorities and strong institutions. The different degrees of both knowledge and involvement of the population during the process of negotiation and entry of the intervention may lead to inaccuracies and differences in understandings and expectations from REDD+.

Research Procedures and Data Sources

The duration of fieldwork was two months, divided into two stages: (1) site selection and preparation and (2) visits to the project sites in Madre de Dios. During the first stage, I spent fifteen days in Lima evaluating candidate sites for the study and holding meetings with officers from different project development organizations working in REDD+ to learn more about the progress of projects and evaluate if they offered possibilities for being included in my research. After feasible sites were chosen, I started the preparation for fieldwork. During the second stage, I spent a total of four weeks in the field: one week in Puerto Maldonado, two weeks in Infierno, and one week in Bélgica. I arrived in Puerto Maldonado during the first week of July and worked at AIDER's regional office, where I had access to documents and reports on the project sites. I conducted interviews with members of AIDER's team that were involved in

the projects at different levels. During this stage, I established telephone contact with the chiefs of my selected sites and scheduled appointments for presenting my research project. I also visited and conducted other interviews with government officials, indigenous representatives, and researchers based in Puerto Maldonado. After being granted authorization from the communities' authorities, I proceeded to visit the communities. AIDER was extremely helpful in this phase and not only facilitated the contacts in both communities, but also included me in a meeting of the REDD+ roundtable of Madre de Dios. The meeting was held during the first week of July in Puerto Maldonado. There, I witnessed a discussion centered on the development of the agenda for Mesa REDD+ between members of civil society, representative indigenous and producer's institutions, government officials, and officials from non-profit organizations.

During my stay in the project sites, I visited several households and conducted semi-structured interviews of a duration between thirty minutes and two hours. The interviews mostly aimed at gathering background information about household activities and economy, main community business (certified timber harvesting or ecotourism), customary authority and power relations, and REDD+. In regards to this specific topic, I tried to cover all possible aspects and events of REDD+ in the community: the arrival of the idea, the negotiation of entry and consent, the role of the village authorities in the process, the relationship with AIDER, knowledge about REDD+, local expectations, involvement and participation, and changes in rules and institutions inspired by REDD+. However, the selection criteria for participants were different in both communities. Infierno's authorities provided me a short list of almost ten names of comuneros to start with and the rest of participants were obtained using a "snowball" sampling strategy. In the case of Bélgica, the chief provided a list that included the names of all the heads of household and a sketch map with the location of their houses. I was a participant observer in two public meetings held in Infierno in which comuneros discussed the distribution and use of benefits from Posada Amazonas, the community-owned eco-lodge. To the contrary, in the community of Bélgica, I was not allowed to join or observe a public meeting—which

lasted nearly 6 hours—where the new rules and changes in the community’s statutes were discussed.

Finally, the post-fieldwork period started in Lima during the first half of August and consisted mostly of data processing. Interview information and meeting notes were transcribed and analyzed using general codes, grouping information into subtopics. Then, the information was matched and contextualized using information from written sources such as contracts and agreements, technical reports, research papers, books, and doctoral theses.

Data Problems and Limitations

The present research faced many challenges, especially in regards to the process of getting participants for interviews, verifying the truthfulness of the responses, and the inclusion of women’s views in the study – all compounded by the brief duration of the study. Approaching participants in Infierno was not an easy task, due to three important factors. First, the geographic distribution of the households proved to be a barrier. These households are located along the river, with only a few houses gathered in two urban areas. The rest lie in the opposite margin of the Tambopata River and upriver (see Annex A). Access to those areas was extremely difficult because of the lack of transportation and the inaccessibility to these households resulted in their exclusion from the study. Second, the population is mostly unavailable during the daytime because they depart to their fields (“chacras”) at sunrise and return home at sunset. For this reason, most of the respondents were interviewed while they were getting ready for work and did not have much time available for the interview. Third, Infierno is already an over-researched community and the locals have become less interested in participating in further studies.

Conversely, getting participants for the study in Bélgica was extremely easy. Because the relationship between AIDER and the comuneros here is excellent (and I was introduced by one of AIDER’s project officials to the community Facilitator), comuneros welcomed me warmly and facilitated my work during my entire visit. This may have produced some bias in the

comuneros' responses as they may have intended to show how much they have learned from AIDER's workshops and how well they are following expert's recommendations of avoiding forest clearing, slash-and-burn cultivation, and cattle ranching (as well as following some guidelines of social behavior) so that the REDD+ project can succeed. I perceived this during the first interviews and, therefore, made some adjustments in the way I was approaching the respondents. My new strategy was to step back and talk about my background, my previous work, and my interests so that the comuneros could separate my work from AIDER. I emphasized that my aim was only to understand the process of arrival of REDD+ and not to judge or evaluate their activities or their views.

The inclusion of female respondents in the study was an additional challenging. Although I tried to encourage the participation of both men and women equally, this study did not collect the views of all the women of the interviewed households. Usually, the women were present, but remained silent or only slightly intervened as the men dominated the conversation during most of the interviews. This may have resulted in a bias in favor of male opinions. However, there were some cases in which women did fully participate in the interviews; this was the case of single mothers, widows, or women who were actively involved in community organizations and activities (but these were in the minority). In the specific case of Bélgica, I managed to interview all of the local women, but there was a language barrier since a group of three women only spoke Portuguese.

To conclude, it is important to acknowledge that the length of my stay in both of the sites was too short, especially in Bélgica, to have conducted an in-depth analysis. The results presented here should be considered preliminary and will serve as the foundation for further research.

CHAPTER 3

THE NATIVE COMMUNITY OF BELGICA: CERTIFIED TIMBER AND CARBON

Introduction

Bélgica is a native community located in the region of Madre de Dios, in the province of Tahuamanu, in the district of Iñapari. It lies on the right bank of the Acre River, which acts as a natural border between Peru and Brazil. Bélgica is surrounded by pastures, forestry concessions, and non-contacted nomad tribes scattered between the border of Brazil and Peru. The population consists of only twenty families who are a mix of Peruvian Yine and natives born on the Brazilian side. They speak both Spanish and Portuguese, with only the elders speaking Yine. For the most part, the only extant tradition is rubber tapping, which they continue to perform to the present day.

Bélgica is rich in fine timber species (such as mahogany and cedar), which brought the interest of loggers and traders. This community is trying to find its way to ensure better life conditions for their people. Having gone from rubber tapping and illegal logging to certificated timber harvesting, Bélgica is now getting ready for REDD+, which they believe will meet their aspiration of securing a living from sustainable forest management and carbon sequestration.

This chapter tells the story of Bélgica, the formation and evolution of the community and their political structure and rules for social order. It describes the arrival of the idea for REDD+ and their involvement in certified timber harvesting, which is the main economic activity that provides the families with a decent level of material comfort. Next, it turns into the description of the process of negotiation of entry, consent, and implementation of the preparatory activities for REDD+ with two different project developers: Asesorandes (a private consulting company) and AIDER (a non-profit organization).

Brief History of Bélgica: History, Population, and the Use of Natural Resources

Up until the 20th century, just as any other indigenous peoples in Peru, the Yine used to live dispersed throughout the forest in nuclear families. They practiced traditional activities such as hunting, fishing, gathering, and agriculture. By the early 1900's, foreign traders established and imposed a patron-client relationship with the Yine in the area with the indigenous working as rubber tappers under a debt patronage system. The Yine sold any rubber produced to the patron and, in exchange, the patron sold them goods. The amount earned by rubber tappers was usually less than what they owed the patron, creating a permanent indebtedness. The patron of the first permanent settlement of rubber tappers was Justo Bezada, who claimed to have come from Belgium and resulted in the community adopting the name "Bélgica" (meaning Belgium in Spanish). The final patron was Oswaldo Rubio, who ceased his activities in 1974 (Asesorandes, 2009). During the following ten years, the Agrarian Bank provided support to the Yine in order to independently continue rubber extraction until 1986, when the support shifted to cattle ranching (GOREMAD, 2010). As a result, local people returned to agriculture and hunting to earn their livelihoods. A portion of the population left Bélgica in search of job opportunities in nearby cities in Peru and across the Acre River in Brazil (Asesorandes, 2009).

In 1988, a cattle ranch company named "Empresa Ganadera Santa Clara SA" attempted to take over 8,427 hectares of what people in Bélgica considered to be their territory. The company cleared 1,250 hectares and sowed grass without the authorization of the community or the Ministry of Agriculture, which was the authority in charge of giving permits and titles for farming activities and the recognition of native communities (CESVI, 2006). In order to stop the invasion and put an end to the conflict, Bélgica requested the intervention of FENAMAD and other allies, such as Dr. Thomas Moore. This North American anthropologist completed a study that accompanied the request to the General Directorate of Agrarian Reform of the Ministry of Agriculture for the recognition of Bélgica's territory made in 1992 (GOREMAD, 2010). Finally,

Bélgica obtained its title 2002¹² and received rights and responsibilities over an area of 53,394 hectares. The title issues property rights over 17,620 hectares of forest and non-forest land with agricultural aptitude¹³; use rights over 31,502 hectares of forest for sustainable forestry; and responsibility over 4,272 hectares for conservation. Bélgica was then able to establish contracts for the extraction and use of natural resources (Asesorandes, 2009).

However, Bélgica's first experience with timber harvesting was on the black market. In 2003, the community established a verbal agreement with a local entrepreneur to harvest mahogany and cedar in exchange for a small price. The brief agreement was terminated when this person tried to establish a settlement upriver and form a new community in order to appropriate the resources of the area. Bélgica received help from FENAMAD and the Iñapari District Municipality to remove the invaders.

Since 2002, Bélgica has been surrounded by at least nine forest concessions¹⁴ that were granted over permanent production forests (with extensions between 20,000 to 40,000 hectares). The area was attractive for the logging business – as were Bélgica's forests. In 2003, the members of the Council—with the authorization of the Assembly—established their first formal contract with a consortium of local entrepreneurs.¹⁵ CARPIN S.R.L. was a local-based company owned by two partners: Jose Pineda— who dedicated to the logging business—and Abraham Cardozo—a powerful businessman who also owned two Forest Concessions called MADERYJA and MADERACRE. Between 2004 and 2007, CARPIN prepared and executed annual management plans for the harvest of mahogany and cedar – valuable species for which it offered prices below the average in the market. This gave CARPIN a big profit margin by selling

¹² Resolution 087-2002-MA-DRA-MDD of December 19, 2002 issuing the title No. 779

¹³ In the demarcation of the communities, the classification of soils is made according to the Ministry of Agriculture's criteria of Capacity for Greater Use.

¹⁴ The nine concessions were: Maderacre, Maderija, Pumaquiro S.A.C., Maderera Industrial Isabelita (EMINI) S.A.C., Industrial Maderera Amazónica Tecnificada (AMATEC) S.A.C., Agroindustrial Victoria S.A.C., Maderera Canales Tahuamanu (CATAHUA) S.A.C., Maderera Paujil S.A.C. and Aserradero Espinoza S.A.

¹⁵ The agreement is called "Convenio de Cooperación Mutua entre la Comunidad Nativa de Bélgica y los Operadores Forestales de Iñapari" (Mutual Cooperation Agreement between the Bélgica Native Community and the Forest Operators of Iñapari).

the logs to local companies such as Agroindustrial Victoria SAC. Nevertheless, CARPIN did hire labor from the community. CARPIN also provided services, equipment and annual payments to the Community Council (Asesorandes, 2009) and households began to receive monthly payments of 400 Nuevos Soles (approximately USD\$ 160 at current exchange rate). Respondents agree that the deal with CARPIN was not beneficial to them because the price the company paid them for high-quality timber was extremely low and the payments were delayed (and sometimes incomplete). After a number of infringements, Bélgica decided to quit working with CARPIN. Later, the Bélgica Community found out that after breaking the deal, CARPIN had continued extracting timber from Bélgica's without the community's authorization. CARPIN had been selling this timber for the purpose of financing Mr. Cardozo's campaign to run for Mayor of the District Municipality of Iñapari. CARPIN received cash advances from companies and investors with the promise of paying them back with timber extracted from Bélgica.

After this, Bélgica immediately started working with Agro industrial Victoria SAC. This company prepared the annual management plans for the years 2008 and 2009. During this time, the company also hired comuneros for forest activities and the monthly payments per household increased by 250%; now the comuneros (the residents of the community) received 1,000 Nuevos Soles (nearly USD\$ 400) – except for those households that had been established for less than three years (Asesorandes, 2009). The company also made annual payments in services and cash to the community institutions, which were significantly higher than CARPIN's (according to the respondents). There is agreement in that the commercial relationship with this company was excellent. However, Bélgica later received a more interesting offer from Empresa Maderera Rio Yaverija S.A.C (MADERYJA) – with whom Bélgica began working in 2010.

In his technical report, Pollini (Asesorandes, 2009) reflects on the changes brought by the logging business on people's lifestyles since their contract with CARPIN. He states that material comfort increased as individuals and the community began to purchase individually and collectively owned equipment, such as electricity generator, home appliances, off-board engines, motorcycles, and so on. Since community members receive a monthly payment,

subsistence activities are becoming less practiced and are in decline, including hunting, gathering, and fishing. Moreover, Pollini observed that agriculture has also been impacted as timber extraction agreements created more restrictions and prohibitions regarding traditional slash-and-burn practice (because they pose high risks of fires). Agriculture was also limited due to the aim of reserving the most standing forest possible.

Authority Structure, Powers and Rules for Social Order

Bélgica's political and authority structures have been created in accordance to the mandates of the Law of Native Communities of 1974. In Bélgica, just like any other native community, the Community Assembly is the main decision-making body and the Community Council is the governing body that holds the power and represents comuneros in their interactions with the State, companies, non-profit organizations, and others. Comuneros are also organized into associations created in the context of productive projects with companies and non-profit organizations for the extraction of timber and the production of rubber and handicrafts. Outside of its organizational structure, the community counts on a Legal Adviser and a Facilitator, who provide assistance and advice in regards to projects and contracts for natural resources extraction (both are non-indigenous). The Facilitator is a key actor who closely works with the President of the community and holds informal responsibilities. Rules for social order are established by the Assembly, written in the Community Statutes, and strictly enforced by the ruling authorities. In this section, based on the information gathered through the interviews, I describe authority structure and the powers of community members, authorities, the adviser, and Facilitator as well as the rules for social order in Bélgica.

Authority Structure and Powers

The main deliberative and decision-making body is the Community Assembly. It is composed of all members—thirty two men and women—who are registered in the Registry of Inhabitants. In this instance, the most important decisions are made in regards to the election of authorities, management and administration of natural resources, cultural matters, and

other matters of importance. Bélgica's Assembly meets once every two months in ordinary meetings and calls for extraordinary meetings whenever necessary. All community members have the obligation to attend the meetings. All decisions, including the election of new authorities, are made only with 50% + one vote of the attendees.

The Community Council is the main governing and representative body in the community. It is composed of an elected five-person body, which includes the President, Secretary, Treasurer, and two members at-large. There is no history of women holding public office in the community. Elections are called once every two years by the Assembly in an Elections Meeting. Their responsibility is to represent the community in public actions and negotiations with companies, banks, and government and non-government institutions. Therefore, every newly elected Council needs to register in the Public Registry (located in the region's capital) so that the authorities are vested with legal capacity to represent the community. All members of the council are automatically entitled to receive a bonus in their salaries for holding public office. Authorities can stay in office for as long as the Assembly allows, but can also be removed if they appropriate community resources, present inadequate behavior, or are inefficient.

The maximum authority of the community is the President, who is elected by the assembly and is entitled to sign contracts, agreements, and preparatory documents with the authorization of the Assembly. The President is entitled to make decisions in urgent situations, which can be relayed to the Assembly after the fact, and may also hire professionals or advisers at his convenience, setting their salaries and informing the community ex-post. These executive powers have been agreed and approved by the Community Assembly and have been included in the Community Statues. As we will see later, these capabilities have strong implications both for transparency in the management of community's natural and monetary resources and for the legitimacy of the decisions made by the President. According to some of the respondents, when the period of elections approaches, comuneros either express their interest in running for elections or recommend their candidates. Once the candidates have been defined, the

candidates select their prospective Secretary, Treasurer, and two members. Next, the candidates visit the households to seek support and votes.

The two authorities that work in collaboration with the President are (1) the Secretary of Acts and Documents and (2) the Treasurer. The Secretary is responsible for keeping the records in the minute book and maintaining every document that belongs to the community. However, community's documents have been kept in the city of Iñapari since 2011 at the Facilitator's office. During the flood of 2012, many of these documents were lost or damaged. The Treasurer is responsible for keeping the financial books and managing the funds. Records are kept manually. Every month, the Treasurer and the President administrate the payments from MADERYJA and distribute the money among the families. The remaining money is also managed by the Treasurer and the President, but reports of the earnings and expenses are not presented to the community, nor are demanded by them.

The Secretary of production is especially dedicated to the conduction and administration of all the economic and productive initiatives by the community. In particular, the Secretary supervises and keeps records of the amount of timber extracted by MADERYJA and then informs the community. This position enables the community to have control over the activities of the company. The current Secretary was elected for this position because of his education and training as a Forestry technician while attending high school in the city of Iberia.

In accordance with the high importance the community gives to correct social behavior in the context of the projects underway in the community, a position for a Secretary of Discipline has also been included in the Community Statutes. This person should be in charge of making sure that the comuneros behave accordingly during the meetings in and visits outside of the community. However, at the moment of my fieldwork, no one had been appointed to this position. The control of the comuneros' discipline is a permanent responsibility of the council and the comuneros.

In the context of the forest certification process during 2012, the community installed a Forest Committee (as required by the FSC rules). This committee is now in charge of supervising on site forest activities within the communal territory and following the standards established by FSC certification (explained further in this chapter). The Committee is legitimized by a statute dictated by ADECOMP and the Forest Regent, constituted of a Board elected by the Assembly, and approved by the comuneros. The President of the Board is in charge of coordinating the committee's actions with ADECOMP and then informing the Community Assembly. The Vice-President of the Board keeps record of the meetings, coordinates the training of the members of the committee, and supervises the surveillance system and Surveillance Team. The Monitoring Brigade is in charge of supervising logging activities, including harvesting, planting seedlings, road maintenance and also supervising the Surveillance Team. The latter is composed by two security guards who travel around the territory to protect it from invaders or illegal loggers. Surveillance is probably the most difficult and demanding task to accomplish (due to the size of the territory).

The population is also organized into production associations. Men are involved in the Rubber Tappers Association (RTA), while women are involved in the Artisan Committee. Both are framed in the PRA project financed by USAID, which provides access to markets. Since 2011, a group of ten comuneros have formed the RTA – a small company for the extraction of rubber (shiringa). The association has the structure of a committee and is composed by nine men and one woman¹⁶ (no additional members are allowed). This group receives the help of women who are in charge of the greenhouse where rubber trees are grown. USAID has provided equipment and is helping the RTA to find markets to sell their products. On the other hand, the Artisan Committee—established in 2010—involves the participation of fifteen young and adult women. They gather almost every afternoon at the community house to elaborate paintings on fabrics, bracelets, and other items. Men help the women in obtaining seeds and natural ropes from the forest for their handicrafts.

¹⁶ She is the daughter of the President. This person also leads the committee of artisans.

There are also several political bodies outside of the Community that have varying degrees of influence. Bélgica is affiliated with FENAMAD – the indigenous federation that had an important role in the defense of Bélgica’s territory, its recognition, and titling process since the 1980s. Some key informants argue that this support was mostly based in the presence of non-contacted tribes up the Acre River and that the size of Bélgica’s recognized territory (in contrast to their small population for only twenty families) is in fact a strategy for protecting those tribes. Nowadays, the relationship is distant as comuneros consider that FENAMAD does not fulfill the role as a representative organization for them anymore. They argue that the organization is more supportive of other ethnic groups who are currently involved in illegal mining and logging. The FENAMAD federation representatives visited Bélgica in the negotiation phase of entry with Asesorandes, back in 2010, in an attempt to persuade them into not giving consent for REDD+. However, comuneros ignored the request and continued the negotiations because, they argue, that they do not align with FEAMAD’s ideology.

Bélgica belongs to the elected District Municipality of Iñapari, which in turn belongs to the Provincial Municipality of Tahuamanu. Every year, Bélgica prepares projects or requests for the “Participatory Budget.” Bélgica has requested the maintenance of their road, access to drinking water and sewage, and electricity. Up to the date of this research, these requests remain unattended. The district government is not directly involved in any ongoing activity with the community. The perception of the comuneros is that the district government authorities only visit the community for political campaign when running for elections. Municipalities do not have jurisdiction in regards to forest or land use. Thus, this level of government is not involved in REDD+ process and discussions.

The Legal Adviser and the Facilitator are two key actors in Bélgica because they greatly influence community’s decisions. They are neither indigenous nor community authorities. The Legal Adviser is in charge of doing “paperwork” on behalf of the community, which involves the revision of contracts with companies for natural resources extraction, the registration of the community statutes in the Public Registry, assistance with clearing infractions, and/or making

claims at SUNAT (Peru's Internal Revenue Service). This adviser also acts as their attorney and represents them in negotiations with companies and when facing or making lawsuits. In addition to influencing decisions, his opinion is highly valued by all community members and authorities. The Adviser visits the community and maintains permanent contact, although mainly with the President and the Facilitator. In the past, the Adviser helped in the revision of contracts with MADERYJA, Asesorandes, and AIDER. Although he does not receive a salary, many of the respondents mentioned that, once REDD money comes, they would pay him for his "help." Other respondents mentioned that, during the first negotiations with Asesorandes, a small percentage of the benefits were being reserved as a "reward." In fact, all community members consider that his intervention on their behalf is in "good faith" because he does not charge the community for his services and is always available for them. The current Adviser was a Congressman for Madre de Dios Region during the presidency of Alejandro Toledo (2001-2006) and was also appointed as Minister of Justice in 2005. In the region, he is known for defending the causes of local illegal loggers and miners.

The Facilitator is also a key figure in Bélgica's politics and natural resources management. The Facilitator is in every day contact with the community, working side by side with the resident and keeping in contact with the Legal Adviser. He is present in every community meeting when matters such as contracts, rules, conflicts, and business ideas are discussed. This position is currently occupied by one of the former partners of CARPIN – the forest company with which Bélgica made their first logging contract. After the end of that contract with CARPIN, he continued to make small contracts for timber extraction with Bélgica—which were directly managed by the President—that provided support to the community at the same time. Since 2009, this person gradually became the community's Facilitator. Next, he tried to include himself in the benefit sharing arrangement of the Bélgica Carbon Project (claiming a 10% of the carbon sales), but the community did not accept this deal. Since January 2012, he is paid a salary of 5,800 Nuevos Soles, (approximately USD\$ 2,320) – almost four times more that the highest salary that comuneros receive (how this arrangement was reached is explained in the next section). There is ambivalence in how people think about

the Facilitator. On the one hand, respondents say that his salary is extremely high. On the other hand, they say that he “helps them with paperwork, advice, emergencies, driving them to the city, and bank operations.” Comuneros consider that his presence is important because he serves as an intermediary with authorities and companies and because he has the expertise to deal with all these actors – expertise that they lack. Some respondents mentioned that paying a salary is more convenient than paying in timber. In the past, they did not know how much timber the Facilitator extracted, and now (with the annual cut plans and the FSC regulations), they need to maintain control of their timber. However, there are some respondents who claim that the Facilitator still cuts timber from other areas with the permission of the community’s President. The Facilitator’s terms of reference are not detailed in the community minutes, nor are they clear to the comuneros.

Rules for Social Order

The rules for social order are described in the Community Statutes, which were defined in 2009 (but were last registered in 2012) using the suggested template by the Superintendent of Public Registries. Bélgica’s rules were discussed by the comuneros in meetings. The statutes establish rules for social order, defines the rights and responsibilities of the community members and the functions and powers of the authorities. The statutes of Bélgica include specific rules in regards to the exploitation of the natural resources. They give important decision-making powers and certain autonomy to the President of the community to negotiate with foreign individuals, companies, the state, civil associations, non-profit organizations, banks, fiduciaries, and trust funds – referred to as “third parties” in the statutes. They also legitimize the presence of a Facilitator and a Legal Adviser, although their functions are not clearly defined.

In Bélgica, membership in the community as a comunero is a key criteria for access to resources. Not everybody can be a comunero and rules for becoming one tend to become more severe over time. Comuneros need to be born in Bélgica, be the children of other comuneros,

or come from another indigenous village (either from the Peruvian or the Brazilian side) and must comply with some requirements. In that case, they need to resign from any membership in their original community, give proof to be free of any criminal background, and be approved by 80% of the community members. Non-indigenous individuals can only join as spouses of comuneros and need to pass a two-year trial period in the community and participate in collective work. Comuneros have the right to vote in the Assemblies and to be elected for public office.

Comuneros may lose their status in the Assembly for “bad behavior” as judged by any other comunero. Drinking, missing attendance to the meetings, and not participating in collective work—which includes cleaning the community, cleaning the road, repairing the community house, and so on—are considered bad behavior, although they are not included in the statutes. A comunero can go through a series of sanctions, including fines and temporary suspensions, until they are finally removed from the registry of inhabitants. However, there is certain flexibility depending on who the person breaking the rules is.

In Bélgica, being a comunero since the advent of REDD has become a privileged status because the Community Statue allows them to participate in the benefit sharing arrangement that will assign a fixed monthly salary per household that surpasses the national minimum wage. Regulations of the “proper behavior” of the comuneros specially made specifically for REDD are included in a “Statement” that has been prepared by the President, the Legal Adviser, and the Facilitator. The justification is that the buyers of the carbon credits will want to make sure that the benefits from REDD will be invested in improving community’s quality of life and not to incentivize bad habits.

Comuneros also have access to a piece of land for farming that they may request from the President of the community and from the Assembly. Comuneros can only have their farms on forest fallow and cannot open more fields without express authorization. Comuneros also have access to the common pool of resources within the community lands, such as rivers and

forests. They can hunt, fish, and gather products for their households, but they cannot cut timber unless it is used as construction material and is approved by the President.

In regards to the use and exploitation of natural resources, the statutes are very specific about who the community can make contracts with, which activities are allowed, and which will be approved by the Assembly. Not only comuneros, but also third parties can exploit natural resources upon the Assembly's consent. The Community Council is in charge of the administration and management of the benefits received by the economic activities related to the exploitation of natural resources, however, this responsibility can be given to banks or fiduciary institutions upon the consent of 80% of the Assembly members.

The Bélgica Carbon Project and the Experience with Asesorandes (2008 – 2011)

There have been two stages in Bélgica's experience with REDD+. The first one was the Bélgica Carbon Project, between 2008 and 2011, with Asesorandes – a consulting firm based in Lima that specializes in business development and financial engineering. The second one is ongoing since the end of 2011 with AIDER.

Negotiation of Entry

The idea of REDD+ arrived in the community in 2008, brought by people with whom the community had preexisting relationship; it was José Gomez Robles who served as Bélgica's Facilitator while working at Iñapari Radio. Gomez is a local journalist and entrepreneur who—according to the respondents—attempted to purchase 15,000 hectares (almost 28% of Bélgica's land) for timber harvesting and reforestation activities for 1.5 million dollars. The offer was discussed in a community meeting and was further declined because communal lands cannot be sold according to the law.

The same year, Gomez returned to the community and presented the idea of a “carbon project” during a community meeting. People heard the word “carbon” for the first time in a

context other than its common usage – they only knew the carbon (which in Spanish is the same word for charcoal, called “carbon vegetal”) that they made out of logs for cooking. The concept was too abstract and confusing. In a series of meetings in the community with all its members Gomez explained what a carbon project consisted of and the economic benefits it would bring. This business alternative seemed extremely interesting to the population and raised high expectations. Next, Gomez contacted Asesorandes and invited the President of the community over to a meeting in Lima. On his return, the President presented the idea to the community in an Ordinary Meeting where it was enthusiastically discussed and approved by the Assembly.

Activities and Development of the Project

In August 2008, Bélgica signed a six-month contract of exclusivity with Asesorandes to initiate the preparation for the “Bélgica Carbon Project,” for which the “Bélgica Joint Venture Company” was created. The company was a consortium between Bélgica Native Community, Asesorandes, and four other partners¹⁷ who financed or took charge of several aspects of the project. Gomez became a partner in the consortium and was replaced in his functions as Facilitator by another individual (Asesorandes, 2009). Forest Invest SAC, a company owned by Abraham Cardozo¹⁸ (the former co-owner of CARPIN and MADERYJA forestry companies), was in charge of the development of the “Sustainable Management Plan” in partnership with Carbon Decisions S.A. The plan included the design of a REDD+ Project, the design of benefit sharing mechanisms, and investment plans of REDD+ revenues (Asesorandes, 2009).

In May 2010, Bélgica and Asesorandes signed a second contract for the development and commercialization of environmental services. Under this new arrangement, the community received certification from the Forest Stewardship Council (FSC)¹⁹ – an international third-party

¹⁷ These other companies include Ecosystem Services LLC, Carbon Decisions SA, Biological Capital, and SSSAP.

¹⁸ Abraham Cardozo is an example of a relationship that predates REDD+; as we saw, he was the owner of CARPIN and former owner of MADERYJA.

¹⁹ FSC Certification was granted on February 7, 2011. Certificate Code SW-FM/COC-005336-A. License Code: FSC-C102381.

auditing body that sets standards for the sustainable harvesting of the timber. The ADECOMP Association (a FSC accredited certification body in Peru) carried out the assessment to ensure that the operation complied with all the FSC requirements.²⁰ Certification was successfully achieved for five years, to be monitored on yearly basis. As a requirement during the process of certification, the Forest Committee was created. After obtaining certification, Bélgica signed a contract for five years with MADERYJA for certified timber harvesting, ensuring a monthly income for the families. With the consent of the Community Assembly of Bélgica, Asesorandes established a strategic alliance with the National Fund for the Environment (FONAM). FONAM is an environmental fund that is officially charged with the carbon market promotion office of Peru and works directly with the private and public sector by offering counseling for the development of carbon projects and supporting the process of fundraising for investors from national and international financial organizations. This institution developed the required studies during the feasibility phase for the elaboration of the Project Document Design (PDD) and for its validation by the standards.

In January 2012, Bélgica and Asesorandes were about to sign a contract for ten years (renewable every ten years) that would finally insert Bélgica into the implementation phase of REDD+ and sell carbon credits. The contract stipulated that FONAM would negotiate the first carbon credits sale to cover FONAM's expenditures (USD \$140,000 spent in studies, PDD, and future validation) and the expenditures made by Asesorandes (USD\$ 120,000.) Additionally, this first profit would also cover the project's operating costs (USD\$ 160,000) and ensure a minimum of USD\$80,000 for the community. Thus, each household (22) would receive a first payment of USD\$ 3,636. The payments to the community would be made through a fiduciary institution selected by Asesorandes. Further carbon sales would continue to be negotiated by FONAM upon the community's authorization. The gross profit from the second and subsequent sales would also be administered by the fiduciary institution and distributed between Asesorandes (20%) and the community (80%), which would be divided as follows: direct

²⁰ The Forestry Law establishes the figure of 'Forest Regent', who is responsible for ensuring that management plans are properly implemented. ADECOMP serves as the regent.

payments to families (16%) which cannot represent less than USD\$ 80,000, community development (32%), operational costs (32%.)

Termination of the Project: The End of the Partnership with Asesorandes

After almost three years of negotiations, the relationship with Asesorandes came to an end for several reasons that are explained by the comuneros. They were disappointed by the fact that the project was taking longer than expected and that the benefit sharing arrangement was unfair to the community. Additional factors—such as the influence of the Facilitator and the opinion of other professionals—prevented Bélgica from signing the final contract with the company.

Other reasons are that there were aspects in the relationship with Asesorandes that were deteriorating. For instance, comuneros felt that they had lost patience with and confidence in the company. It took nearly two and a half years for the project to go from the identification stage to the culmination of the feasibility stage. Comuneros argue that the company showed to have several financing problems that delayed some of the programmed activities. Respondents also mentioned that whenever Asesorandes visited Bélgica, their staff would not cover the cost of food and transportation that were provided by the locals, causing harm to their already limited economies.

From the comuneros' perspective, Asesorandes had imposed a benefit sharing arrangement in the contract between Asesorandes, FONAM, and the community without consulting or negotiating it with the Council and the Assembly of Bélgica. Moreover, the arrangement was expressed in percentages, a concept that the locals did not understand since most of them only manage basic arithmetic. Bélgica's authorities consulted the Facilitator and other professionals in this matter who agreed that the share claimed by Asesorandes was too high – considering that (1) Bélgica was already going to cover the entire project's operation costs, (2) FONAM would have negotiated the credits, and (3) the company was only going to provide consulting services. Asesorandes would have only acted as broker and would have

ended up making more profit than the community. This seemed like an unfair deal to the comuneros and, therefore, they decided to decline.

Some other factors may have intervened and interrupted the relationship with Asesorandes. Comuneros mentioned that, during the negotiation process, the community Facilitator demanded a share of 10%. It is not clear from the information gathered in this investigation whether the percentage referred to the total of the gross profits (100%) or to the remaining percentage after paying Asesorandes (80%). Again, the authorities consulted a second opinion and were recommended to not accept this demand in either case. Instead, they were advised to compensate the Facilitator with a fixed monthly salary and formally hire him. The Facilitator started receiving this salary in January 2012, which is paid by the revenues from the community's timber sales. It is not clear from the interviews or documents whether the Facilitator's inability to position himself as one of the beneficiaries of the project would have lead him to obstruct the negotiations with Asesorandes.

After the contract was not signed, Asesorandes demanded that the community pay US\$120,000 to cover their expenses. The company kept all the documents and results of the studies made under the previous contracts as a means of putting pressure on the community to pay back this amount. According to the authorities, it was finally agreed that Bélgica would pay the company back once they made a profit from the first and second carbon credits sale. However, the issue is still unresolved and no accurate information regarding this matter could be obtained from the interviews or written documents.

Asesorandes' intervention has affected Bélgica in many ways, especially influencing comuneros in their ways of using the forests and the construction of a discourse regarding social behavior. Asesorandes visited the community often to hold training workshops where people were instructed in topics such as climate change, carbon sequestration, sustainable agriculture, and agroforestry. These have influenced a change in the way the comuneros use the land. For instance, comuneros report to have changed their agricultural practices by using

only forest fallow to make their farms, reducing their area for plots, diversifying the products, and by halting cattle ranching (which seems to be only what they say, as there cattle was observed in a few farms using large extensions of land). They also report to have been taught “to take care of the environment” by managing their waste and recycling. There are signs in the center of the community to remind comuneros and visitors to keep the community clean. Teachings or “recommendations” (regarding social aspects) are ever present in comuneros discourse. Comuneros mentioned that it is important to eradicate alcohol consumption and domestic violence. Comuneros report that these two have declined because they need to deal with outsiders after realizing that investors, NGOs, and cooperation agencies would not want to deal with an “ill and problematic community.”

Comuneros realize that, when they decided to engage in the Bélgica Carbon Project, their decision was based on over-expectations and that they did not have accurate information on the details of the carbon project – such as its duration, costs, obligations and possible risks. They also realized that dealing with the project was somewhat complicated – as the President and the Facilitator had to constantly travel to Lima for meetings with the Consortium. Knowledge was required to deal with them, another reason why they consider that the Facilitator’s role is important in their organization.

Certified Timber Extraction: MADERYJA S.A.C.

MADERYJA is the company that has been contracted by Bélgica’s Council and approved by the Assembly to harvest timber in the Bélgica Community since April 2010.²¹ This company was formerly owned by Abraham Cardozo—a member of the Bélgica Consortium and ex co-owner of CARPIN—and was recently sold to a Chinese investor. MADERYJA has a five-year contract with Bélgica for harvesting hardwood for export, such as mahogany and a variety of local species. The company owns a sawmill in the city of Iñapari, where the wood is transformed into hardwood strip flooring and then transported to Lima for export. Extraction is

²¹ “Contrato de asociación para el aprovechamiento sostenible de los recursos naturales y desarrollo integral de la comunidad Bélgica” was signed on April 21st, 2010.

performed under the constant supervision of the Forest Committee and MADERYJA supervisors.

MADERYJA pays the community a fixed monthly cash advance for the harvesting of an Annual Logging Parcel (PCA), which refers to the area that will be harvested during one year. This is done according to the Annual Operating Plan (POA), which is the plan or schedule for logging. At the end of each year, the total amount of harvested wood is calculated and the difference is paid. During the first year, the cash advance was 20,000 Nuevos Soles (USD\$ 8,000). During the second year, it went up to 40,000 Nuevos Soles (approximately USD\$ 16,000), which is what they currently use to pay for community expenses and to distribute among the households. Income is to be distributed among the twenty households formally established and living in the community, according to criteria established by the comuneros. Community expenses include the salary of the Facilitator, fuel for the generator that provides electric energy during the night time, fuel for the SUV truck that is used for transporting the President of the community and the comuneros to the city of Iñapari almost every week, extra compensation for the school teacher and nurse, travel expenses to cover authorities' participation in workshops or meetings in the region or in Lima, and an emergency fund.

In August every year, several community members are temporarily employed during harvest time, which provided additional income to some families. Women are hired as cooks and men are hired as guides – and both are paid a daily stipend. The locals are preferred over foreigners because they know the territory and the location of the logs. MADERYJA trains them in the use of equipment, such as GPS and the compass. Community members are also taught how to measure standing timber. This is especially useful for the comuneros to keep record of how much wood is being harvested in order to make sure they are paid for all the felled timber.

As part of the agreement, MADERYJA provides bridges, the football field, the provision of seedlings, maintenance for part of the dirt road, and any other additional services the community may require. In 2011, in form of gratitude to the Community Council, the company

gave an electricity generator and a 4x4 SUV vehicle — which is in hands of the President of the community and is driven by his sons and sons-in-law. The company is required to provide access to the information on its operations in order to meet all the requirements of the FSC certification.²²

When prompted about their knowledge about the value of certified timber in other operations, community members said that they do not know the prices of timber nor verify prices with other sources. The respondents mentioned that the President, the Facilitator, and the Secretary of Production are the ones in charge of verifying the prices. Even though comuneros are suspicious that the price they are paid for their certified timber might be low, they seem satisfied overall. The comuneros accept it because the company claims that the cost of labor, machinery, and fuel are high and that otherwise the community would not be able to extract the timber on their own.²³

Comuneros express that their involvement is necessary to ensure that logging is being done in order to meet the established rules for their own benefit. The Forest Committee supervises MADERYJA's activities to ensure that they are in compliance with the terms of FSC.²⁴ Comuneros show pride and seem to enjoy participating in this activity because they are acquiring sufficient skills for and knowledge on sustainable forestry.

Benefit Sharing Arrangements

Benefits of the certified timber sales are distributed among thirty-three registered and active community members (as of July 2012). According to them, the distribution follows rules and scales that are only orally stated. The salary scale is composed of five categories that were calculated by the President and the Facilitator and were discussed with the Assembly (who

²² The Chain of Custody certification is a mechanism for tracking certified material from the forest to the final product to ensure that the wood, wood fiber, or non-wood forest produce contained in the product or product line can be traced back to certified forests.

²³ These claims were not verified with the company.

²⁴ More information on the functions of the Forest Committee is detailed in the "authority and rules for social order" section of this chapter.

approved them in a meeting). The shares that comuneros receive are calculated in consideration of people’s civil status, age, gender, and the burden of holding public responsibilities. The categories are: (1) member of the Council, (2) heads of households (HH) with public office (committees), (3) male heads of households, (4) female heads of households, and (5) single men 18 years or older. Only one salary per household is allowed. Salaries range between 1.25% to 3.75% of the total monthly payment that Bélgica receives from MADERYJA – which is currently 40,000 Nuevos Soles a month and 480,000 Nuevos Soles a year (approximately USD \$16,000 a month, USD \$192,000 a year). Salaries are adjusted every year since the community’s annual income varies according to the amount of timber to be harvested.

TABLE 1 – SALARY CATEGORIES UNDER CURRENT BENEFIT SHARING ARRANGEMENT

	CATEGORY/STATUS	NUMBER OF PEOPLE IN THE CATEGORY	INCOME IN DOLLARS	EQUIVALENT PERCENTAJE OF COMMUNITY INCOME
1	MEMBER OF THE COUNCIL	3	600	3.75
2	MALE HH / PUBLIC OFFICE	3	560	3.50
3	MALE HH	9	480	3.00
4	SINGLE MOTHER / WIDOW	2	400	2.50
5	SINGLE MAN	4	200	1.25
	ADULT / MARRIED WOMEN	12	0	0

Table 1 shows the categories and correspondent salaries according to the benefit sharing arrangement in effect in 2012. In reality, there are some comuneros who earn more of what their current status allows. According to most of the respondents, the members of the Council—the President and Treasurer in particular—pay higher salaries to their direct relatives (brothers, sons, sons in law). These favored relatives justified these exceptions arguing that they had larger families or were former authorities.

TABLE 2- BENEFIT SHARING ARRANGEMENT FROM TIMBER SALES PERCENTAGES AND AMOUNTS OF DIRECT PAYMENTS TO HOUSEHOLDS ACCORDING TO CATEGORY

POSITION	NUMBER OF PEOPLE IN CATEGORY	CORRESPONDING PERCENTAJE OF COMMUNITY INCOME ACCORDING TO RULES	RECEIVED PERCENTAJE OF COMMUNITY INCOME	SALARY IN USD	RELATIONSHIP TO THE RULING AUTHORITIES
<i>FACILITATOR</i>	1		14.50	2,320	<i>facilitator</i>
COUNCIL	1	3.75	3.75	600	
COUNCIL	1	3.75	3.75	600	
COUNCIL	1	3.75	3.75	600	
PUBLIC OFFICE	1	3.50	3.50	560	
PUBLIC OFFICE	1	3.50	3.50	560	
PUBLIC OFFICE	1	3.50	3.75*	600	direct relative
MALE HEAD OF HOUSEHOLD	1	3.00	3.00	480	
MALE HEAD OF HOUSEHOLD	1	3.00	3.00	480	
MALE HEAD OF HOUSEHOLD	1	3.00	3.00	480	
MALE HEAD OF HOUSEHOLD	1	3.00	3.50*	560	direct relative
MALE HEAD OF HOUSEHOLD	1	3.00	3.50*	560	direct relative
MALE HEAD OF HOUSEHOLD	1	3.00	3.50*	560	direct relative
MALE HEAD OF HOUSEHOLD	1	3.00	3.50*	560	direct relative
MALE HEAD OF HOUSEHOLD	1	3.00	3.50*	560	direct relative
MALE HEAD OF HOUSEHOLD	1	3.00	3.75*	600	direct relative
SINGLE MOTHER / WIDOW	1	2.50	2.50	400	
SINGLE MOTHER / WIDOW	1	2.50	2.50	400	
SINGLE MAN	1	1.25	1.25	200	
SINGLE MAN	1	1.25	2.50*	400	direct relative
SINGLE MAN	1	1.25	3.00*	480	direct relative
SINGLE MAN	1	1.25	0.00*	0	"bad" behavior
ADULT / MARRIED WOMEN	12	0.00	0.00	0	

Table 2 shows the total number of community members and the income each one receives. It can be noted that there are six heads of household who actually receive more than they are entitled to according to orally stated rules. The same occurs in the case of one man who holds public office (in a committee) but receives the salary of a Council member. There is the case of a single man who is receiving the salary of a male head of household without having any

dependents. Some of the respondents reported that this person was receiving a salary even before of reaching the age of majority.²⁵ In contrast, there is the case of a single man in his twenties who does not receive a salary because he has been accused of “bad behavior” for not attending the meetings, for spending extended times outside the community, for not participating in collective work, and for having bad manners (this person has been unsuccessfully petitioning for a salary over the last year). The table also includes the equivalent percentage of the Facilitator’s salary with the purpose of contrasting its proportion against the salaries of the community members.

The benefit sharing arrangement excludes adult women because they are considered to be “dependent” on either their father or their husband. There are twelve women in the village who are not entitled to receive a salary. The only ones receiving salaries are widows and single mothers. The salary women receive is never higher than the salary of a male head of household and they do not hold public office.

In order to have the right to receive a salary, comuneros need to comply with some rules of social order. First of all, they need to attend the community meetings, to participate in collective work, and to maintain good and proper behavior. The Council can impose fines or deductions from an individual’s salaries in case they disobey social norms. For instance, alcohol consumption or not attending the communal meetings results in a fine of 50 Nuevos Soles (equivalent to USD\$ 20.00). What is collected in fines goes into an “emergency fund” that is managed by the Treasury. However, even though the authorities report to have detained money from some comuneros, they are unable to answer how much has been collected or how this money is spent in the case of an emergency. According to the respondents, communal rules prohibit that income is invested outside the community. Comuneros should live and spend in Bélgica – otherwise they will lose their privileges. For instance, comuneros that are away for long periods lose their status and are no longer allowed to benefit from the revenues.

²⁵ The age of majority in Peru is eighteen.

Almost 64% of the total monthly income in the community goes to covering direct payments to the comuneros, while 14.5% go to the Facilitator's salary and the rest, 21.5% goes to cover community expenses. These percentages have been calculated from the results of household's interviews (as there are no official expense reports made by the Treasury). Therefore, comuneros ignore how the funds are managed or invested. Only a small number of respondents feel disturbed by the Council's lack of transparency in the management of the funds, while the rest of the respondents seemed to not have a problem. There are no official complaints or claims made by the comuneros to have the Treasury disclose the reports. In sum, the current benefit sharing arrangement excludes less powerful individuals in the community, while it benefits the ruling families.

Comuneros expect that future arrangements for REDD will be similar to the one that is in effect now for the timber revenues. All of the respondents have a strong preference for receiving direct payments to households and for the creation of a community fund to improve healthcare and education services. The Assembly has discussed this in meetings, but the way arrangements are made will depend on the negotiations that Bélgica will make with the Project Developer and financial institutions. However, if the benefit sharing arrangement chosen for REDD resembles the one that is in effect now, it runs the risk of reproducing inequality and exclusion.

The Bélgica REDD+ Project and the Experience with AIDER (2011-to date)

Negotiation of Entry and Consent

The NGO AIDER—a non-profit organization that provides technical assistance to rural communities for sustainable forest management and is currently developing REDD projects—arrived in the community by the invitation of the President, the Legal Advisor, and the Facilitator shortly after the agreement with Asesorandes was dissolved. AIDER's directors visited Bélgica to meet with the comuneros and to discuss with them the terms of an agreement for completing the identification phase. After a short period of deliberation

between the Community Council, the Community Assembly, the Facilitator, the Legal Advisor, and AIDER, the first agreement in which Bélgica gave consent was signed in October 2011.²⁶ Community members immediately demonstrated trust in AIDER because it is known in the region for having led other REDD+ projects and for having the endorsement of the Legal Adviser and the Facilitator.

Activities and Development of the Project

According to the agreement narrative, the reinvented *Bélgica REDD+ Project* seeks to add value to the community's forests (which are already under FSC standards) in order to provide Bélgica with additional income. AIDER's agreed is to visit the community at least every two months and to provide comuneros with information and training. The Comuneros' agreed to collaborate with the team, providing all the necessary information and support for the making of the Project Document Design (PDD). This time, as opposed to their experience with Asesorandes, Bélgica will not be charged for the cost of these studies and documents.²⁷

Respondents mentioned to have a good relationship with AIDER. Community members feel safe because they do not have to deal with an intermediary or bear the costs of the PDD. They say to trust AIDER because—in their opinion—it is working fast, giving them good training, providing transparent information, and helping them to find potential buyers. Comuneros have high expectations for AIDER and the project in general.

On behalf of AIDER, the team members working in Bélgica mentioned that the community cooperates to ensure a “good development” of the project. Comuneros provide information by participating in workshops, focus groups, and individual interviews. They also join AIDER in their field visits in the forest and help them in both data and sample collecting for the Carbon Stock Inventory. However, AIDER's team worries about the high expectations that could turn into future disappointment if things did not come out as expected (considering that

²⁶ “Convenio Marco de Cooperación Institucional entre AIDER y la Comunidad Nativa Bélgica”

²⁷ No information was obtained on what will be the source for funding for these studies.

the carbon market is not regulated and is therefore highly speculative). The team stressed that their priority is to be transparent and inform Bélgica as much as possible. AIDER is committed to maintaining their reputation as the leading NGO of carbon projects in Peru.

AIDER confirmed that their intervention in Bélgica will cease with the preparation of the PDD (approximately by December 2012) and its validation with VCS and CBB standards (anytime in 2013). Since AIDER will not engage as a broker in the future, part of the agreement is that it will find potential investors with whom Bélgica can directly negotiate. One candidate is the Althelia Climate Fund. Althelia is an investment fund registered under the laws of Luxembourg and whose main objective is to provide financial and technical resources to high-quality REDD+ projects and generate tradable emission reductions. This institution was introduced by AIDER as the potential investors in the Bélgica REDD+ Project. After overcoming a few obstacles, AIDER and Althelia signed a Memorandum of Understanding (MoU) in which both agreed to explore and further identify opportunities to develop and implement projects that will serve to address the impacts and economic costs of climate change, the subsequent adaptations to climate change, and capacity building within Peruvian communities.²⁸

During the second half of 2011, the “Bélgica REDD+ Project” had finished the identification phase and continued into the feasibility stage. AIDER sought Bélgica’s consent again and informed the community of the upcoming steps in this phase at a community meeting (with the intervention of the Directors of AIDER, the community, the Facilitator, and the Legal Adviser). Comuneros mention that their Legal Adviser suggested that this was a good chance to successfully engage in REDD+, given that Althelia and AIDER are trustworthy entities. Althelia is better known among the comuneros as “the French,” since the fund is financed by BNP – a financial institution established in France. Respondents are not familiar with the nature of “the French” other than being “the group that will negotiate the carbon credits.” This raises doubt on how well informed the comuneros were prior to giving their consent.

²⁸ According to the “Memorandum of Understanding” by and between, Asociación para la Investigación y Desarrollo Integral (AIDER) and the Althelia Climate Fund GP, dated February 21, 2012.

During the 17th session of the Conference of the Parties (COP 17) held in Durban in December 2011, delegates of AIDSESEP stated that “REDD+ projects in Peru are not transparent and are not applying adequate FPIC processes to the detriment of native peoples²⁹.” This statement caused investors of the Althelia Climate Fund to immediately halt the signing of agreements in Peru until a thorough evaluation of how the FPIC processes in the communities are made. Immediately after, AIDER’s interdisciplinary team arranged a visit to the community with a number of objectives. The first objective was to instruct the comuneros in concepts such as Carbon Credits and REDD+ Projects and to discuss potential social and economic impacts. The second objective was to discuss the progress of the Carbon Stock Inventory started in November 2011. The third and last objective was to present and discuss a method to study local livelihoods.³⁰ It is likely that the results of this visit were shared with Althelia to show that the process by which comuneros are informed and give consent was being properly developed by AIDER. Thus, in February of 2012, the MoU between AIDER and Althelia was finally signed and Bélgica was included as a pilot community for REDD+ to start the feasibility phase. A visit by representatives of this fund was scheduled for August 2012, after fieldwork for this investigation was finished.

By the end of fieldwork, the project activities were undergoing some adjustments. AIDER officials were designing new communication strategies after they found out that the knowledge in regards to REDD+ and the preparatory activities were insufficient and inaccurate and that expectations were too high. For instance, the idea that REDD would bring in large amounts of money was rooted in most of the comuneros. AIDER decided that it was necessary for them to explain to the community how the carbon market works and how the price of carbon can vary due to the lack of regulation of the voluntary market. Bélgica’s high expectations are fueled by the experience of MADERYJA’s REDD project that sold carbon credits for USD\$7 per metric ton. According to AIDER, comuneros ignore the fact that the price of

²⁹ Extracted from a letter AIDER sent to Bélgica in December 2011, right after the COP 17 finished.

³⁰ For details on the activities and results of this visit see AIDER’s: “Memoria de las actividades realizadas en la Comunidad Nativa Bélgica, en el marco del proceso de implementación de un proyecto REDD+” (December, 2011).

carbon came down to as low as USD\$2 in July 2012. Also, as part of the feasibility phase, AIDER was working to define a REDD+ strategy in the community, which has to be done with local participation. The REDD+ strategy includes a series of complementary activities that will provide community members with incentives to improve their livelihoods and to meet the goal of avoiding deforestation. Comuneros planned to continue with the production of handicrafts and rubber while also continuing to receive their salaries from MADERYJA.

CHAPTER 4

THE NATIVE COMMUNITY OF INFIERNO: RUBBER, ECOTOURISM AND CARBON

Introduction

Infierno is located in the province of Tambopata, Region of Madre de Dios, and is identified by conservationists as a “biodiversity hotspot.” It is distributed along both banks of the Tambopata River, in the buffer zone of the Tambopata National Reserve and the Bahuaja Sonene National Park. Because of its strategic location and its biological and cultural diversity, Infierno has been targeted by many developmental interventions in addition to serving as a meeting point for researchers and students conducting field research (AIDER, 2012).

It is said that the name of the community originated when a man cried out “vivir aquí es imposible, esto es un infierno! [Living here is impossible, this is hell!].” During the early twentieth century, “Infierno” evoked the idea of punishment and suffering during the afterlife in the minds of the first settlers of the Low Tambopata River. They struggled to adapt to a life in the forests, enduring high temperatures and coexisting with unknown and often dangerous beasts. Today, that image of Infierno is only anecdotal as the community now evokes the idea of indulgence and enjoyment to visitors coming from all around the world in search of a close encounter with nature. What Infierno really is and what it endeavors to become is caught in an in-between. It is a land where three cultures mixed and evolved together along with the intervention of the state, the catholic missions, the development agencies, conservation organizations, and the private companies.

This chapter tells the story of Infierno, with a focus in the formation of the community and the mix of the three social groups that comprise it. Here, I pay special attention to their experience in the field of tourism, which has become a paradigm of the successful negotiation, consent, implementation, and development of projects to the people of Infierno (Stronza,

2010). Next, this chapter turns to the description of the negotiation process of entry, consent, and implementation of the preparatory activities for REDD+.

Brief History of the Community

The Ese Eja is an ethnic group that belongs to the linguistic family of the Takana, which had been historically scattered in the southern part of the region along the Tambopata River (“Bawuaja” in the Ese Eja language), the Beni River (now in Bolivia), and the lower Madre de Dios. They relied on hunting and gathering for survival and had sporadic contact with Andean populations, with whom they traded feathers, honey, and live animals for axes and knives (Alexiades, 1999). This relative isolation came to an end with the arrival of the Rubber Boom during the first decade of the twentieth century. Relations between them, the market, and the State intensified (Alexiades, 2009), but a demographic debacle followed as a result of abuse, raids, and contact with masses of incoming laborers (Alexiades, 1999). Many Ese Eja moved to the headwaters of the Tambopata to hide, while others positioned themselves along waterways and developed commercial relations with the rubber tappers. In the 1920s, the Dominicans established missionary settlements that became important centers where the Ese Eja mixed with other ethnic groups and formed a hybrid local culture. However, after some violent events, two missions were closed (Stronza, 2000). Some natives were regrouped, while others escaped and formed their own villages (IBC, 2001). Between the 1940s and 1960s, the settlements that gathered the first inhabitants—who later formed Infierno—started to develop. Two Ese Eja settlements—Hermosa Grande and Chonta—from along the Tambopata merged when Hermosa Grande hosted people from Chonta after a severe flood washed away their dwellings (IBC, 2001) (a map of the community is found in Anex A). A few kilometers down the river was *Infierno*, inhabited by families of “Ribereños” (meaning “riverside dwellers”) – who are the mestizo descendants of the first migrants during the rubber boom (AIDER, 2010).

During the decade of the 1970s, the role of the State through the National System for Social Mobilization (SINAMOS)³¹ played an essential role in grouping the Ese Eja and ribereños living along the Tambopata into demarcated territories. Both Hermosa Grande and Infierno were in need of a primary school, but neither of them complied with the minimum requirement of gathering twenty families to be eligible to receive State benefits. Officials from SINAMOS visited the ribereños of Infierno and proposed them the creation of a Native Community by taking advantage of the presence of the Ese Eja. Thereby, the ribereños convinced the Ese Ejás to move into Infierno. During a public meeting, the establishment of the community of Infierno was agreed upon by both groups – becoming the first Native Community in Madre de Dios to include non-indigenous citizens. In 1976, Infierno was recognized with a demarcated area of 9,518 hectares that were to be communally owned.³² In order to prevent conflict due to cultural differences between the two groups, it was agreed that the Ese Eja would live on the right margin of the river, while the ribereños would stay on the left (Stronza, 2000; Alexiades, 1999; IBC, 2001). All of the comuneros of Infierno, but especially the natives, continued to perform their traditional activities (hunting, gathering and fishing) in the customary Ese Eja territory, which extended beyond the borders of the title and which currently is the Tambopata National Reserve (RNT).

By the end of the 1960s and during the first years of the 1970s, Madre de Dios received an infusion of Andean migrants in a state-led process of occupation of the Amazon. A number of them came to Infierno, became comuneros, and were given the right to work a piece of land and to access and use the common resources of the community. The majority of them settled in Cascajal in the north part of Infierno (Stronza, 2000; IBC, 2001). A few years later, during the tenure of an Andean President of Infierno, some families moved out of the community and left their farms behind. The President of the community facilitated the entry of many Andean families to occupy those parcels. The relations between the Andeans and the Ese Eja did not

³¹ SINAMOS stands for “National System for Social Mobilization”.

³² The Community of Infierno was officially recognized by Director Resolution N° 61-OAJAFORAMS-VII-76 on April 20th, 1976 by the Sub Regional Directorate of Agriculture. However, up to the time of this research, it had not been registered in the Public Registry in order to receive the land title and the title of use agreement.

develop smoothly, as the elder natives blamed this group for cutting the forest for the expansion of agriculture and illegal logging.

In the early 1980s, the Tambopata area started becoming a popular destination for tourism as a result of its biological and cultural diversity. A company named Peruvian Safaris was granted a tourism concession in an area that overlapped Ese Eja customary territory. Both the company and the community signed a cooperation agreement that was finished later only after a breach and a territorial dispute. In 1996, the arrival of ecotourism marked the beginning of a new episode in the history of the community. Infierno established a long-term partnership with Rainforest Expeditions and formed the Ke'eway Association for the construction and administration of a world-class ecolodge named Posada Amazonas. In the years that followed, Infierno not only gained a place in the market of tourism, but also modified its socio-political organization (Stronza, 2010).

Authority Structure, Powers and Rules for Social Order

Just like in the case of Bélgica, Infierno's political and authority structures have been created in accordance to the regulations of the Law of Native Communities of 1974 and have incorporated civil society organizations representing particular interests within the community. Thus, Infierno is represented by a Community Council and a Community, and also by civil society organizations that are mostly related to the ecotourism activity. The Control Committee, which was especially created in the context of the ecotourism project, has gained political power and technical expertise, and has become an important body of local governance. This section provides a description of the main features, functions and the relationships between the community members, the core institutions, and the civil society organizations.

Authority Structure and Powers

The main governing institution of Infierno is the Community Council. It is a five-person body elected every two years by the community to represent the collectivity in public actions and in negotiations with the government, non-governmental institutions, and FENAMAD (the indigenous federation). The Council is in charge of enforcing the rules for social order and for the use of the natural resources. It is composed of a President, a Secretary, a Treasurer, and two members at-large who are accountable to the Community Assembly. Only the President receives a salary in compensation for leaving his³³ personal affairs behind the scenes (his family, his farm, or work at the lodge). Aspirants to these positions run in an election campaign and are then elected by the Community Assembly. In the last thirteen years, the Presidents have been either ribereño or Ese Eja – but not Andean, mainly because the ribereño and Ese Eja family clans are more numerous and have more cohesive relationships, in addition to the fact that the Andeans are a minority. The members of the Council may be removed from office by the Assembly in the event of proven lack of transparency, corruption, or unresponsiveness. This has actually occurred in the past, according to some of the respondents. However, the process of removing an authority may be difficult, as the family clans tend to protect and advocate for their members.

The Community Assembly is the main deliberative body, constituted by all the members that are registered in the Register of Inhabitants. The Assembly holds monthly ordinary meetings to discuss community affairs, especially in regards to the progress of the lodge. Meetings can extend for many hours and debate can turn heated, especially when discussing the investment of resources or the sanctions of community members for wrongdoing and violation of community rules. Decisions are reached by a vote. Attendance at meetings is mandatory for all community members, however when a comunero or comunera cannot attend (because is either working at the lodge or in the city), the spouse can represent them to avoid the non-attendance fine. Not all decisions are made by the Assembly; some are directly

³³ There is no history of female members in the council.

made by the Council according to its mandate. The minutes from all meetings are recorded in a logbook.

The Committee of Control is a civil society organization that was born in the context of the ecotourism project. It was elected by the first members of the Ke'eway association and was initially composed by ten volunteer members. The role of the committee was to inform the members about the progress of the lodge, the finances, human resources affairs and management decisions (Stronza, 2000.) Currently, the committee is composed of a permanent Directory Board—President, Secretary, Treasurer, and two members (one of them is part of the Council)—and five substitute members. The Board members receive a salary of 1,000 Nuevo Soles (approximately USD\$ 400). Only the President is changed every two years, while the rest of the members are evaluated by the committee itself and are allowed to stay if they pass the evaluation. Both the election of the President and the evaluation of the members are performed by the Committee (one of whom is a member of the Community Council). Members of the Board argue that frequent rotation would interrupt and prevent the group from gaining knowledge and experience in project management. However, this is still an unusual arrangement that poses a conflict of interest as the Committee is not likely to punish itself.

The Committee represents the particular interests of the members of the Ke'eway Association (discussed further in this chapter). The Committee is in charge of supervising, evaluating, and controlling both compliance with the contract and the finances of the Association. The Committee reports the finances, changes in infrastructure, human resources, and the administration of Posada Amazonas to the Council and the Assembly with the objective of protecting the interests of the members. The Committee also mediates conflict between the company and the community. The Board has been trained in basic accounting in order to supervise the books of revenue and expenses. Throughout the year, the Committee of Control reports the progress of Posada in almost every Assembly meeting. Furthermore, every July, the Committee presents a consolidated report of revenues and expenses; the revenue is subsequently distributed every year in August. Starting in 2012, the Community Council — in a

joint effort with the Committee — has also been participating in the supervision, elaboration, and presentation of the report in order to improve transparency. It is currently known as the “Committee of Projects Control” because its responsibilities have been extended into the supervision of other projects.

There are other committees in existence that function as small business enterprises dedicated to providing goods and services and to harvesting fruits from the forests (Brazil nuts and “aguaje,” the fruit of the “agujales” palm tree). The Committee of Artisans and the Committee of Boatyards have exclusivity agreements with Posada Amazonas to sell handicrafts and to provide transportation for tourists traveling from Infierno to the lodge. The Committee of Brazil Nuts and the Aguaje Harvest Committee were formed in the context of projects for sustainable forest use in order to provide members with additional income. According to the community’s rules, all of these committees have to pay 5% of their income to the community (through the Council). However, the committees usually circumvent this rule.

Also born out of the context of the ecotourism project, the figure of the Project Coordinator is nowadays probably the most strategic and polemic position in the community. While this person does not have the powers of an authority, he acts as an Adviser. He gives technical assistance and counseling and is involved in most of the actions executed by the Council and the Committee of Control. This person is in charge of representing the community in the management and assessment of the ecotourism project and of increasing and diversifying Infierno’s project portfolio. The current coordinator was the President of the Committee of Control between 2008 and 2009. Up until 2010 the position of Project Coordinator had been filled by an external professional, who used to be selected and hired by Rainforest Expeditions and paid by the Ke’eway Association. However, since the comuneros (who are members of the Association) complained that the former Coordinator “leaned more to the company’s side” and did not look after the interests of the community, they agreed to make a change. Thus, in 2010, the members of the association agreed to start a selection process to hire a community member that will serve as a Project Coordinator. This is how the

current Coordinator was appointed. He receives a wage³⁴ and reports to the community. The Coordinator's brother is the current President of the Community Council and they work together very closely. They both belong to a powerful family clan descended from the first ribereño settlers in Infierno.

One other important political institution for the community of Infierno is FENAMAD; the community has been part of this indigenous organization since 1982. FENAMAD represents Infierno at the national level for any actions taken by the indigenous movement led by AIDSESEP and has been instrumental in helping Infierno during the process of titling, during the establishment of new authorities and rules, and whenever they need to register the new Council in the Public Registry. FENAMAD also facilitates contact with governmental institutions and non-governmental organizations, attracting economic resources and technical assistance. Two community members from one of the Ese Eja clans are former Presidents and authorities of FENAMAD, with whom the federation continues to have a close relationship. These members pass political positions within the national indigenous movement on to the community (this is further developed in the next section, where I discuss the arrival of REDD+ and one sector of the population's opposition to it). Nowadays, Infierno and FENAMAD are distant and most of the community members and authorities argue that FENAMAD no longer represents them. Current FENAMAD leaders are Harakmbut (another indigenous group located in the Madre de Dios region) and are more focused on the defense of some Harakmbut who are involved in illegal gold mining in Los Amigos River, which is a high-impact problem in the region. Community members of Infierno feel mostly ignored by the organization and have even discussed the possibility of withdrawing and forming their own organization along with other communities of the Tambopata River.

Infierno lies in the jurisdiction of the District of Tambopata in the Province of the same name. According to comuneros and the Council, their relationship with the District Municipality is limited to their attendance to the Participatory Budget Meeting where the community

³⁴ Information on the amount of the wage was not revealed.

presents project ideas based on the needs of the community. However, many of their petitions are ignored and filed by the District Municipality due to its almost permanent lack of funds. Comuneros have more communication with the Regional Government, which oversees the sectors of agriculture and forestry. Comuneros appeal to the Regional Directorate of Agriculture when they require technical assistance for agricultural production or need to complete the process of land titling for the community. Comuneros also petition the Regional Executive Directorate of Forestry and Wildlife to obtain permits for timber extraction and concessions over non-timber forest products.

Rules for Social Order

People born in Infierno automatically become “comuneros” when turning eighteen years of age. Up until the year 2006, the rules for becoming a community member for newcomers were relatively simple. A candidate was required to write a request to the Community Assembly, to participate in collective work, and to be under probation for one year until granted admission. Along with membership, the new comunero was granted access to the common resources and received an area for farming. New comuneros also received the right to become members of the Ke’eway Association and acquired responsibilities such as: attending the meetings, maintaining good behavior, and participating in collective work – which consisted of short-term activities (such as cutting the grass and cleaning the roads) in which all or groups of comuneros participate. The rules for the incorporation of newcomers have turned more complex in the recent years (Stronza, 2010). For instance, community delegates established that new comuneros cannot become members of the Ke’eway Association anymore, which was one of the main reasons why outsiders wanted to obtain membership in the first place. The association has decided not to incorporate more members since it reached its limit of 154 members, because otherwise revenues would become too small to be significant to the members.

The rules for social order have been made collectively and gradually since the formation of the community and have been adapted to the needs and evolution of Infierno. These rules are included in the Community Statutes and are legally registered in the Public Registries. They establish the rights and responsibilities of the community members, the powers and duties of the authorities, and procedures for elections, among others. Upon the arrival of the ecotourism project, the statutes were changed with the help of the legal adviser in order to include some rules in regards to Infierno's partnership with the tour operator. Until 1996, the suggested template of the Public Registries for indigenous communities' statutes did not take into consideration the creation of a partnership between a native community and a private company. The establishment of these rules were carefully debated and agreed on by the Assembly. According to the members of the Council, once the community has finalized the preparation for REDD, the statutes will need to be modified again in order to formalize new rules made in regards the benefit sharing arrangement and new rules for the use of forests (for new rules for REDD in Infierno see Chapter 5.)

Besides the statutes, separate sets of regulations have also been written in regards to specific issues. For instance, there are rules for use of the communal territory and the forest concession. Rules for the use of the territory within the community have been established in response to the increase in the population, with their demand for land and the pressure they impose over the bordering Tambopata National Reserve (RNT). The population continues to perform traditional activities inside the reserve, which is currently limited by rules established by the National Service of Natural Protected Areas (SERNAP). Efforts by the community, non-profit organizations, and research organizations have been made in order to limit people's access into the reserve in order to decrease logging, hunting and, cutting of the fruit ("aguajes") from palm trees ("aguajales"). In the case of the forest concession, there is a set of rules that detail what is and is not allowed for every type of visitor: community members, guides, and tourists.

In cases like land allocation, rules are still not written in the Statutes, but are discussed and set by the Assembly and executed and enforced by the Council. Land allocation rules have changed over time according to the availability of land in the community, which is decreasing. Every time the rules are adjusted or modified —mainly in terms of general location of new plots and size— they are recorded in the community logbook. The Council has the power to establish the specific location and extension of the land, which varies depending on the characteristics of the terrain. Land is communally owned and all community members have the right to receive one piece of land for farming, but community members will only maintain the right to it if they work the land. Rules indicate how to proceed in case of a death or if a comunero leaves, but when cases present complexities that go beyond the rules, these are discussed by the Assembly. Current rules for land allocation agreed on in 2010 have reduced the number of hectares from a maximum allocation of thirty to fifteen because the population is growing rapidly and there is not much land available for the upcoming generations.

Ecotourism: Process of Negotiation and Consent for the Creation of the Ke'eway Association

Amanda Stronza (2000) wrote an extraordinary ethnography about the experience of Ecotourism in Infierno during the implementation stage and first four years of operation, as well articles about the progress of the project and the resulting changes in the community over time (Stronza, 2010). I draw on her work and the qualitative data I gathered during my visit to the community in order to illustrate this process and further explain how this experience with Rainforest Expeditions (RFE) has greatly influenced the way authorities and people face the arrival of REDD+.

Rainforest Expeditions (RFE) is a Peruvian tour operator established in 1989 by two partners. In the beginning, RFE's efforts were oriented towards the development of a research station for the study of Macaws along the Tambopata River. Later in 1992, the station was opened to tourists with the aim of financing research activities and some comuneros from Infierno worked as research assistants (Gordillo, Hunt & Stronza, 2008). In 1996, RFE offered to

form a twenty-year joint venture with Infierno – that later became known as the “Ke’eway Association in Participation” – with RFE in order to establish Posada Amazonas, an ecotourism lodge. Partners would split the profit (60% for Infierno, 40% to RFE) and share the responsibility for the decision making and management of the lodge. The initial investment would come from the company, a grant, and community labor (Stronza, 2010). The requirements to become a partner were to provide fifteen days of communal labor for one time only and to be eighteen or older.

The process of obtaining consent was not easy as it faced both intense skepticism and the opposition of anthropologists and indigenous rights advocates. They feared that the company would reap all the benefits and dominate the community, that people would leave their traditional activities and become dependent on wages, and that irreversible changes would occur in Infierno’s traditional culture and institutions – resulting in a loss of identity and autonomy. Inside Infierno, however, the proposal was being given some thought, even though the positions were still mixed. Therefore, a group of Ese Eja leaders (who gave the initial support to RFE) soon began convincing other comuneros to consent the project. They decided to wear the hat of “promoters” and, along with a representative of RFE, visited every family to personally explain the exact terms and the implications of the project. In this informational campaign, they used pictures and drawings to illustrate how people could participate and benefit. Simultaneously, the Committee of Control was created to help the information campaign and acted as a bridge between the company and the community. Together, they convinced the majority and obtained consent for the construction of the lodge in 1996. Posada Amazonas began operating in 1998.

Over the last sixteen years, the development of Posada Amazonas has been well documented (IBC, 2001; Stronza, 2010). The Association has won many international awards and has been center of attention in the national and international media (Stronza, 2010). Posada Amazonas attracts 20% of the lodge market in Madre de Dios. In terms of the economic benefits for the community (and beyond the 60% share and the salaries the local staff that fill in

the positions of cooks, bartenders, boat drivers, receptionists, and guides), it has also boosted the sale of handicrafts and agricultural products.

Benefit Sharing Arrangement

The benefit-sharing system of the Ke'eway Association establishes a transparent distribution of the profit among the members of the association. It is supervised and informed by the Committee of Control with the aim of ensuring transparency and accountability to the members of the association. During a meeting every month, the Committee presents a report of the association's finances, with a yearly report added in books every July. The payments are made to community members every August. During the meetings, the members discuss the progress of the finances and the use of the money. According to one of the beneficiaries of the association: "although not perfect, the system works, and if something is not clear, the members demand detailed explanations: if something is not right, they complain."

After having covered all the operational costs of Posada Amazonas—which includes local labor and other costs—RFE keeps 40% of the profits and the community keeps 60% that is divided among 154 members of the association. RFE's share corresponds to the permanent labor it provides to the business. Ke'eway members provide fifteen days labor as a requirement for obtaining membership. For instance, a member who entered the Association back in 1999 and worked for fifteen days that year helping the construction of additional rooms for the lodge does not need to provide labor again. The responsibilities of the members include attending the Association's meetings and participating in decision-making.

A portion of the Association's share (60%) is channeled to a fund that covers medical emergencies and education loans for higher education of youths -- that are paid back when the students enter the job market. The remaining 70%-80% of the Association's share is distributed among the 154 participating families each year. In case a member has been fined in the course of the year, or has received a medical or student loan, the amount would be debited from his share and he would only be paid the balance. The profits and shares per family have increased

over time: from the equivalent of USD\$150 in 2000 and USD\$805 in 2007 (Stronza, 2010) up to USD\$1,800 in 2011 (AIDER, 2012).

Financial returns obtained from ecotourism have incentivized comuneros to organize and plan the management of common-pool resources (Stronza, 2010). One example is the establishment of the community forest reserve within 2,000 hectares of communal lands and the prohibition of any kind of activity that may disrupt the forest such as hunting, logging, and farming. The area is now kept as a forest garden for traditional plants. In 2003, Infierno applied for a forest concession (for ecotourism purpose) of 1,649 hectares to protect the surroundings of an oxbow lake that is part of their tours (and is under threat because of the construction of the Inter-Oceanic Highway that connects the Atlantic to the Pacific and passes through Brazil and Peru).

These sixteen years of work have been a learning experience for both RFE and the people in Infierno. While the company has learned to negotiate with the community, the community learned that participation in the design and development of projects promotes better outcomes. The comuneros have gained better management capacity and have expanded their connections with non-profit organizations and aid organizations, who have awarded them grants for training and exchange trips to visit similar experiences in Africa, Asia, and the United States (Stronza, 2010). The communal organization has become stronger and more sophisticated as it has sought to increase efficiency at the same time as it was taking ownership of the project. They have created new bodies of governance, such as the Control Committee, and established new rules for the use of the forest and resources in order to protect their business.

The partnership will expire in 2016 and, despite all the acquired experience and learning, the comuneros do not feel completely prepared for continuing with the business on their own. According to the respondents, they still depend on RFE's international connections and experience in the international ecotourism market. Some of them argue that this lack of

ability is the result of a strategy by RFE to not transfer all the know-how of the business, while others argue that it is merely a result of a lack of the comuneros' engagement in this aspect of the business. There is an ongoing debate on whether to extend the partnership with RFE or not. Provided that the Project gives an important amount of income to the members, they fear that this might be lost in case of mismanagement.

There are also other alternatives that the comuneros and the authorities are exploring, such as starting their own eco-lodge. According to some members of the Committee of Control and the Council, Infierno is currently applying for funds and loans to make this project come to fruition. Up until the time of this fieldwork, they were holding conversations with funding agencies and gathering the required documentations. The new "product" (as they call it) will not directly compete with Posada Amazonas.³⁵ The other alternative is to engage in a REDD+ project in order to receive payments for avoiding deforestation, which is the biggest threat for the community lands, household economies, and their ecotourism business. In the next section, based on interviews with community authorities and community members, I describe the process of arrival of REDD+, the negotiation of entry, and the development of the feasibility stage.

The Arrival of REDD+ in Infierno

In 2008, the International Tropical Timber Organizations (ITTO)³⁶ launched a competitive selection process to identify forest-dependent communities interested in establishing systems of Payments for Environmental Services (PES) as part of ITTO's new thematic program named "Reducing Deforestation and Forest Degradation and Enhancing Environmental Services" (REDDES) in tropical countries. In Peru, the agency responsible for endorsing the selection of the pilot sites was the General Directorate of Forestry and Wildlife (DGFS) — a national level

³⁵ No further details were obtained from the interviewees as to how the products are different.

³⁶ ITTO is "an intergovernmental organization promoting the conservation and sustainable management, use and trade of tropical forest resources. It was established under the auspices of the United Nations in 1986 amidst increasing worldwide concern for the fate of tropical forests." Source: http://www.itto.int/about_itto/

institution appointed by the Ministry of Agriculture (MINAG)—with the assistance of local-based NGOs such as AIDER, SPDA, and ACCA. These non-profit organizations are known by the population of Infierno for they have conducted conservation projects in the neighboring Tambopata National Reserve (RNT) in the past few years.

Negotiation of Entry

In early 2009, according to one of the ruling authorities, DGFS officials and ITTO staff visited Infierno in order to inform the Council that the community was being considered as a potential project site and to seek their consent for starting the identification phase. The project idea and information about the program were presented to the Community Assembly. A long discussion followed. Community members wanted to know in which ways this project would be helpful to the community. They discussed their concerns regarding unsecure tenure, deforestation, invasions by migrants (who were settling along the Inter-Oceanic Highway and penetrating close to the ecotourism concession), and the increasing presence of papaya tenant farmers (“papayeros”) who are responsible for clearing the forest and degrading the soil in at least fifty hectares in the community. ITTO staff explained that if the studies confirmed that Infierno had potential for participating in PES programs, then they will receive funding for implementing the system and ITTO would help them tackle deforestation drivers. For instance, if selected to continue on to the feasibility stage, ITTO would assist them in finalizing the registration of the land title, which is the last step for clearing tenure and a requirement for establishing a PES system. When PES payments arrive in the future, they will be used in the administration of the ecotourism concession. A group of comuneros expressed deep concerns about the risks of losing control of their lands and restrictions for using forest resources. After the discussion, ITTO obtained the Assembly’s consent for the development of an identification study, to be carried out by New Forests Advisory Inc. – a consulting firm based in the United States – over a period of four months. The conclusion of the study revealed that Infierno has a great potential to benefit from a PES system based on the expansion of ecotourism activities and the implementation of a REDD+ project.

Some of the respondents have a critical point of view about how the selection process of the Project Developer was made. They state that the process was somewhat problematic for two reasons. First, the community had wanted to deal directly with the financier as was recommended in New Forest's study. However, due to ITTO's funding requirements, this was not possible (CI, 2012). Second, the community did not have a voice in the selection process. After an internal competition called by ITTO, in which at least other two NGOs presented their proposals, AIDER was selected to be the Project Developer without consultation or approval by Infierno. At the same time, FENAMAD tried to convince Infierno to designate the federation as the Project Developer, so it could ensure that their rights were respected and their livelihoods were not affected by REDD+. Notwithstanding, the federation did not gain the support of the community, as the majority thought that FENAMAD lacked the capacity and expertise to administrate REDD+ projects and that their only interest was to have control over the activities and the budget.

Community members requested the revision of AIDER's proposal and budget by the authorities and community members. Community members were disappointed about the amount of money that would go to cover the wages of the project officials and technicians, which is 32% of the total budget. However, this was compensated for by including a provision for infrastructure and equipment in the budget (a new community house and computers). Finally, ITTO managed to convince the Assembly to accept AIDER in a community meeting, based on the organization's reputation and experience in conducting community based forest management and REDD projects in Peru, especially in the Region of Madre de Dios.³⁷ Yet, up until today, some of the respondents still feel that they were not presented other alternatives and that AIDER's participation was imposed.

AIDER initiated activities in September 2010. The project "Sustainable forest management and utilization of ecosystem services in forests managed by the Ese'Eja native community" was established with a total budget of USD\$ 523,319 (USD\$ 356,519 is provided by

³⁷ AIDER is conducting at least seven different projects in the region.

ITTO and US\$ 166,800 by AIDER). The main objective is to “strengthen community access to environmental services market to generate additional income that will help Infierno improve the management of the communal forest and the ecotourism concession.”³⁸ The project promises to formalize rights to trade ecosystem services and to resolve existing land tenure conflicts in the concession area.

Community members see REDD+ as an alternative to obtain the necessary funds and technical assistance to finish the process of clearing tenure, to implement the protection of the land and to provide a complementary economic benefit for their households. According to the local views, the main drivers of deforestation in the communal territory and the forest concession are: population growth, agricultural expansion, the Inter-Oceanic Highway, and illegal logging. First, agricultural expansion due to the increase of the local population and the demand for land is increasing pressure on the forest. Even though smaller areas are being given to new community members and rules have been set to limit the number of hectares allowed for clearing, less forest space is available year by year. Second, the presence of papaya tenant farmers, called “papayeros,” is becoming a serious threat due to a small group of community members who rent their land to papaya farmers. According to the authorities, the papayeros have almost cleared a total of 50 hectares. Since this activity has been growing, those renting land to the papayeros have begun demanding the construction of a new road inside communal territory to connect them to the Puerto Maldonado market. Authorities are working to eradicate the activity. Third, the Inter-Oceanic Highway, which is located north of the community territory, is attracting farmers and cattle ranchers along the route. They are penetrating into the forest, very close to the boundaries of Infierno, with one settler already inside the forest concession. The lack of monetary resources for the administration of the forest concession prevents the creation of a management plan or the installation of a surveillance system in order to stop invaders. Fourth and finally, some community members are extracting timber from their farms, the common forest area, and the forest reserve – despite it being

³⁸ As described in the project document by ITTO: red-pd 018/09 Rev.1 (F).

limited or prohibited. All of these are considered as priority problems to solve by the community members and their authorities.

Development of the project

The project has four components and products (ITTO, 2009) that have been in progress contemporaneously between September 2010 and July 2012. The first component was to achieve community consensus in regards to the formulation of priority actions for forest management, to prepare a social and economic baseline, and to provide infrastructure and training for supporting the process. This component included the construction of an office and the provision of computers and internet connection for the authorities and leaders. Up until the time of fieldwork, the social and economic baseline and the forest management plan were ready. The forest management plan included a series of actions that AIDER and the community are already pushing forward – for instance, the construction and implementation of a nursery for tree seedling production for reforestation purposes. However, the construction of the office and the internet connection were still pending. This delay was generating complaints by the community members, as it is seen as a broken promise. The second component was a study to determine the status of the communal rights over land and the resources in the communal lands and forest concession, which is complete, as well as the participation of the community authorities in the creation process of a national PES policy. The third and fourth components were the insertion of Infierno into a REDD+ scheme, which requires the preparation of a carbon stock baseline and the elaboration of the Project Design Document (PDD). The PDD was due in December 2012 for validation during 2013 by VCS or CCBA.

All the components had been advancing steadily between 2010 and 2012. These preparatory activities have elicited reactions in the locals and influenced changes in the rules of the use of the territory and the resources in preparation for the implementation phase. According to the members of the Council, there have been delays in and miscommunication about some of the activities. The Council, on behalf of the population, is demanding

adjustments from AIDER. One of the most important is a change in the communication strategy, because attendance at the meetings is somewhat low. All community members and authorities agree that the information process for the project should be continuous and be made household by household, following the model imposed by the Ecotourism project sixteen years ago. Another issue that is being observed by the locals is the lack of involvement of local labor in the project's activities.

CHAPTER 5

RESULTS

This section is dedicated to exploring in greater detail the main aspects of local governance in the face of REDD+. It is structured according to the research questions posed in Chapter 1. These questions focus on the mechanisms of consent, participation, and representation as well as on the identification of changes in rules and institutions in the village resulting from REDD+. The information provided in these sections was gathered from the interviews mainly with community authorities, community members, and NGO officials.

Bélgica

Consent: Understanding, Motivations and Expectations

Bélgica gave consent for REDD+ during two occasions. In both instances, decisions were made by the Assembly in public meetings after a long discussion among all community members. One comunero reports:

It was three years ago when this business man proposed us to sell him a piece of land for him to cut. We didn't accept. Then he came up with this idea of a "carbon project" and brought Asesorandes to explain to us what it was about. The President (of the community) traveled to Lima to meet with the NGO. Then they came to the community and here (the communal house) we discussed the proposal. The President said that it was a good opportunity for us, so we decided to give it a try. We all agreed and Asesorandes started working almost immediately.

As it was mentioned in Chapter 3, there was a pre-existing relationship with the project proponents who saw a business opportunity in Bélgica and used that relationship, and already existent trust to obtain the community's consent.

According to the comuneros, the process by which the community was informed included only "two or three" meetings to explain what the offer entailed. They felt that the

information they received was confusing because it included terms and concepts they had never heard before: “carbon sequestration,” “carbon emissions,” and “carbon credits.” Most of the comuneros justify their lack of knowledge or understanding of the terms by making reference to their educational level. Some are illiterate or did not finish school. However, despite the lack of understanding of the technical aspects of projects in general, the offer was still appealing since it promised to generate additional income for the households and to improve communal infrastructure. It also included the development of a forest management plan and to apply for certification, which could increase the value of their timber while using the forest responsibly. In their second—and ongoing—attempt to enter in REDD+, the process of negotiation of entry and consent has also been quick and it was done through the regular communal procedures: the assembly voted and granted consent during a community meeting.

When prompted about their motivations to accept REDD+ and their expectations from the project, they all provided the same reasons: potential benefits at both the household and communal level. None of the comuneros were motivated by the climate goals. Although there is no way to have a clear sense of the amount, they expect that this extra income would at least help them improve their material comfort at the household level. The comuneros would use it to send their children to secondary school in the city and to be able to afford their accommodation and study materials. They also would buy motorcycles and gasoline to facilitate their transportation to Iñapari and they would be able to buy food, since they are already producing fewer goods at their farms. The benefits at the communal level would allow them to improve education and health services in the village. First, they would have enough income to hire a permanent nurse to stay in the community. Second, they would pay for a better teacher and to improve the primary school’s infrastructure. The comuneros would also improve the road that connects the community to the city of Iñapari, since the district authority does not fulfill its promises in this matter.

Comuneros state that they feel more satisfied with the information process with AIDER than with Asesorandes. They say that they have great expectations from AIDER because it is

very straightforward and transparent when presenting information about the project. Their relationship with the Project Developer is excellent so far. However, the comuneros' expectation concern AIDER staff as they want to be very careful and not raise false hopes for and subsequent disappointment from the population.

People's understanding of the project has been inaccurate to a certain extent. Looking back into their first experience, the community realizes that they were not completely informed regarding important aspects of the project – for instance, the project's finances and the timeframe for receiving. They did not realize that the project could take more than two years. In addition, they were not aware that the expenses in the execution of the activities were going to be paid by the community once the carbon credits were sold, and that Asesorandes was going to claim a disproportionate share of the carbon revenues. Had they known this, some say they probably would not have consented. However, inaccuracies persist now that the Project Developer is AIDER, especially in regards to the finances for the implementation of REDD. For instance, the comuneros do not know that there is a cost to carbon credits validation once engaged in REDD and they are not sure whether they need to pay AIDER for their services at the end of the project. Looking at both experiences, it can be asserted that the information comuneros received during their first experience was less detailed and was restricted to the technical aspects of carbon sequestration and climate change. Despite the efforts made by AIDER in educating the locals in regards to REDD, knowledge continues to be concentrated in current President of the community and the Facilitator.

All respondents agree that they never thought the project would entail any negative or inconvenient outcome to them, such as benefiting less than the project developer. In their opinion, the President of the community -who is a knowledgeable a well-respected authority- with the support of the community facilitator, had hold a series of meetings with the proponents to make sure that the proposal was not only formal and did not pose risks for the population and the territory, but also was a unique business opportunity. They also report that during all the processes, there has not been any case of opposition or anti-REDD+ discourse.

Representation, Responsiveness and Accountability of the Authority

Bélgica people are represented by the President of the community in all negotiations and processes involving any type of intervention – including REDD. For instance, the President guided the community in the negotiations with the first logging companies that came to Bélgica early in the 2000s, including MADERYJA, Asesorandes, and AIDER. The President influences the decision-making process by presenting ideas at the meetings (with the help of the Facilitator). The President greatly relies on the advice of the Facilitator and the Legal Adviser, more so than on the rest of the members of the Council. In some cases, the Facilitator even represents the community in workshops and meetings. The other authorities seem not to have enough power or initiative to contest the President's authority or to express disagreement on this matter. The President has been of great help and support to private and public organizations that have approached the community for different purposes – such as establishing contracts for timber extraction and production projects, among others. Inside and outside of Bélgica, the President's authority is accepted and respected as he is considered the eldest, the most knowledgeable, and the most experienced person of the community. In the community, kinship is an important factor in the legitimacy of his authority. This President is a direct relative to an important number of the community members. He has been elected President for four periods already—the last two consecutively—and was running for election again in 2013. In the face of the arrival of REDD+, and greatly influenced by the opinion of the Legal Adviser and the Facilitator, comuneros are discussing the possibility of declaring him President permanently in order to ensure the stability and good development of the project. Comuneros consider that the “good results” that the community is obtaining from the projects in which they have engaged so far are a result of his excellent managerial skills and his charismatic personality.

Public reporting of the activities of the President and the Secretary is done on regular basis through ordinary and extraordinary meetings. However, in terms of the finances, reporting is poorly done and is not transparent. The Treasurer and the President, who jointly manage the funds, do not provide accurate reports on the community's earnings and expenses.

Comuneros state that they know how the money from the timber is used, but ignore the numbers. However, very few of them seemed concerned about this situation, but argued that the Treasurer does not know how to make a report, however adding that he and the President are honest and trustworthy persons.

According to the majority of the respondents, the rules for benefit sharing of timber royalties are governed by the Council and directed by the President, despite the existence of orally stated rules that were discussed and approved by the Assembly. The President decides the amount of the salary people will receive depending on his social status and the individual's behavior in the community. The President also decides in which cases to make exceptions to increase or decrease the amount of a salary.

Bélgica's relationship with the District Municipality and its indigenous federation is very limited. They do not intervene in any aspect of the community governance, not even since the arrival of REDD+ to the region. District Municipalities do not have any jurisdiction over forestry or land. These are instead regulated by the Regional Governments and the sectors. In the specific case of REDD (since this is a pilot project aimed to the voluntary market), the State has limited involvement. Also, the current relationship with FENAMAD—the region's indigenous federation—is very distant. Although Bélgica is still affiliated with the federation, the contact is minimal – which can explain to some extent why the anti-REDD+ discourse is not present in the community.

Results show that representation in Bélgica is not democratic, for the regime responds poorly and is not accountable to the people. However, the people do not sanction the authorities in terms of accountability for resources controlled by the Council. In terms of responsiveness, the authorities only translate some of the local needs into actions – for instance, the establishment of a benefit sharing system on which all community members depend. However, this system lacks equity because it marginalizes both women and those families that are not related to the ruling authorities. Comuneros are aware of the salary scale

because it was discussed and approved in a meeting. But, they seem to be unaware of the amounts of the salaries paid in practice. Some examples of the Council's actions that have demonstrated limited accountability are: (1) the lack of reporting on and transparency of community expenses and the Council's actions, (2) the lack of compliance to the orally stated benefit sharing rules, and (3) the establishment of severe rules that restrict comuneros' individual freedoms. The community statutes even give power to the President for making decisions on his own and only later explaining the reasons for these decisions. Even more seriously, irregularities have been found in the management of the community, the funds, and the appointing the current President for permanent office – which is not endorsed by any Peruvian law. Comuneros see these actions as not being right but still accept them. It seems that Bélgica has a tradition of existing under authoritative figures guiding their actions – first, the rubber patrons and then, the timber companies and Facilitators. The justification for this passive behavior is that they do not have enough education to engage in negotiations with outsiders and, therefore, they delegate these responsibilities to the educated ones in the community.

Participation and Control of the Process

Local participation in project activities has been limited to the local people attending meetings and workshops where comuneros learn about carbon, climate change, and forest management. Men and women attend the community meetings not only to comply with Bélgica's rules for social order (and to avoid fines imposed on absentees), but also because the REDD+ project is of interest to the people. They also “participate” in the feasibility studies in the field by assisting the team of biologists in the collection of soil samples.

Local people do not engage in the design of the project's activities or actively participate in decision making, particularly in their experience with Asesorandes. According to the respondents, they have mostly accepted all the proposed activities by the project proponents. The projects are pre-designed and people only participate by approving or disapproving an

action. People participate in the debates during the community meetings, but in the end their voices are not binding for decision making in regards to the development of project activities. The President's opinion is highly influential. If he supports a cause, then the rest of the community does too. In turn, the President relies on the Facilitator and the Legal Adviser for advice, so most of the decisions that the President makes are influenced by these two advisers.

According to all the respondents, they did not have any control of the process of preparation for REDD in their experience with Asesorandes. The terms of the project, the activities, and even the benefit sharing agreement between the community and the company was designed by Asesorandes. This motivated the community's internal disagreement because their opinions were not considered and they felt under pressure to sign a contract that was greatly disadvantageous to the community. This is what mainly marked the end of the relationship between both parties. In the case of the work with AIDER, the project allows for more control by the community. Every action done by AIDER is consulted with and approved by the Assembly. However, due to the high expectations they have in this second process, the comuneros tend not to question AIDER's actions or proposals because the NGO has a good reputation and its experience is valued. However, the community would still have the power to question any action by the NGO – just as the community of Inferno does (which will be discussed in the next section of this chapter).

None of the comuneros or authorities participate in broader discussions of REDD at the regional level in order to contribute to the construction of REDD or share their experiences. Members of the Council argue that Bélgica does not participate in the REDD+ Roundtable of Madre de Dios simply for being too far away from Puerto Maldonado, even though they have the time and resources to attend to the meetings that take place once every two months. There seems to be a lack of interest—whether intentional or not—in participating in these meetings with other communities, organizations, or public institutions involved in REDD.

Changes in Rules, Institutions and Practices

Respondents agree that land and forest use have changed in the last few years and have become more severe since the arrival of REDD+. Ever since Bélgica was titled, several public and private organizations have made interventions aimed at the protection of the forests and the regulation of their use. Bélgica's engagement timber harvesting was the first step in the change. Due to the increase of household's income resulting from this activity, comuneros can afford a life with greater comfort. Thus, agriculture was gradually left behind and is only performed by a few comuneros and mostly for subsistence. With the arrival of timber certification, more restrictions over the extension of the farms were imposed and new management techniques were put into practice in an effort to keep as much of the standing forest as possible. New farms can only be made on forest fallow. Now, with the arrival of REDD+, the sizes of the farms do not exceed two hectares and slash-and-burn can only be done within a "fence" that will keep the fire enclosed in the area, avoiding its spread to the tall forest. Cattle ranching is said to be prohibited, however, according to some respondents, the number of cattle has increased and most of it belongs to the current president of the community.

The logic behind this change in forest use to keep as much of the standing forest as possible is either for timber extraction or for carbon sequestration. The result is that, over time, the traditional use of the forest by the Bélgica community is in decline. During the interviews, community members mentioned the negative effects of slash and burn practices several times, especially because they release carbon dioxide into the atmosphere. Comuneros relate the idea of agriculture to environmental degradation – or at least it is present in their discourse.

Preparation for REDD has also brought impressive changes in rules of social order. In July 2012, the Community Assembly approved the modification of the statute of the community. According to the authorities, the changes of the rules were suggested by the comuneros. Community members signed and finger-printed an individual written undertaking

by which they accept to be excluded from the register of inhabitants and to cease receiving income from the timber sales and REDD+. The text reads as follows:

In the case that I fail to behave properly inside and outside the community and to provide labor and support for the good development of these two activities (certified timber extraction and REDD), I authorize the Assembly to exclude me from the register of inhabitants of this community and from receiving any type of income, either from timber sales or the REDD+ project. I will therefore peacefully accept this penalty and will not interpose any demand against the community (extracted from “Document of Commitment and Subjection” signed on July 20, 2012).

However, due to the severity of the new rules, it appears that the comuneros instead have been induced or convinced to make the changes.

As it has been detailed in Chapter 3 (in “Rules for Social Order”), proper behavior includes the respect of the rules for social order, such as attending and participating in the meetings, not drinking alcohol, and participating by providing labor for the community – which is also called “collective work” and includes cleaning the community, cleaning the road, repairing the community house, and any other activity that the authorities and the comuneros decide is beneficial for Bélgica as a whole.

Alcohol consumption is considered to be an inappropriate behavior and a persistent problem. Comuneros mentioned that the use of alcohol was introduced when the community started receiving royalties. The issue has been discussed over the past few years in community meetings and some rules were agreed. For instance, a fine is deducted from the monthly salary of those who drink (approximately USD\$20). With the aforementioned new rules, alcohol consumers will now be severely punished. All the comuneros agree with this rule because they have been informed that otherwise they will not meet the “social aspect” of the requirements for REDD+. Authorities argue that it is necessary to build trust in REDD+’s investors who need to be ensured that their investment will not negatively impact the community.

Failing to “provide support” to the ongoing projects in the community is severely punished under the new statute, which entails drastic implications for citizenship and belonging. All comuneros have the responsibility of supporting the projects that have been approved by the Assembly; they must participate in the workshops, meetings, field work, and any type of work within the projects when required. There is no established minimum amount of time or labor for providing support, nor is the amount of support required to be given related to the amount of comuneros’ payments.

Comuneros are not permitted to be away from the community for more than two months without the permission of the Council; otherwise they will lose the benefits that they are entitled to as comuneros (both status and income). This rule goes against the Law of Native Communities of 1978,³⁹ which established a maximum absence of twelve months unless the absentee demonstrates they are attending to school or present health problems. In Bélgica, the return of former comuneros or the arrival of new ones is being restricted. In the past, new or returning people in the community would undergo a probation period of two years in order to acquire rights in the community, including status and income. Returning comuneros are still put on probation for two years, after which they can regain their status. However, the rule dealing with income has been abolished and now new or returning people cannot ever receive a salary. The existence of current royalties from the timber business and the possibility of future ones from REDD+ attracts the attention of outsiders who intend to move into Bélgica so that they can receive money. People can no longer marry non-indigenous outsiders in order to reduce the likelihood of an outsider marrying comuneros only to access royalties from carbon and timber. There is no reference to a similar prohibition in the case of marrying indigenous outsiders.

These new rules—and the attempt for imposing the permanent election of the current President—are ignored by the state authorities, NGOs, and the indigenous federations. These types of restrictions and impositions are not supported by any Peruvian law or the constitution;

³⁹ Law No. 22175 “Ley de Comunidades Nativas y de Desarrollo Agrario de la Selva y Ceja de Selva”

national laws state their respect for customary rules and guarantee that human rights are protected. This may be the reason why these drastic and unusual rules are not included in the community statutes,⁴⁰ but are rather stated in internal documents. When questioned about the NGO's knowledge of this situation, AIDER officers stated that it is their policy to respect customary rules of native communities and not to get involved in their internal decisions. They state that in the case that comuneros feel that rules are abusive, they should complain to the FENAMAD federation, the Vice Ministry of Intercultural Affairs, or the Ombudsman.

Benefit sharing mechanisms to be adopted under REDD+ will be similar to the ones that are being used now for the distribution of timber royalties (as mentioned in Chapter 3). For almost three years, comuneros have been discussing REDD and the best way to benefit from its future revenue. They all want direct payments to complement their current salaries from timber. However, they also agree that some of the current rules for distribution of the benefits are under the influence of the subjectivity of the authorities, which allows the authorities and their relatives to monopolize the benefits.

Infierno

Consent: Understanding, Motivations and Expectations

In Infierno, there are varying views in regards to REDD+. There is a group of supporters who get involved and participate in the meetings. These groups are comprised mostly of authorities and community members who (1) have landholdings with important extensions of well-preserved forest and (2) are interested in receiving extra income for the conservation of the areas under their care and are willing to wait a few years for the benefits to arrive. One other reason why they are interested in the project is because the preparatory activities include not only the diagnosis of the land rights in Infierno, but also the provision of technical assistance for completing the registration of their land title, which has been pending for so many years. According to one of the authorities who participated in the negotiations:

⁴⁰ Native communities' statutes are registered in the National Public Registries.

We analyzed the offer very carefully and realized that even if we do not end up selling any carbon, at least the preparatory activities of the project will have secured our land.

Comuneros understand that engaging in REDD+ can be a long process and that future payments are not one hundred percent guaranteed and, if they happen, payments will vary according to the price of the carbon in the market. Some optimistic supporters of the project hope that REDD+ income will improve their quality of life. But, the culmination of the titling process — which has been pending for so many years — is an extremely important issue for Infierno in the face of a recent migratory wave promoted by the construction of the Inter-Oceanic Highway. The opinion of an old Ese Eja leader illustrates this assertion:

What caught my attention is that we will finally have our land title completely registered. We should have done this before, it has been nearly thirty years and all this time the authorities did not do anything....I'm not familiar with what AIDER is exactly doing as I have come just to 4 or 5 meetings so far. However, I am very pleased to know that AIDER is helping us in the measurement and border establishment of the territory. We need to increase surveillance of our borders because there are migrants who are establishing along the [Inter-Oceanic] Highway and are penetrating into our forest.

In contrast, there is a small group of comuneros who oppose REDD+ because they either consider it would affect their business or because they are influenced by the indigenous federations discourse. The first group are the Papayeros, illegal loggers, and local merchants who dislike REDD+ because it requires a change in the “business as usual” way of using the forest. A local Andean merchant who is well known as an illegal logger in said:

I ask myself if it is really worth it not to touch the forest while I wait on REDD's money, missing the opportunity of getting some cash for crops and timber now? I have been observing this process and I see that in three years we have not achieved any (monetary) result. Our stomachs can't wait any longer for REDD+.

These changes will directly affect their livelihoods by imposing rules over the use of the resources and, therefore, this group does not believe in the potential benefits from REDD in the future. The second source of opposition is a group of community members who are

ideologically aligned to FENAMAD who criticize and oppose REDD+ directly, influenced by AIDSESEP's anti-REDD narratives. This is only a very small group of mostly Ese Eja leaders who disseminate this discourse in the community – and to their contacts outside the community--, especially during the phase of negotiation of entry. As it was aforementioned, FENAMAD did not gain any support when it tried to convince the population that the federation should be the project developer. Their position is not appreciated in Infierno. In the perspective of other groups of comuneros, the federations assume comuneros are not sufficiently empowered or lack the ability of negotiation. An important Ribereño leader who supports REDD reacts against this and explains:

AIDSESEP [the national indigenous federation] thinks that our community is in danger under REDD. But we have told them that it is safe, we would never sign any agreement that would jeopardize our [collective] land. In fact, the preparatory activities of the project are helping us achieve the last step towards clearing tenure, which is very convenient for Infierno so that we can protect the land. The federation thinks that we are silly or naïve, but we are not. We can make our own decisions based on a real evaluation of the opportunities that the projects present. We feel uncomfortable when others [FENAMAD and AIDSESEP] think we are not capable enough to make smart decisions.

According to this same leader, there are documents in the grey literature that talk about Infierno's REDD project in negative ways, written by indigenous advocates. He adds:

None of this people have visited the community once to ask us what we think about the project or how it is developing. All the information they get is from the people who oppose the project inside the community, who have their particular ideology. We know that the project has its flaws and that there are some bottlenecks and delays that we need to overcome, but definitively we are not being fooled.

Finally, there is a wide sector of the population that is still forming an opinion about REDD+ and, in general, is tired of the constant presence of NGOs and researchers. As explained

by this staff member, most of the population is waiting for the project staff to visit them and to provide more information, just as was done in 1996 with RFE:

NGOs come to the community to work. AIDER talks about carbon sequestration, but few people, me included, understand what that means. The authorities meet with AIDER often, but they give us little information. It is always the same story and I don't have time to listen a new NGO. NGOs usually present their projects; earn their salaries and leave. Very little stays in the community. I would probably be more interested if I saw that we can also benefit from the project money, like we do in Posada Amazonas.

The benefit sharing mechanisms have not been agreed on yet, but they are being discussed to some extent. Community members worry about the equity in the distribution of the benefits and the time it will take to receive REDD+ payments. For instance, a local merchant who is skeptical about REDD, asked:

Imagine if some families decide not to cut trees and just use a little area for farming, while others don't care that much and just clear most of their forest for commercial crops. Will these families receive the same share of benefits? I don't think that is fair. How will the authorities know how much is being cut in each farm?

Other community members believe that REDD should use the system they use in ecotourism: with a portion of the benefits going to a community fund and the other part going directly to the families. The authorities of the Council and the Control Committee have a different perspective and suggest that, during the first years, all REDD+ revenue should entirely go into a common pool to be invested in ecotourism activities in order to pay loans that they are currently applying to for the construction of a new lodge.

Since there are no national laws for the regulation of benefit sharing arrangements, AIDER was supposed to design a proposal for benefit sharing in compliance with CCBA standards. This proposal was to be presented to the Council and the Assembly for their approval and further inclusion in the PDD (by the end of 2012). However, at the time of fieldwork, no information on this arrangement could be gathered.

The knowledge of and opinions on this intervention can be divided in two categories. One is the knowledge of and positions on REDD as a mechanism and the other has to do with the preparatory activities that will insert Infierno in REDD. In regards to REDD, no matter what people's position is, all the respondents are convinced that—to different degrees—they do not completely understand how REDD works, how the benefits will be distributed, or how will it be handled in the future. They agree that more information is needed and that project staff should visit every household in order to present the project – just like RFE did in 1996 in the ecotourism project. So far, knowledge is mostly concentrated in the hands of the local authorities, but even among them there are different degrees of understandings and positions. In regards to the preparatory activities, according to the project narrative, AIDER should periodically publish the progress and results of each one of the components on their website, make informative workshops in the community, and spread information through the media. The AIDER staff considers that opposition to the project has gradually faded thanks to the information that AIDER shares in the many workshops and meetings with the community. However, according to the majority of the respondents, the process by which comuneros are being informed continues to be weak and insufficient.

Representation, Responsiveness and Accountability of the Authority

During the negotiation of entry and the development of the preparatory project, the Infierno community was represented by the Community Council, with the support of the Control Committee and the advice of the Project Coordinator. Decisions were made by the Assembly – as the main deliberative and decision making body of the community – and the Council acted on their behalf. However, the presence of the Ecotourism Project created a new level of representation and encouraged the specialization of members of the Control Committee in the supervision and management of projects. Thus, the Committee of Control is considered a new level of representation in the community for it represents 154 families that are members of the Ke'eway Association—out of a total of 180 families in Infierno—and is instrumental in the supervision and control of the activities and finances of the Ecotourism

Project. In recent years, the Committee has joined the Council in negotiations with other entities. This has somehow legitimized the Committee as a representative body in the eyes of companies, NGOs, and the government. However, the Committee of Control cannot be considered a democratically representative body since their members are self-appointed, represent particular interests, and are accountable only to the members of the Ke'eway Association.

In Infierno, authorities of the Council are accountable to all community members and respond for their own actions in public meetings. Authorities are elected with the vote of the Assembly in public elections. In regards to different affairs, decisions are also made based on the deliberations of the Assembly in public meetings; the authorities accept people's mandate and make efforts to translate people's demands into actions. Authorities are expected to report of all their activities and expenses to the Assembly, who holds them accountable. The Assembly has the power to dismiss and punish authorities who do not work or behave according to the community rules. Despite disagreement in some aspects of local governance, most of the respondents agreed that the authorities mostly respect what the people decide in the Assembly. Although not completely perfect, representation in Infierno is democratic.

Different from the Ecotourism Project, REDD+'s arrival has not yet promoted the creation of new representative institutions. The Committee of Control is currently learning about REDD+ to engage in the supervision of REDD+ along with a group of two people designated by the Assembly, who will be trained in carbon markets and carbon credits negotiation.

Participation and Control of the Process

In regards to REDD+ activities, coordination between Infierno's authorities and AIDER is constant. In July 2012, as a result of some bottlenecks in several project activities and the widespread criticism that the project is facing due to the lack of visible results, the members of the Council, Control Committee, and the Project Coordinator met with AIDER. Three main

concerns were discussed: infrastructure, budget, and the dissemination of information about REDD. Comuneros perceive that the project does not allow for their active participation, as the project is designed in such way that they remain passive recipients of information and training about REDD+ in general. Their experience with RFE has taught them that active participation yields better results and to the ownership of the project, so they are very critical of the way the Project Developer is conducting the project.

Attendance at the REDD+ meetings is low. Project staff argues that this is because people are busy in the lodge, are working in their farms, or are in the city. However, these might not be the only reasons that attendance is low, for it contrasts with the massive attendance of comuneros at the meetings where the progress of Posada is discussed. Comuneros argue that in the beginning of the ecotourism project, participation was low too and convincing the people to join the project was a difficult process. They also argue that, in the case of the REDD+ project, the results are not visible, which raises doubts about their future success.

One reason for the low level of participation may have to do with the fact that local labor for project activities is not included in the budget. Therefore, the possibilities of the local people to obtain some benefit are inexistent, thus having an impact on their interest in the project. Some community members have expressed their discomfort in regards to the percentage of the budget that goes into covering salaries and consultancies of outsiders – especially considering that local people are well suited to provide labor. This situation has been discussed in meetings between representatives of the community and AIDER, but at the time of the study, the negotiations had not yielded any result.

Changes in Rules, Institutions and Practices

Infierno has been under a constant process of production and modification of rules in regards to forest use. This is not any different at the arrival of the REDD+. The communal territory is divided into a common use area and an area for farms (which vary in size, and can

range from thirty hectares in the case of old members, to approximately fifteen hectares for new community members). Land allocation rules are changing because of the pressure over land resulting from the increase of the population and also because of the need to reduce deforestation in the community lands.

According to the new rule brought by REDD+, comuneros are now only allowed to clear up to ten hectares of forest within their farms. This does not seem a problem for subsistence farmers (who on average do not work more than four hectares of land in a year). However, it does represent a problem to those who use larger extensions for market-oriented agriculture, like the papaya tenant farmers and those who illegally extract high value timber species to be sold on the black market.

The papaya tenant farmers are resisting this new rule because it directly affects their business. Their strategy is to couple efforts with a group of new and young comuneros who are being given land behind the plots located along the river. These new comuneros argue that access to these new plots is difficult; therefore, they demand the construction of a road. This road will provide them with easy access to get their produce to the market. This will also be beneficial to the papayeros who will have new infrastructure to expand their business and to rent more land from people who prefer to earn their livelihood in the city or the lodge. Up until the end of fieldwork, the authorities were making efforts to convince the Assembly that a road will signify the increase of deforestation and an enormous threat to their ecotourism business and payments from REDD+. Papayeros, illegal loggers, and charcoal producers try to convince their relatives and the Assembly that the long term benefits from REDD may never arrive.

CHAPTER 6

CONCLUSIONS

The cases presented in this thesis illustrate the process of arrival of preparatory REDD+ activities and the changes they have been bringing to two indigenous communities with different histories, ethnic compositions, and governance experiences, but similar in how both are engaged with certain level of success in activities that rely on the use of forest resources. Due to the differences in governance experiences, REDD+ projects in these two distinct sites produce different outcomes even though they have been carried out by the same Project Developer, in the same region, under the same laws.

Titling and additional economic benefits are two distinct reasons that Infierno and Bélgica decided to engage in REDD+. In the case of Infierno, obtaining land tenure is only one of the components of the project, but it seems to be the most important, even more so than future payments from REDD. In this case, all the respondents without exception still have doubts about whether REDD+ will result in an improvement in their economic situations or the use of the forest. REDD+ supporters agree that clearing tenure is the main benefit of the preparatory project, even if REDD+ does not work in the future. In the case of Bélgica, land tenure is not a worry. Community members are interested in REDD+ because of the revenues that will complement the income they obtain from certified timber sales. All comuneros are very optimistic that they will soon engage in REDD+ and sell carbon credits that will provide direct payments to the families. They expect that the payments will help improve household's economies, as well as the community's infrastructure – such as and health and education services.

Bélgica and Infierno present important differences in the way local people make decisions and participate in REDD+. In the case of Bélgica, decision making continues to be influenced by the ruling authorities for they concentrate knowledge, power, and resources in order to convince the community to support REDD+ or any activity they consider convenient.

Even though the community members participate in discussion forums, their decisions are based on information provided by the authorities. Therefore, most of the decisions made are aligned to the authorities' preferences. In addition, recently created community rules state comuneros can lose membership in the community if they do not provide support to community projects, so there is little space and information for opposing REDD+ or any other initiative supported by the authorities. This study also reveals patterns of inequality in access to revenues and labor opportunities. In Bélgica, not all the comuneros equally benefit from projects or businesses. There are scales of payment according to the status and gender of the community member, which ends up excluding women and not benefitting those who are not directly related to the ruling authorities or hold public office. REDD+ runs the risk of reproducing inequality since the same benefit sharing system that is used for timber revenues will be used for REDD+.

In Infierno, the arrival of REDD+ has not changed the way decisions are made in the community. Even though knowledge about REDD+ is also concentrated in the hands of a few people in the Council, the Control Committee, and the Project Coordinator, comuneros have the power to demand from these authorities that the information reaches all community members. Since the foundation of the community (and only more so with the influence of an Ecotourism Project in their area), the decision making process has been based in long and detailed discussions among the three ethnic groups living in the community. People can be very critical and demand in-depth explanations from their authorities and the REDD project NGO, AIDER. Through their representative authorities, comuneros also demanded that the NGO visit each household in order to provide thorough information about the project. In addition, the community was starting to discuss the possible benefit sharing mechanism to be employed for REDD+. According to most of the respondents, they were considering using the same mechanism that is being used in the Ecotourism Project, but to extend it to all community members. The process of development of the preparatory project was based on constant negotiations and exchanges between Infierno and AIDER (the NGO). The community managed to participate and impose their conditions.

The present study also reveals the lack of involvement of the District Municipalities—the most local level of government—and the regional governments in the process of REDD+'s preparatory projects. Even though they are elected and represent native communities in their jurisdictions, District Municipalities lack the powers and wherewithal to rule over forests and land use, so they really do not attend to communities' needs in these matters. Such responsibilities lie in the hands of the Regional Governments, which are entitled to issue land titles to native communities and give extraction permits and concessions over forest resources. However, this level of government does not have specific jurisdiction in regards to REDD+. Therefore, communities directly engage in pilot REDD+ projects that are represented by communal authorities who act as intermediaries between the populations and the NGOs or private companies. In addition, the regional indigenous federation (FENAMAD) is excluded from the process due to its anti-REDD discourse. Lack of representation for REDD+ on behalf of different levels of the State and the indigenous federation entails risks to communities as they are not backed by elected and customary authorities that can make sure that communities go through adequate processes for sharing information and gaining consent, that their rights are respected, and that equitable benefits sharing mechanisms are designed and implemented. Otherwise, REDD+ would only reinforce exclusion and inequality.

At the community level, forms of representation in both Bélgica and Infierno are similar in structure, but different in how democratic they are. Both communities have a Council that represents the community, and a Community Assembly that acts as the main deliberative and decision making body. Following the concept of "democratic representation," this investigation revealed that Bélgica's regime is not democratic. Even though decisions are made by the Assembly in an apparently democratic process, they are heavily influenced by the ruling authorities and the Facilitator – who monopolize knowledge and resources and impose pressure through the creation of severe rules for social control. Moreover, authorities of the Council are not accountable to the people as they do not completely report their activities or their management of funds and resources of the community. The advent of REDD+ in this community, under these conditions, is likely to perpetuate elite domination, inequality, and

exclusion of vulnerable and powerless groups. In the case of Infierno, representation is democratic as the Council acts on behalf of the community members and puts in practice people's mandates as agreed in community meetings. There are mechanisms of accountability that guarantee that the authorities report back to the Assembly about their activities and the management of community's funds and resources. The Assembly has enough power to sanction those authorities that are not working according to their mandates.

Both Bélgica and Infierno have experienced changes in rules and institutions at the advent of REDD+. In the case of Bélgica, agricultural activities were already being controlled because they previously obtained timber certification with the aim of keeping as much standing forest as possible. Upon the arrival of REDD+, restrictions were extended over the rules for social order. Rules for becoming community members or for losing that status are becoming extremely uncompromising. Comuneros can be removed from the community and lose their right to certified timber and REDD+ revenues if they fail to support project activities or if they show "improper behavior." Comuneros have been induced to sign written affidavits in which they give up their rights to complain in case they are dismissed from the community. The decision for what is "support" and what is "improper behavior" are made by the ruling authorities based on their own subjectivities. The threat of losing membership to the community under these conditions constitutes a human rights abuse. In the case of Infierno, changes in the rules have not been as severe as in Bélgica. According to the new rules by REDD+, community members cannot cut more than ten hectares of land in their plots as a measure to prevent deforestation and degradation. New land allocations are smaller than in the past, not only because of REDD+, but also because of population growth and the less available land—), which has been reduced from thirty to fifteen hectares. New rules have been accepted by the collectivity without conflicts, except with those who use larger areas for market-oriented agriculture, like the papaya tenant farmers and illegal lumberjacks.

The cases of Bélgica and Infierno are useful for illustrating the conditions under which REDD+ projects are taking place in native communities in Peru. Communities are at great risk

because that private companies and organizations do not have the obligation of consulting the population if they wish to start REDD+ projects in native communities. Risk is enhanced by the lack of supervision from the different levels of government during the processes by which populations are informed and provide consent. Implementing organizations may overlook governance issues at the community level that lead to abuse and exploitation of people in communities who may end up losing important assets and freedoms. The development and implementation of social protections is essential for avoiding potential negative effects in populations, as well as to ensure the generation of benefits for them.

When this research took place, communities had not yet received completion for the feasibility stage, which is the culmination and validation of the Project Document Design, . In order to continue analyzing the effects of REDD+ in these communities, it would be relevant to study participation and representation during the implementation phase, when communities are finally able to generate carbon credits and are enabled to be monitored further and for credit certification sessions.

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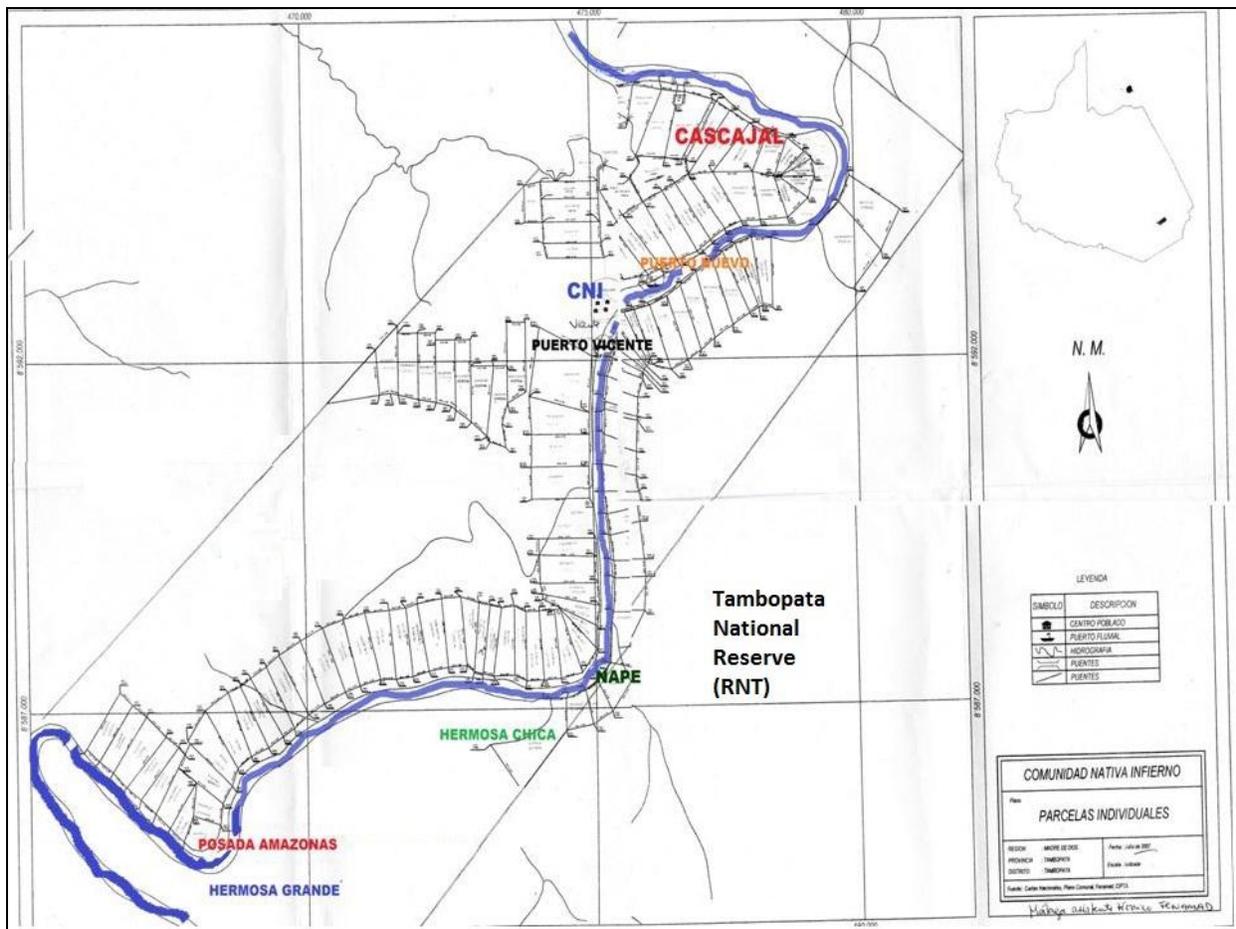
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APPENDIX A

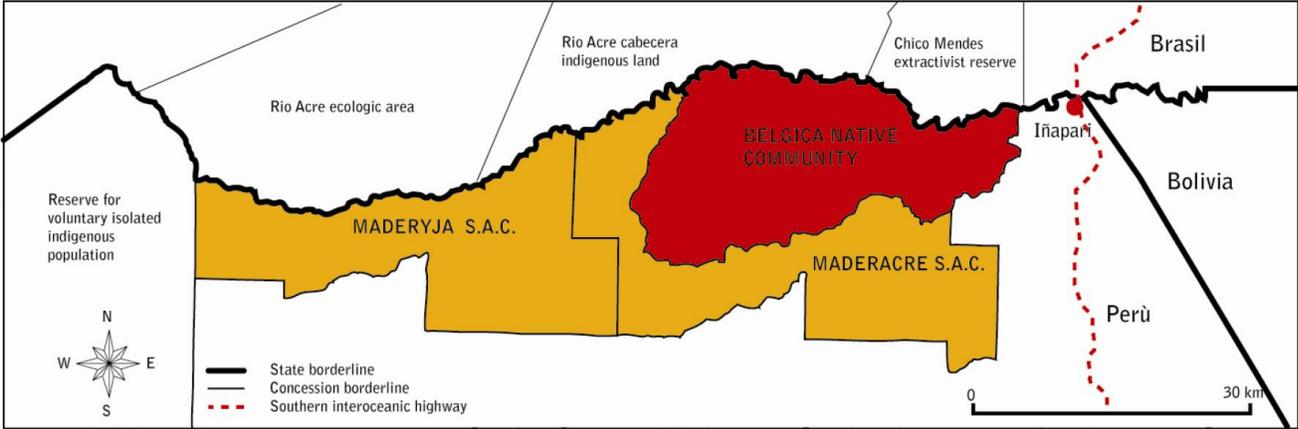
Map of the location of parcels assigned to each family in the Native Community of Infierno.

The river flows in direction to the NE (from Hermosa Grande to Cascajal.) On the right margin we find (what used to be) Hermosa Grande, Posada Amazonas, Hermosa Chica, Centro Ñape and the Tambopata National Reserve. On the left margin, we find Puerto Vicente (which is a boat deck with only a few houses around), CNI (which is an acronym for “Comunidad Nativa Infierno”), Puerto Nuevo, and Cascajal. The area within the rectangle of the community that is not part of the family parcels is considered “Common Forest Area” and is managed under specific rules.



APPENDIX B

Map of Bélgica Community and surrounding forest concessions.



Source: Brotto (2009).